

<b>EMPLOYMENT AND TRAINING ADMINISTRATION          ADVISORY SYSTEM          U.S. DEPARTMENT OF LABOR          Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> WIA/Performance
	<b>CORRESPONDENCE SYMBOL</b> OWI/DAS/INAP
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 5-09

TO: WORKFORCE INVESTMENT ACT SECTION 166 INDIAN AND NATIVE AMERICAN GRANTEES

FROM: JANE OATES /s/  
Assistant Secretary

SUBJECT: Reporting Guidance and Instructions for the Workforce Investment Act (WIA), Section 166, Indian and Native American (INA) Supplemental Youth Services Program, Including Performance Accountability Reporting for the American Recovery and Reinvestment Act (Recovery Act) of 2009

1. **Purpose.** The purpose of this guidance is to issue a revised youth reporting form Employment and Training Administration (ETA) Form 9085 (Office of Management and Budget (OMB), Control No. 1205-0422) and instructions, which incorporate reporting requirements for the Recovery Act.

2. **References.**

- Recovery Act of 2009 (Pub. Law 111-5).
- WIA of 1998, as amended (29 U.S.C. 2801 et seq.).
- WIA regulations at 20 CFR 668.460 and 668.610.
- Training and Employment Guidance Letter (TEGL) 14-08 - Guidance for Implementation of the WIA Funding in the American Recovery and Reinvestment Act of 2009 and State Planning Requirements for Program Year 2009.
- TEGL 16-08 - Guidance for Implementation of the WIA Funding in the American Recovery and Reinvestment Act of 2009 as required by Subtitle D, Section 166, Native American Programs.
- The Division of Indian and Native American Program (DINAP) Bulletin No. 00-18 - Final WIA Section 166 Reports, Instructions and Timeline.

3. **Rescissions.** Youth reporting forms and instructions included in DINAP Bulletin No. 00-18.

<b>RESCISSION: DINAP Bulletin No. 00-18</b>	<b>EXPIRATION DATE</b> Continuing
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4. **Background.** ETA requires the collection and reporting of data on eligible persons served under the WIA, Section 166 Supplemental Youth Services Program (SYSP) to assess the performance and delivery of services. The recent release of additional funds under the Recovery Act is intended to serve a greater number of youth and requires the collection and reporting of participant data to evaluate program performance.

As with all Federal funds awarded to grant recipients, it is expected the WIA Section 166 program will provide full transparency and accountability for Recovery Act funds.

INA grantees will still be required to submit semi-annual and annual program reports on all youth served by the regular SYSP (See No. 6: Frequency of Reporting.) *The INA grantees will also be required to report separately on youth served with Recovery Act funds on a monthly basis.* In the program report, INA grantees will report aggregate counts of all Recovery Act youth participants, including characteristics of participants, numbers of participants in summer employment, services received, measure of work readiness (as required by the Recovery Act), and successful completion of summer youth employment.

Three factors in the Recovery Act make it necessary to update the existing reporting mechanism: 1) A change in eligibility increasing the age limit to 24; 2) inclusion of the work readiness measure as a performance indicator; and 3) an emphasis on using funds for summer employment. In addition to Recovery Act reporting requirements, all WIA INA supplemental youth fund recipients must submit the data required by ETA Form 9085, OMB No. 1205 - 0422. ETA Form 9085 will be updated and revised to include the supplemental Recovery Act information, resulting in a comprehensive report for the collection of data elements for both Recovery Act and regular WIA Section 166 youth participants (See Attachment A). By including Recovery Act performance indicators in the regular SYSP program report, grantees will report required information with minimal administrative burden.

5. **Changes to Youth Reporting.** Changes that have been made to the SYSP Report (ETA Form 9085) are provided below. The data elements provided below are also highlighted in yellow on the form that is included in the attached reporting instructions.

#### **Changes Made to Accommodate Recovery Act Transparency Provisions**

- Reporting frequency will be monthly (Recovery Act Participants' Report only);
- Maximum age requirement for eligibility has been increased to 24 (Recovery Act participants only);

- Collect information on participants in summer employment;
- Collect information on participants that exited summer employment;
- Collect information on participants that successfully completed work readiness;
- Collect information on participants that successfully completed summer employment;
- Collect information on the number of youth served between the ages of 14–18, 19–21, and 22–24;
- Work readiness added as a new measure; and
- Summer employment completion rate added as an indicator.

### **Changes to Apply to the Regular SYSP Reporting**

- Collect information on number of youth served with disabilities.
  - Collect information on number of in-school youth served.
  - Collect information on number of out-of-school youth served.
  - Collect information on number of eligible veterans and spouses served.
6. **Reporting Requirements.** INA grantees have 45 days after September 30 to submit the regular semi-annual SYSP report and 90 days after March 31 to submit the annual report. To comply with the Recovery Act, INA grantees are required to submit monthly Recovery Act reports by the 15<sup>th</sup> day of each month (for the previous month). The first monthly Recovery Act report is due on October 15, 2009, and should include all Recovery Act participants from March 19, 2009, through September 30, 2009.
  7. **How to Determine if an Individual Should be Counted as a Recovery Act Participant or a “Regular” Section 166 Participant.** It is the intent of Congress that Recovery Act funds be spent concurrently with regular youth formula funds and that there is an increase in the number of youth participants served by the SYSP. Therefore, Recovery Act participants should be served concurrently with regular youth program participants. Grantees will report on participants based on the funding source used (regular SYSP or Recovery Act funding.) Youth participants between the ages of 22-24 at eligibility must be counted as Recovery Act participants. Grantee Directors are encouraged to coordinate with their accounting department to determine how participants will be tracked by funding source.
  8. **Mechanism for Reporting.** Revised Bear Tracks youth software will be released soon. Until the new software is available, grantees should use their existing system to track youth participants. The on-line reporting system located at [www.eta-reports.doleta.gov](http://www.eta-reports.doleta.gov) currently used to submit regular SYSP reports will also be used to submit the monthly Recovery Act report, except that a button will be added for the monthly Recovery Act report.

Grantees that choose to use an alternative reporting system must ensure it has the capability to capture and report required Recovery Act participant data elements.

## 9. Financial Reporting for Youth Recovery Act Funds.

- A. ETA Financial Report: Grantees are expected to establish separate internal budget and account codes to distinguish between Recovery Act and regular SYSP funds. The same on-line reporting process and ETA-9130 quarterly financial report will be used for reporting on Recovery Act funds. The new Recovery Act fund source is "5N0" and will appear on the list of reports in the on-line reporting system.
- B. OMB Recovery Report (otherwise known as the 1512 Recipient Report): OMB will require all grantees that received Recovery Act funds to submit a separate report, which will be due the 10th calendar day after the quarter, beginning with the quarter ending September 30<sup>th</sup>. Further guidance regarding these reporting requirements can be found in TEGL 01-09 located at <http://wdr.doleta.gov/directives/attach/TEGL/TEGL01-09.pdf> and OMB memorandum M-09-21 located at: [http://www.whitehouse.gov/omb/assets/memoranda\\_fy2009/m09-21.pdf](http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-21.pdf).

## 10. Performance Outputs and Outcomes.

- A. The Recovery Act specifies "Work Readiness" as an *outcome* measure. Additionally, *output* information will be collected as referenced in the attached instructions. Examples of *output* information include:
- participants in summer employment
  - participants that exited summer employment
  - participants that successfully completed work readiness
  - participants that successfully completed summer employment
  - summer employment completion rate.
- B. The regular youth program will continue to provide complete, comprehensive information as required in Form 9085.

11. Transparency and Accountability. The Recovery Act contains provisions stressing transparency and accountability in the use of the funding provided by the Act, including the creation of a new Web site, [www.recovery.gov](http://www.recovery.gov). The emphasis on these provisions, along with national interest in the effect the Recovery Act has on our nation's economy, will translate into increased attention to the workforce system's implementation of the Recovery Act.

Consistent with the law, ETA will make the reported information publicly available on [www.recovery.gov](http://www.recovery.gov).

- 12. Paperwork Reduction Act (PRA) Statement.** The annual public reporting burden for the collection of information described in this TEGl is estimated to average approximately 80 hours per grantee for the monthly, semi-annual, and annual reports and 416 hours per grantee for recordkeeping. This TEGl contains one major revision in the frequency of reporting, monthly reports on Recovery Act participants.

According to the Paperwork Reduction Act (PRA) of 1995 (Public Law 104-13), no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number (See 44 U.S.C. Section 3512).

- 13. Inquiries.** Questions should be directed to your designated Federal Project Officer.

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- 14. Attachments.**

**Attachment A:** ETA 9085 form and instructions.