

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION PY 2016 Funding Allocations and Planning Guidance
	CORRESPONDENCE SYMBOL OWI/DINAP
	DATE June 6, 2016

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 24-15

TO: ALL SECTION 166 INDIAN AND NATIVE AMERICAN (INA) GRANTEES

FROM: PORTIA WU /s/
Assistant Secretary

SUBJECT: PY 2016 Funding Allotments and Instructions for the Indian and Native American Section 166 Programs

- Purpose.** To provide INA grantees with Comprehensive Services (CS) and Supplemental Youth Services (SYS) funding allotments for Program Year (PY) 2016 for the Workforce Innovation and Opportunity Act (WIOA), Section 166, INA program.
- References.**
 - Consolidated Appropriations Act, 2016 (Pub. L. 114-113)
 - Section 166 of the Workforce Innovation and Opportunity Act (WIOA) located at: <https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>
 - Workforce Innovation and Opportunity Act; Notice of Proposed Rulemaking; Proposed Rules located at: <https://www.gpo.gov/fdsys/pkg/FR-2015-04-16/pdf/2015-05530.pdf>
 - Notice of Availability of Funds and Solicitation for Grant Applications for Indian and Native American Employment and Training Programs located at: http://www.doleta.gov/grants/pdf/SGA-DFA-PY-13-02_native_employment.pdf
 - Training and Employment Guidance Letter (TEGL) 11-15, *Operational Guidance and Transition Planning for INA Grantees* located at: http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4477
 - Training and Employment Guidance Letter (TEGL) 36-14, *PY 2015 Workforce Innovation and Opportunity Act Section 166 Funding Allocations and the Extension of Grantee Strategic Plans* located at: http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7582
 - Section 166 of the Workforce Investment Act (WIA) of 1998 at: <http://www.doleta.gov/dinap/cfml/wiapage.cfm>;
 - Regulations implementing WIA Section 166 Indian and Native American Program located at: <http://www.doleta.gov/dinap/pdf/wiafinalregsall.pdf>
 - Training and Employment Guidance Letter (TEGL) 22-10, *Planning Guidance and Instructions for Submission of a One-Year Strategic Plan for the Workforce Investment Act (WIA) Section 166 Indian and Native American Program for Program Year (PY) 2011* located at: http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3012

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- Training and Employment Guidance Letter (TEGL) 15–14, *Implementation of the New Uniform Guidance Regulations*, located at: http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5740

3. **Background.** On December 18, 2015, the Consolidated Appropriations Act, 2016, P. L. 114-113 (“2016 Appropriations Act”), was signed into law which provides \$50,000,000 for Native American programs under section 166 of the WIOA. Of this amount, \$497,000 will be set aside to award grants to entities that have experience and expertise in developing and implementing programs for unique populations in Alaska and Hawaii pursuant to WIOA, Section 166(k). Therefore, the total amount available for the Native American Comprehensive Services program is \$49,503,000. This amount will be allocated to INA grantees using the formula in the Workforce Investment Act (WIA) regulations at 20 CFR 668.296(b). The transition provision at section 503(b) of WIOA provides ETA authority to continue to use the formula at 20 CFR 668.296(b), which is consistent with the statutory provisions of WIOA, while the Department finalizes regulations governing the program under WIOA.

The 2016 Appropriations Act also provides \$873,416,000 for grants to States for WIOA youth activities. Pursuant to Section 127(b)(1)(A) of WIOA, not more than 1½ percent of this amount is to be used to provide youth workforce investment activities under section 166. Accordingly, \$13,063,965¹ is available for PY 2016 to be allotted to INA grantees to provide supplemental services to low-income Native American youth on or near Indian reservations and in Oklahoma, Alaska, and Hawaii. This amount will be allocated to INA grantees using the formula in the Workforce Investment Act (WIA) regulations at 20 CFR 668.440(b) per the transition authority under section 503(b) of WIOA.

ETA will also use its transition authority under section 503(b) of WIOA to continue to use the existing WIA performance measures through PY 2016. This “transitional year” will allow additional time for ETA and INA grantees to develop a management information system that will collect the data necessary to calculate the new performance indicators under WIOA.

4. **New Grant Funding Cycle.** WIOA changed the strategic planning cycle and the competition from two year intervals to four-year intervals. Therefore, in order to implement and align the shift to a 4-year strategic plan and a 4-year competition, the Department is extending current grantee strategic plans through PY 2017 to align the next competition cycle, which will be for the 4-year period beginning in PY 2018 through PY 2021. Because the previous grant cycle only runs until the start of PY 2016, grantees will receive a new grant number for PY 2016 and PY 2017 that will bridge the gap caused by this extension. The next planning and competition process will begin during PY 2017 for a new cycle starting PY 2018. The transition provisions at WIOA Section 503(b) provide ETA’s authority to offer this extension.
5. **Reporting Software.** As outlined in the Operational Guidance in TEGL 11-15, the age range of youth eligible to receive supplemental youth services under section 166 has increased from 14 to 21 under WIA to 14 to 24 under WIOA. The Bear Tracks youth software was developed under WIA; therefore, the software’s design does not allow youth older than 21 to be entered into the database. The Department is working to modify the software to allow youth up to age 24 to be entered into the database in accordance with the new youth eligibility requirements. A new release of the software is expected in the summer of 2016.

¹ Amount after .25 percent set aside for evaluations

6. **Youth Living in High-Poverty Areas.** As outlined in TEGL 11-15, INA grantees may consider youth living in a high poverty area as low-income. Prior to the effective date of the WIOA final rule, INA grantees may define “youth living in a high-poverty area.” The WIOA Proposed Rules provide a definition of high-poverty area at section 684.130 as: “a census tract, a set of contiguous census tracts, or a county or Indian reservation that has a poverty rate of at least 30 percent as set every 5 years using the American Community Survey 5-Year data.” Although grantees are not required to use the definition of high-poverty area in section 684.130 of the Proposed Rules, DINAP has provided a poverty table for American Indian Reservations, Oklahoma Tribal Statistical Areas (OTSAs) and Alaska Native Regional Corporations (ANRCs) on the Community of Practice website located at:
https://ina.workforcegps.org/resources/2016/04/06/18/14/Youth_Program_Poverty_Guidelines. Grantees may want to use this table when establishing a threshold for high poverty area.
7. **Required Documents For PY 2016 Funding.** To receive PY 2016 funds, INA grantees must submit the following documents to be approved by ETA through Grants.gov by 11:59 p.m. eastern time (ET) on June 10, 2016. Instructions for submitting documents via Grants.gov are provided in Attachment III. Grantees receiving supplemental youth services funds must submit a separate set of documents for the supplemental youth services allotment. (**Note: Grantees whose WIOA Section 166 funds have been transferred to the Department of the Interior under Public Law 102-477 are not required to submit the documents below.**)
- A. *Standard Form (SF) 424, “Application for Federal Assistance:* The SF-424 will be submitted/uploaded through Grants.gov.
 - B. *SF-424A Budget Information Form:* The SF-424A will be submitted / uploaded through Grants.gov.
 - C. *Budget Narrative:* The budget narrative will be submitted / uploaded as an attachment through Grants.gov. Instructions for completing the budget narrative are provided in Attachment I.
 - D. *Indirect Cost Rate Agreement or Cost Allocation Plan (if applicable):* Grantees that use an Indirect Cost Rate Agreement (ICRA) or Cost Allocation Plan (CAP) must submit a current or recent copy of the ICRA or CAP as part of this application. **Note:** If indirect charges are included on line 6.j of the SF-424A, an ICRA or CAP must be submitted. ICRAs or CAPs will be submitted / uploaded as an attachment through Grants.gov. Unlike the SF-424, the SF-424A, and the Budget Narrative, the ICRA/CAP only needs to be submitted once even if the grantee receives both comprehensive and supplemental funding.
8. **Performance Accountability and Recommended Levels of Performance for PY 2016.** WIOA established new primary indicators of performance which will require changes in data collection systems at both the grantee level and within ETA. Therefore, the Department will continue to use the PY 2014 and PY 2015 performance measures for PY 2016 for performance accountability purposes as the conversion of these data collection systems and requirements for grantee reporting continue to be implemented into PY 2016. Section 503(b) grants the Department authority to continue to use these performance measures as the program transitions to the performance accountability provisions in sec. 116 of WIOA. The new primary indicators of performance are listed in section 116(b)(2)(A) of WIOA. Guidance will be forthcoming on the specific definitions,

data elements and reporting requirements pertaining to each indicator. Grantees are encouraged to begin planning for data collection for these indicators.

The applicable performance measures for PY 2016 are:

Entered Employment Rate (EER): Each Section 166 grantee has a recommended level of performance for the EER for their geographic service area. The recommended level of performance for the EER will remain the same in PY 2016 as in PY 2014 and PY 2015. Grantees can find the recommended EER on line N of the grantee’s 2014 Performance Standards Worksheet located in the “PY 2014.pdf” file located at the following link:

https://ina.workforcegps.org/resources/2015/02/18/19/47/Entered_Employment_Rate_Worksheets

NOTE: The link above includes Performance Standards Worksheets for all WIOA Section 166 grantees (approximately 123 pages). Please be sure the grantee name on line A matches your organization when obtaining the recommended level of performance.

Employment Retention: The PY 2016 recommended level of performance for Employment Retention for all grantees is 78.2 percent which is the same level as PY 2014. This is the level established for the Section 166 program overall and does not factor in local economic conditions nor does it factor in the characteristics of the participants served. Since a recommended individual level of performance for Employment Retention has not been established, ETA will not hold grantees accountable for not meeting the Employment Retention Rate at the end of PY 2016. However, grantees must strive to achieve a 78.2 percent Employment Retention Rate.

Average Earnings: The PY 2016 recommended level of performance for Six Months’ Average Earnings for all grantees is \$10,377, which is the same level as PY 2014. This is the national level established for the Section 166 program overall and also does not factor in local economic conditions or the characteristics of participants served. Thus, a recommended level of performance for Six Months’ Average Earnings has not been established for individual grantees. ETA will not hold Section 166 grantees accountable for not meeting the Six Months’ Average Earnings at the end of PY 2015. However, grantees must strive to achieve a \$10,377 Six Months’ Average Earnings.

Adult Performance Measures and Goals	
Measure	Goal
Entered Employment Rate	Line N of the Performance Standards Worksheet
Employment Retention	78.2%
Six Months’ Average Earnings	\$10,377

Youth Program Only - Attainment of Two or More Goals: The PY 2016 level of performance for the Attainment of Two or More Goals for the Supplemental Youth Services (SYS) program is 60 percent which is the same level as PY 2014 (see table below).

Youth Performance Measure and Goal	
Measure	Goal
Attainment of Two or More Goals	60%

9. **Action Requested.** Grantees must submit the documents listed below via Grants.gov in order to receive PY 2016 funding. The due date for the submission of documents is 11:59 p.m. eastern time (ET) on June 10, 2016.

- **SF-424:** Grantees receiving supplemental youth services funds must send a separate SF-424 for the supplemental youth allotment in addition to the SF-424 for the comprehensive adult allotment.
- **SF-424A:** Grantees receiving supplemental youth services funds must send a separate SF-424A for the supplemental youth allotment in addition to the SF-424A for the comprehensive adult allotment.
- **Budget Narrative:** Grantees receiving supplemental youth services funds must send a separate budget narrative for the supplemental youth allotment in addition to the Budget Narrative for the comprehensive adult allotment.
- **ICRA or CAP:** Please refer to item #7. D. above regarding the applicability of submitting an ICRA or CAP. If applicable, only one copy of the ICRA or CAP is required to be submitted.

10. **Inquiries.** Please direct questions to your designated Federal Project Officer below.

Duane Hall (972) 850-4637
Craig Lewis (202) 693-3384
Michael Delaney (202) 693-3695
Guy Suetopka (415) 625-7988

Andrea Brown (202) 693-3736
Dawn Anderson (202) 693-3745
Angela McDaniel (202) 693-2789

11. **Attachments.**

- Attachment I: Instructions for Completing the Budget Narrative
- Attachment II: PY 2016 INA Adult and Youth Allocations
- Attachment III: Instructions for Completing an Application and Submitting Documents on Grants.gov.