

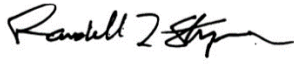


COMMONWEALTH OF VIRGINIA
VIRGINIA COMMUNITY COLLEGE SYSTEM

WORKFORCE INNOVATION AND OPPORTUNITY ACT

VIRGINIA WORKFORCE LETTER (VWL) No. 20-07, Change 2

TO: Local Workforce Development Boards

FROM: Randall Stamper 
Associate Vice Chancellor of Career Education and Workforce Programs

SUBJECT: Virginia Workforce Connection (VaWC) System of Record and Electronic Case Files

EFFECTIVE DATE: September 15, 2022

PURPOSE: This workforce letter provides Local Workforce Development Boards (LWDBs) and their service providers guidance regarding the uniform electronic documentation of participant records, required naming conventions for participant documents uploaded into the system of record, adding, and removing of participant documents to the system, standards for case note quality, and timely data entry requirements.

REFERENCES:

- Public Law (Pub. L) 113-128 Workforce Innovation and Opportunity Act (WIOA) of 2014
- 20 Code of Federal Regulations (CFR), WIOA Final Rules and Regulations
- U.S. Department of Labor Employment and Training Administration (USDOL-ETA) Training and Employment Guidance Letter (TEGL) 10-16, Change 1 Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs
- U.S. Department of Labor (USDOL-ETA) Training and Employment Guidance Letter (TEGL) 39-11, Guidance on the Handling and Protection of Personally Identifiable Information (PII)
- E-Government Act of 2002
- Government Paperwork Elimination Act of 1998
- Paperwork Reduction Act of 1995

- Training and Employment Guidance Letter (TEGL) 07-18: Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act
- Training and employment Guidance Letter (TEGL) 23-19: Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs
- ETA-9172 - DOL-only PARTICIPANT INDIVIDUAL RECORD LAYOUT (PIRL) OMB Control Number 1205-0521 Expiration Date: 06-30-2021TEGL 14-18 -- *Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL).*
- VWL 20-04: VaWC WIOA Title I Data Change Requests
- VWL 20-05: Local Workforce Development Area System Administrator Roles & Responsibilities
- VWL 20-06: WIOA Participant Activity Code Definitions, Projected Durations and Use Projection Limitations
- Virginia WIOA Title I Learning Resource

Rescissions

- VWL 20-07 Change 1: Virginia Workforce Connection (VaWC) System of Record and Electronic Case Files

Revisions

Provides clarification on expectations for Individual Employment Plan (IEP) and Individual Service Strategy (ISS) expectations, including the use of system generated IEP and ISS, and expectations on the formatting of acceptable document uploads and that case managers may remove and update documents.

DEFINITIONS:

Virginia Workforce Connection (VaWC) is the management system of record used for all data collection and reporting.

PIRL: The Participant Individual Record Layout (PIRL) is a standard reporting format that contains the Workforce Innovation and Opportunity Act (WIOA) common data elements and is used to report participant characteristics to the United States Department of Labor (USDOL-ETA).

BACKGROUND:

Section 185 of the WIOA requires recipients of Title I funds to keep records that are sufficient to prepare reports on program performance and outcomes, and permit the tracking of expenditures to adequately ensure that funds have not been spent unlawfully. This guidance applies to electronic file storage and documentation imaging standards in the administration of WIOA Title I programs and other federally funded grant programs.

GUIDANCE:

System of Record

The VaWC is the “System of Record” with regard to Federal reporting for local WIOA Title I programs (Youth, Adult, and Dislocated Worker) and other USDOL-ETA grant-funded programs in the Commonwealth of Virginia. Currently, the VaWC is used to capture information on enrollment, service delivery, and performance data. The required documentation used to verify program eligibility and support service provision must be maintained in the VaWC. An accessible feature in VaWC, the

electronic document imaging and storage system, allows staff or local areas to facilitate the upload of supporting documentation for paperless record keeping.

The use of electronic records will:

- Eliminate the need for storage areas and storage costs associated with paper files;
- Save supply costs;
- Provide for an easily accessible, single point of access for file review;
- Reduce staff time accessing hard copy documentation;
- Ensure more secure storage of sensitive information;
- Eliminate lost or misfiled paper documents;
- Improve the consistency of file documentation.

Electronic Case Files

Beginning December 1, 2020, and moving forward, sub-grantees must record and document activities for all new participants enrolled in WIOA Title I (Youth, Adult, and Dislocated Worker) programs, applicable discretionary grant programs, and individuals participating in Incumbent Worker Training, in the VaWC to ensure compliance with federal and state statutes, regulations, and policies.

The electronic records shall include the following in the appropriate section of the VaWC:

- Signed Program applications;
- Eligibility documentation
- Applicable Adult Priority of Service and Youth Conditions (barriers);
- Enrollment forms, signed EO /Grievance, Consent to Exchange Information
- Service Delivery (activity codes and supporting documentation);
- Assessments;
- Signed Individualized Employment Plan (IEP) or Youth Individualized Service Strategy (ISS) utilizing the VaWC system generated planning module;
- Case notes;
- Case closure;
- Outcome (Exit) information;
- Follow-up.

The electronic records will be made available to any staff from the USDOL-ETA, State auditor, Auditor of Public Accounts, or VCCS monitor and program staff who requires access to carry out their official duties. Information will be made available by granting access to the VaWC system or in paper format (if requested) after completing the system access form.

Note: Though local area use of a third-party data management system is not prohibited, all participant data must be in the VaWC for the local areas to be included in the local board's performance calculations.

Timely Entry of Data and Documentation into the VaWC

The VaWC serves as the basis for reporting to USDOL-ETA through the WIOA PIRL. Delays in data entry can adversely affect the quarterly and annual performance of the state and the local workforce areas, and result in inaccurate federal reports.

To address the impact of delayed data entry, ***all transactions (eligibility, receipt of services, outcomes, exit, and contact with participants) must be entered into the VaWC within fourteen (14) business days from the completion of the process.*** For example, once the customer has been determined eligible and has received their first service, the participation information must be entered into VaWC within 14 business days. The Primary Indicators of Performance are based on the exit outcomes of these individuals. It is imperative that accurate information is entered into the State's data management system in a timely manner to generate appropriate reports at the State and Federal levels, as well as Local Area Reporting (including documentation to support credentials or employment attainment).

LWDB compliance with the 14-business day rule will be reviewed by the WIOA Compliance Monitors and instances of noncompliance will be included in the monitoring report.

NOTE: The 14-business day limit is not in addition to the lockdown date currently active in VaWC.

Individual Employment Plan/Individual Service Strategy (IEP/ISS)

A plan must be established with each participant which include employment goals, appropriate achievement objectives, supportive service needs and an appropriate combination of services for the individual based on an initial assessment and a more comprehensive assessment.

The individual strategies for the Youth participant should be directly linked to one or more performance indicators and identify career pathways that included education and employment goals, including, when appropriate, nontraditional employment, appropriate achievement objectives, and appropriate services that were taken into account the Youth's Objective Assessment.

The IEP/ISS should include both participant and staff signatures. If the E-Signature Module is added, this should be used in the system in place of a written signature scanned into the system. More guidance will be provided on E-Signature when made available.

Documentation Uploads

Starting December 1, 2020 and moving forward, all documentation for new program participants shall be uploaded into the VaWC to create electronic records. Document uploads shall be within the -14- business day timely data entry requirement. Documents may also be uploaded from the files of current active participants.

Local area staff will select the appropriate verification item, type, and document description from a drop down-menu for each document. Staff shall also "tag" uploaded documents with keywords, which will allow documents to be found using keyword search. To ensure consistency, local area staff shall follow the naming/tagging conventions outlined in Attachment A: WIOA Title I VaWC Document Naming Conventions. Additionally, for clerical review reasons:

- Documents scanned must be legible, not upside down, etc.
- Documents may be loaded in "packets" according to theme or uploaded separately.
- Ensure that documentation pertinent to service delivery is uploaded into the VaWC. For example, records for someone enrolled in work experiences shall include copies of the signed work experience agreement, timesheets, proof of payment and performance evaluations.

Case Notes

Case notes add context to elements in the electronic case file that are not clearly evidenced, such as participant factors affecting eligibility, important details about services provided to customers, and to inform the reader about the customer's progress, lack of progress, and/or obstacles associated with the services and/or referrals provided. Case notes compliment entries made in VaWC, to provide further explanations of services provided. Therefore, all case notes must be keyed in VaWC.

Case notes do not take the place of entering data in the appropriate sections of VaWC. For example, a case manager should not enter service information (service codes, start and end dates) in a Case Note rather than in the Create Activity section. Performance related information should be entered in the appropriate sections, such as Services, Measurable Skills Gains, Credential Attainment, and/or Follow-up sections.

Case Notes are a planning tool and a source of documentation and information that can be used by case managers, supervisors, and monitors. WIOA files can be chosen for review by multiple entities such as the Virginia Board of Workforce Development (VBWD), the USDOL-ETA, Virginia Community College System (VCCS), and other organizations; therefore, accuracy and completeness in case notes are very important.

Case notes should tell the "who, what, where, when, and why" of the customer's needs and services. Case notes describe the actions taken and the reasons behind those actions, along with the expected results. Consider the use of case notes as the means to tell a factual story of the customer. No opinions or comments of the case manager should be included. Anyone, including the customer, should be able to pick up the file and follow the story of what is happening with the customer.

Medical/Disability Records

Medical and disability related information, also known as protected health information (PHI) under the Health Insurance Portability and Accountability Act (HIPAA) of 1996 must be kept confidential and separate from the VaWC electronic case record. Such information shall be kept in a paper file in a secure, locked location. A case note in VaWC shall contain a generic explanation of the information, how it is related to eligibility, employment, and/or training opportunities, and identify the secure location of the information (i.e., "Participant wants to be a mechanic, but needs to pursue other employment or training. See confidential file." or "Individual meets local adult eligibility priority of service group. See confidential file.").

Records Correction and Deleting Documents

Records in the VaWC that contain errors must be corrected to ensure accurate reporting to USDOL-ETA. Requests for data correction shall first be submitted to the Local Area System Administrator for review and completion utilizing the approved data correction form from the WIOA Title I Administrator. Any corrections that cannot be completed by the Local Area System Administrator should be communicated to the State System Administrator for review. The State System Administrator shall review the validity of the correction and communicate the appropriate action or outcome to the Local Area System Administrator. Record corrections in third-party systems are the responsibility of the local area staff using those systems and are processed according to the local board's policies or procedures. Case managers will be able to delete documents as needed to ensure the correct documents are uploaded and legible.

The WIOA Title I Administrator will work with the vendor of the VaWC software to ensure that participant documents that are stored in the system are appropriately deleted after the required retention period for the documents has expired.

Confidentiality of Data or Information and Required Release Forms

Data or information acquired by an agency under a confidentiality agreement, to be used exclusively for statistical purposes, shall not be disclosed by an agency in identifiable form for any use other than an exclusively statistical purpose. The use of this information is prohibited except with the informed consent of the respondent (Public Law 107-347 Title V Section 512[b][1]). **All providers will have a release of information form signed and dated by the participant and the case manager.** The form shall state that the participant's information may be used for reporting purposes because of federal regulations associated with the benefit of federal funds and that the participant's personal information will remain confidential. The release form will be uploaded into the participant file in VaWC to validate that the participant agrees to the release of information for reporting purposes. The standardized form will also be made available by the LWDA staff and may be used as a stand-alone form or incorporated into other release forms used by the LWDA's.

Legal Status of Electronic Documents

Electronic records submitted or maintained in accordance with procedures developed under this title, or electronic signatures or other forms of electronic authentication used in accordance with such procedures, shall not be denied legal effect, validity, or enforceability because such records are in electronic form.

ACTION REQUIRED: Provide updated policy guidance to all case managers and system administrators.

INQUIRIES:

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