The Workforce Investment Act of 1998: Performance Management and People with Disabilities

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Acknowledgements

Background

On August 7, 1998, the Workforce Investment Act (WIA) was signed into law. This new legislation mandates a more responsive, streamlined system of workforce development and employment services to better serve both the nation's job seekers and its employers. The Act recognizes that employment and training services are best administered at the local level, as well as the value of tracking customer satisfaction and the importance of improved outcomes through strict performance management. To that end, WIA establishes indicators of performance—including placement, retention, earnings, and skill attainment—for all adult, dislocated worker, and youth programs. Each state is required to negotiate the expected levels of performance with their local areas, taking into account any economic or demographic factors that might impact performance (for instance, an urban area with a strong labor market may have higher expected levels of performance than an isolated rural area with fewer available jobs). The law includes technical assistance and incentives for positive outcomes and disincentives and sanctions for areas that under-perform. In addition to tracking the performance outcomes of all adult participants, states are also required to track the outcomes for people with disabilities for each of the seventeen mandated core performance indicators.

Many working-age Americans have a disability. The Survey of Income and Program Participation found that in 1994-1995, 18.7% of the population age 15 to 64 had a disability. Census Bureau data indicates that while the majority (80%) of working-age Americans are in the labor force, and more than three-fourths are working full-time, less than one-third of people with disabilities are in labor force, and less than one-fourth are working full time (See Figure 1). At the same time, a survey by Louis Harris and Associates found that, in 1994, 79% of those people with disabilities who were not working wanted to work. People with disabilities who want to work often face significant barriers to entering the workforce, even in the current tight labor market. These barriers include lack of physical access to the workplace, employers reluctant to hire people with disabilities, lack of transportation, loss of Social Security or federally funded health insurance, lack of experience, and insufficient access to employment services. To open the labor market to all those who want to work, it is critical that the services provided under the Workforce Investment Act be accessible to people with disabilities and tailored to meet their particular needs.
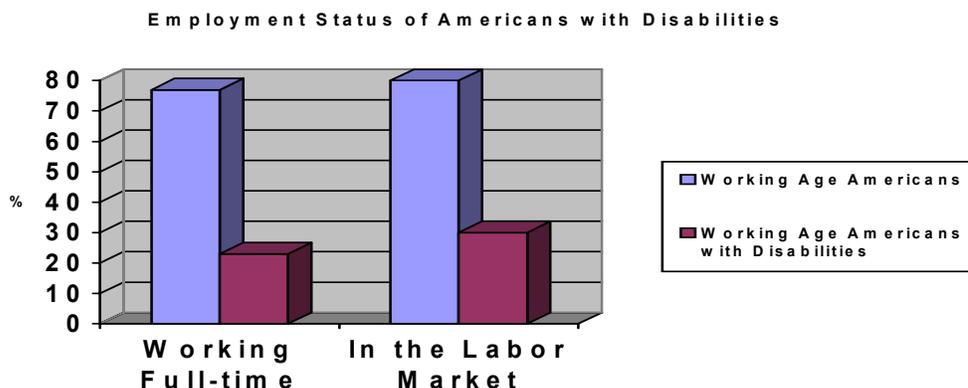
Employment Status of Americans with Disabilities

Purpose of This Study

The purpose of this study is to provide useful information and guidance to state policy-makers creating performance management systems that track both the employment outcomes of individuals with disabilities and the performance outcomes of the education and training vendors providing services to these individuals. The intent is not to present "best practices," with quantifiable and measurable outcomes. Many state performance management systems are still in their early stages, with new strategies being implemented and outcomes still uncertain. The intent is to present an in-depth "snapshot" of what is occurring right now at the state level in terms of performance management programs designed to assist One-Stop customers with disabilities. Are states developing performance management systems that can specifically track people with disabilities? Are states including training providers on their Eligible Training Provider Lists that specialize in meeting the needs of people with disabilities? Are states providing incentives to training providers to serve people with disabilities and, if so, what are they? By identifying these strategies, this report may assist other states in their performance management development process in support of people with disabilities.

Methodology

Four states were selected for study: New Jersey, Texas, Utah, and Indiana. These states were selected based on an initial, short survey of the 50 states and the commonwealths of Puerto Rico and the Virgin Islands regarding the current status of their performance management systems. This initial survey was sent to the WIA contact for each state, the responses of whom were used to select the four case study states. Beginning with the respondent to the initial survey, a "snowballing" method was used to identify additional interview subjects for the in-depth studies.

One selection criterion was the level of progress towards developing and implementing the performance management system displayed by each state. We felt that those states that have made the most progress are the most likely to have begun targeting the performance management needs specific populations, such as people with disabilities. We wanted to ensure that each case study state had at least some disability-specific policies to review, and then balance those policies with states that have developed innovative practices regarding people with disabilities. The intent is to highlight what is being done—and not being done—to track the performance of people with disabilities in the One-Stop system.

The second selection criterion is the demographic characteristics of each state, including size, population, and geographic location. The intent was to achieve a reasonably diverse mix of states (within the limitation of four states) that met our first selection criteria.

Three to five individuals from each state were interviewed. Those interviewed include WIA implementation directors, interagency liaisons, and Vocational Rehabilitation program specialists. Additional state personnel were interviewed when senior level WIA and VR officials were unable to provide the requested information.

Interview questions covered four main topics, including:

Implementing Performance Management Systems. These questions address the status and specifics of each state's performance management system.

Tracking the Performance of People with Disabilities in the One-Stop System. These questions focus on how each state is specifically serving and tracking people with disabilities, including understanding what disability-specific organizations are partners in the One-Stop system.

Tracking the Performance of Eligible Training Providers who Serve People with Disabilities. These questions address what types of providers are on a state's list of eligible training providers, how states are insuring eligible providers serve people with disabilities, and how states are dealing with barriers to serving people with disabilities.

Americans with Disabilities Act Procedures. These questions address issues of accessibility and monitoring of ADA compliance.

At the conclusion of each interview, interviewees were asked if they believe that tracking the performance of eligible training providers and One Stops will improve how the state provides employment related services to people with disabilities. In addition, interviewees were given the opportunity to provide any additional information regarding their state's programs that may not have been discussed (See Appendix B for a complete list of interview questions).

I.   Introduction

To measure the success of employment programs and interventions for individuals with disabilities, it is important that each state develop a performance management system that can track the progress of individuals with disabilities, as well as reward service providers that contribute to positive outcomes for individuals with disabilities. Under WIA, states are required to develop a system that uses performance data to identify those training programs that are eligible to serve Individual Training Account (ITA) recipients, and make this list of eligible training providers and performance data on programs available to ITA recipients and One-Stop customers. Due to the complex mix of employment incentives and disincentives built into various programs serving individuals with disabilities— including Medicaid, SSI, and SSDI—a comprehensive performance management system must consider these factors.

States are faced with a number of challenges in implementing this new system; the complexity of measuring seventeen unique measures of performance, negotiating performance levels with the Federal government, and adapting to the use of unemployment insurance (UI) wage records as a new data source. Unlike under JTPA, states are no longer relying on self-reporting to determine who is working, and it is a new approach to ask job seekers and employers to rate their level of satisfaction with the services they receive. In building their eligible training provider list, state agencies must collaborate with providers (who may be reluctant to participate in the process), and local Workforce Investment Boards. States must then make this list and information on programs widely available to ensure informed customer choice, keep this information current,

and present it in such a way that sometimes complex performance data can be interpreted and used by consumers.

After examining the performance management systems and strategies of each state, certain trends emerged. First, many states are still in the early stages of developing and implementing their mandated performance management systems. The four states selected for study have made significant progress toward developing their systems, but even in these states, performance management remains a work in progress. The majority of states have been slow to distinguish people with disabilities from the general adult One-Stop population. While the four case-study states have comprehensive tracking systems in place to meet federal WIA performance management guidelines, they are not yet tracking the outcomes of people with disabilities on a regular basis.

Most states rely on their Vocational Rehabilitation (VR) agency to serve and track people with disabilities. While there is nothing inherently wrong with this strategy (the mission of VR is to serve people with disabilities, and these agencies have long experience doing so), increased coordination between VR and WIA/One-Stop agencies would improve service to people with disabilities. VR agencies and workforce development agencies are partners in the WIA One-Stop system, and this study finds VR representatives to be fairly knowledgeable about WIA and the One-Stop system. However, WIA personnel appear less informed about the specifics of VR. The collaboration is further hampered by the fact that in the case study states, the VR and One-Stop systems remain largely separate, with separate Eligible Training Provider Lists (ETPL) and no shared data collection system. Finally, states have not created incentives for eligible training providers to serve people with disabilities or put a statewide emphasis on outreach to training providers around services to people with disabilities. It may be that states are still working to implement the new One-Stop system and meet the mandated requirements of WIA, and have not had the opportunity to address the needs of specific populations. However, care must be taken on the part of the states not to neglect the needs of people with disabilities or fail to provide those services necessary for full participation on the workforce development system.

II.   Cross Case Analysis

A.   Performance Management Systems

Accountability is a central tenet of WIA. The legislation provides a framework of strict accountability that includes performance incentives and disincentives intended to improve service to customers of the employment and training system. WIA requires that performance management systems be in place by July 1, 2000. Each of the four case study states has its performance management system up and running (although not necessarily fully developed) at the present time. Texas and Utah have the most comprehensive tracking systems. For example, Utah's system, known as UWORKS, is a data warehouse that collects all the data required by WIA, Wagner-Peyser and other programs. The data warehouse is a separate repository that allows agencies (WIA, VR, One-Stop partners) to extract only those elements needed for reporting. The system can track the same measures for all subsets of WIA participants and can report on all the WIA exitive services. UWORKS also can track data for minorities, veterans, and self-reported people with disabilities to determine if each group is receiving parity of

service. Although the system remains a work in progress, the intent is for it to provide a wide range of search functions. For example, if a One-Stop partner wants a report on the performance of people with disabilities, the user can enter the system through an Intranet, and access the password protected data warehouse (the password would determine each users level of access). The user will be given a menu a choices, such as performance standards, and can request that the system isolate services to people with disabilities. These choices can be modified to identify any subset. The request will capture all the data that meets the criteria and return it to the user (until this system is fully operational and available to One-Stop partners, users can request information from the Department of Workforce Services, which will design the queries and provide the user with the data). "Utah's performance management system has now met all the federal requirements," explains Rick Little, DWS's Management Information Services Manager. "But it will eventually do a lot more." UWORKS not only collects the information required under WIA, but also links the public assistance and workforce development system, has case management functions, and provides job matching to connect jobseeker's skills to open jobs (See Appendix C for a discussion of each state's performance management system).

The Workforce Information System of Texas, or TWIST, is also a comprehensive system that uses complex mathematical models to set performance standards for each Service Delivery Area (SDA). According to the state plan, Texas is using regression analysis to "estimate how the outcome (e.g., WIA Entered Employment Rate) can vary among Boards with variations in client characteristics and local economic conditions." TWIST is a client/server system, based on a single, centrally located Sybase™ database that resides on a UNIX server. The client interface is a Graphical User Interface that will be run on a local PC. The local PC's are connected to the central database by a statewide frame relay network for real-time database update and inquiry. According to the Texas Workforce Commission (TWC), this new system provides One-Stop staff the ability to enter information for a customer once and be able to incorporate it in multiple programs. Also, this system allows for the retrieval of information from legacy systems. A caseworker can inquire into the existing databases for Employment Services, Unemployment Insurance or Welfare, which reside on different mainframe computers and extract any information found for a customer and use it to update the new system.

Indiana's system is also collecting data and is generating reports through their performance management system. However, implementation of their system is still in the early stages. Indiana's state plan argues that a broad-based performance tracking system will yield better analysis than "outcome measurements that are tied to specific funding sources." In New Jersey, the state's performance management system has three components, including the federally mandated WIA standards, system standards that cover all One-Stop partners, and standards for training providers that are part of New Jersey's consumer report card system. The New Jersey Department of Labor is in the process of negotiations with the state's Workforce Investment Boards regarding their performance levels. The WIBs, in turn, are working towards their performance goals for Program Year 2000.   In addition, NJDOL will be reviewing cross-referenced data to determine how covered individuals (including individuals with disabilities) are doing in comparison with other groups.

In addition to the performance indicators mandated by WIA, states can choose to develop additional indicators. For instance, Indiana, Utah, and New Jersey have added performance measures beyond the WIA requirements. New Jersey has added RSA's performance standards

and indicators for Vocational Rehabilitation. In both Utah and Indiana, these state-specific outcome measures focus on how the system as a whole is working. In Utah, an additional twenty-two indicators track "key business processes" such as technology integration, employment counseling, service and policy development, and facilities services, measures that reflect how the system is functioning for job seekers, providers and other stakeholders. A number of these indicators are tracked on a monthly basis (providing the state with more frequent feedback closer to the time of service delivery), and measure the performance of several programs, including Food Stamps, Welfare-to-Work, and Family Employment. For instance, Utah tracks six measures in the family employment program, including the rate of cases with earned income, cases closed with earned income, the rate of cases with fewer than twenty-four months of assistance and food stamp recipiency rates. The performance of insured workers is tracked by measuring the rate of claimants registered for employment, total new claims, and average duration. In other instances, Utah measures the job order fill rate and total job orders, individual placement rate of new registered job seekers and the total number of new job seekers.[1]

In Indiana, the additional measures are expansions of the WIA requirements of wage gain, skills increases and customer satisfaction, and apply to the entire population served by the state of Indiana, not only those served by WIA funds. Additional measures allow states to enhance the performance analysis of their workforce development system as a whole. While these measures do not target people with disabilities, building stronger workforce systems will benefit all customers.

Respondents were asked whether they believe the federal performance requirements would discourage partners from joining the system, and opinions varied. Those directly involved in the development of the evaluation system express the opinion that the requirements will not be discouraging. For instance, Jo Ann Hammill, Assistant Commissioner of Workforce NJ, Stephen Stappenbeck, a member of the Performance Reporting Department at the Texas Workforce Commission, and Patrik Madaras, Director of Evaluation for Indiana's Department of Workforce Development, argue that the performance requirements would not affect participation. Utah's Rick Little contends that tracking requirements could make partners "reluctant to fully engage in the One-Stop," but noted that this was less of an issue in Utah, where many partners are already co-located in one state agency. Larry Lottman, a Program Specialist at the Texas Rehabilitation Commission, echoed Little's approximation, indicating that in Texas some agencies were "reluctant to collect new data" above and beyond the requirements of other government agencies and laws. To ease this problem, Texas has decided to accept data collected under other regulations for WIA reporting requirements.

To understand clearly how the workforce system is functioning under WIA, states must also track the performance of the One-Stop centers, the employment resource centers that form the core of WIA reforms. Monitoring of One-Stops themselves varied widely across the states. In Texas, Stappenbeck notes that TWC "produces a monthly report of performance for all programs." This report is distributed within TWC, to the legislature, and the Workforce Investment Boards. According to Stappenbeck, the data is on "the board level, based on reports down to the staff level" and reflects the performance of individual One-Stops. In New Jersey, the

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[1] *Employment and Training Reporter*. 2000 "More States Are Going Beyond WIA to Measure New System's Results." Sept. 11, Vol. 32, No 2: 19-20

various agencies with the One-Stop system will monitor their own program areas, and procedures will eventually be developed to share this information among the partners. In Indiana, One-Stops are monitored on a quarterly basis through reports prepared on a substate level, while in Utah, reporting is supplemented by site visits to each One-Stop Career Center every three years. The best monitoring of the One-Stops is most likely a combination of site visits and regularly scheduled reports.

B.   Tracking the Performance of People with Disabilities

Under WIA, states are required to track the outcomes for people with disabilities for each of the mandated core performance indicators. Each case study state faces issues of confidentiality and reporting of disabilities in designing performance management strategies that track the services to people with disabilities in the workforce development system. Job seekers may not want to report their disability when applying for services at a One-Stop. As a result, each of these states can only speak to services for people willing to disclose their disability. This fact leads Stappenbeck to state that though Texas "could produce a report for people with disabilities, it would be an undercount," a statement that likely is true for each of these states.

Confidentiality is also a important issue when implementing a performance management system, and often hampers information sharing between agencies. While Texas is working on this problem through interagency alliances, a solution has not yet been found. Confidentiality issues affect the tracking of referrals. In Texas, for example, Lottman describes a system where referrals are somewhat "up in the air." Texas' Rehabilitation Commission has no way of tracking those clients it referred to TWC, and TWC often does not know a client has a disability, making it difficult to refer that client to an appropriate Rehabilitation provider.

Although states are required by law to track the performance of people with disabilities, none of the case study states appear to be making this a priority as they implement WIA. Each state indicates that it has the ability to provide data on people with disabilities should it be requested. In New Jersey, each agency is responsible for reporting data to its federal funding agency, but there is not one tracking system for all One Stop partners. However, NJDOL is in the process of implementing the One Stop Operating System (OSOS) which is expected to include a more centralized and inclusive tracking component in the future. In addition, NJDOL will be reviewing cross-referenced data to determine how covered individuals (including individuals with disabilities) are doing in comparison with other groups. Finally, the New Jersey consumer report card for training vendors will permit inquiries about the performance of a vendor specifically for people with disabilities. In Indiana, Madaras notes that "detailed breakouts for our disabled customers are in the annual report." While Utah's data warehouse allows stakeholders interested in information on outcomes for people with disabilities to obtain such data, Texas is the only state that focuses on client characteristics as an important variable in determining performance measures. Again, states may be less inclined to specifically pinpoint services to people with disabilities due to the reality that it will often be an undercount. In addition, states currently may be focused on simply developing and implementing their performance management system. Addressing the needs of specific populations such as people with disabilities may come later. However, it may be that these states are not fully committed to

consistently studying the outcomes of people with disabilities, or to providing them with the services they need to fully participate in the One-Stop system.

To reach its goal of streamlining the many different employment and training programs currently provided by federal and state governments, WIA mandates partnerships among several agencies within the One-Stop system, such as Vocational Rehabilitation. New Jersey and Texas partner organizations include VR and the Commission for the Blind. In some areas of New Jersey, other Community Rehabilitation Programs are either on the Workforce Investment Board (WIB) or on subcommittees of the WIB. Texas has the most outside organizations involved in the workforce development system, including the Texas Council for Developmental Disabilities and, in the future, the Department of Mental Health and Rehabilitation. Indiana partners with the Division of Disability, Aging, and Rehabilitative Services of the Family and Social Services Administration, while Utah includes the State Office of Rehabilitation.

For many states, the employment outcomes for people with disabilities are tracked by VR or another disability-specific agency. For example, the New Jersey Division of Vocational Rehabilitation tracks people with disabilities through its client data system. However, few states integrate the performance systems of separate agencies. Each of these separate vocational rehabilitation agencies provides its own services and tracks its own clients. Despite the highly complex data collection systems of Texas, Utah and Indiana, none of the VR databases interface with the general workforce data, though for both Indiana and Utah, VR personnel have access to the general WIA outcome data. The extent to which this inability to create compatible data tracking systems is based on the confidentiality issues in unclear. However, in terms of truly streamlining services for people with disabilities, tracking individuals who move between WIA and VR programs is essential, as long as confidentiality concerns are addressed. To more effectively meet the workforce development needs of people with disabilities, each program area should be able to track both the services received and employment outcomes of their respective clients across programs. That states with highly planned data collection systems do not have a means to merge these two areas does not bode well for the tracking of people with disabilities across the nation.

C. Eligible Training Providers

Under WIA, states must create a list of eligible training providers who can provide education and training services to One-Stop customers. The extent to which this list is helpful to people with disabilities is dependent on whether: 1.) the list is accessible to people with disabilities, i.e., available in alternate formats such as web-based, large print, Braille, etc.; 2.) the list includes organizations that specifically train people with disabilities, and; 3.) the eligibility and performance requirements for providers serving primarily those with disabilities take into account the sometimes unique challenges faced by job seekers with disabilities.

Many different types of training providers are on the ETPL of these four states. All have community colleges, private vocational schools, public vocational schools, and private training providers. Mike Wollenzein of the Utah Office of Rehabilitation indicates that his agency primarily works with private vocational schools and community rehabilitation programs.

While New Jersey, Utah and Texas are tracking all students of these providers, including those who are not receiving WIA funds, Indiana is only tracking those students paid for with WIA monies. For each of these states, the VR agency has its own vendor list, although in Texas there is some overlap.

As mentioned above, having organizations that focus on training people with disabilities as eligible providers is an important factor in insuring people with disabilities receive the services they need, particularly in light of the fact that some job seekers may not disclose their disability to a One-Stop counselor, but in self-searching the eligible provider list may seek out a training provider who will meet their needs. In addition, if states do have providers that serve primarily those with disabilities, the question of weighting or adjusting performance standards to reflect the needs of this unique population is raised. States need to be sensitive to training providers whose customers may face additional challenges to entering the workforce, and grade their performance accordingly. Both New Jersey and Utah have disability-specific organizations on the state ETPL, but do not yet have separate or weighted outcome measures for these providers. Jo Ann Hammill of New Jersey indicates that the state is in the process of developing standards of performance for training providers who serve significant numbers of people with disabilities, and that the outcomes of these providers will be adjusted or weighted to account for barriers to employment faced by many disabled job seekers.

Indiana does not have providers that focus on those with disabilities on their list and also does not have weighted outcomes. In Texas, most of these decisions are left up to local boards, and while they are unsure on the state level if there are disability specific organizations and adjusted outcomes, this could be occurring at the local level. Linda Pittman, a TWC Program Specialist in Training Provider Certification, indicates that "with subsequent eligibility, boards have the responsibility to decide what type of methodology to put into place and have to consider the characteristics of their area." She indicates that the decision about whether the outcomes of providers who serve people with disabilities will be adjusted to take into account unique barriers is "also part of the local adjustment option when providers reapply." Although no person interviewed, when asked about barriers to serving people with disabilities, mentioned unattainable performance requirements, the fact that most of these states have not developed performance outcomes that reflect challenges faced by some training providers could discourage providers from serving customers with disabilities. States have yet to addressed the issue of providers restricting eligibility to keep their numbers high. In addition, the case study states have not set up a system of incentives for serving people with disabilities or indicate that they plan to do so. One exception is New Jersey, where workforce officials indicate that the state wants to establish standards that will ensure that people with disabilities will have equal training opportunities that result in positive outcomes. In addition, New Jersey indicates that it intends to monitor training providers through One-Stop reporting to ensure that providers do not attempt to restrict eligibility to maintain high performance numbers. These efforts will be worth watching as implementation continues, to determine if the strategies developed by New Jersey are effective and replicable in other states.

The information gathered from tracking the performance of people with disabilities and the providers that train them is only useful to customers of the workforce development system if they can access it. How can One-Stop customers find the training provider that is best for them if

they do not have access to their states ETPL? Each of the four case study states have made their eligible training provider list available on-line, with various search capabilities that allow the user to find the training they need. Some states have created sophisticated web sites that provide a host of other job search services.

For example, New Jersey has created an on-line "consumer report card" that allows users to search for training providers by location and type of training, and view performance and customer satisfaction information for each training provider (some functions are under development). (See Figure 2).

Figure 2: Homepage of njtrainingsources.org, New Jersey's guide to training and education programs, developed by the Heldrich Center for Workforce Development. The Heldrich Center can provide customized assistance to other states seeking to develop a similar web-based customer-reporting system.

Under the guidance of New Jersey's Unified State Plan, the State Employment and Training Commission (SETC), and the Center for Occupational & Employment Information, the Heldrich Center for Workforce Development at Rutgers University developed New Jersey's consumer report card, which was launched on July 1, 2000. New Jersey is one of approximately nine states that currently have a consumer report card available on-line. The New Jersey website allows individuals to search the over 2000 training programs by geographic area, subject area, and keywords. Users can then click on individual training programs and access information on location, length of program, cost, foreign language assistance, map and directions and transportation options, and other information. The site also describes any special features of the program, and indicates whether the program is accessible to people with disabilities. In the

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future, users will also be able to access information on the performance of each training program, such as percentage of students completing the program and average weekly earnings after training, as well as customer satisfaction feedback. In the future, students also will be able to submit their comments to the site on programs they have attended.

To streamline the application process for training providers to get on the state ETPL, training providers can apply on-line at the site. To establish the statewide list of approved WIA training providers, potential vendors are required to share basic information about their programs. Providers include, but are not limited to, Adult Learning Centers, Universities, Four-Year and Community Colleges, Proprietary Schools, Secondary and Post-Secondary Vocational Schools, Community-Based organizations, customized training consultants, and any other agency or individual trainer wishing to participate in this program, whether they offer credit, non-credit or certificate programs. To become eligible, all providers must submit an online application and/or update the information presently online for their institution or agency. The application will be reviewed by a local Workforce Investment Board and the Center for Occupational Employment Information. If all information is accurate and the entity has the approval of a recognized governmental agency to deliver education and/or training in New Jersey or another state, the vendor will be approved for placement on the ETPL.

Finally, njtrainingsources.org includes other career development and job hunting information and links, including information on how to choose a career, how to write a resume, and how to access services while participating in training. These helpful features make the site a more comprehensive workforce development tool, and give users the information they need to make informed training and career decisions. The state maintains that the consumer report card information will be made available in alternate formats, and that One-Stops in New Jersey will have the tools and technologies to help people with disabilities to view the information.

Texas, Indiana, and Utah also have on-line resources for job hunters and those who seek education and training. In Texas, information on training providers can be found at the Texas Workforce Commission web site (www.twc.state.tx.us), along with a host of other career development information. Featured links include job matching for employers and job seekers, labor market information, and a directory of One-Stop Career Centers. Texas's consumer report card system, or Data for Educational and Career Informed Decisions for Everyone (DECIDE), offers performance data of those enrolled in training programs, including job placement, earnings, and further education (http://decide.soicc.state.tx.us/decide/plsql/intro). It also provides information about the circumstances surrounding facilities, such as demographics and labor market information, and links to schools and training facilities. Users can search for training providers and access information on childcare, elder care, and transportation (unlike the New Jersey consumer report card, the Texas system does not provide information on whether programs are accessible to people with disabilities). The site allows users to search for training provides by local workforce development area (LWDA), by provider, or by program. Users can search for programs in their LWDA, and access information on each program listed, including cost and contact information and performance reporting (the site provides a description of each performance measure). Unlike the New Jersey site, performance measurement information is already available on the Texas site. To remain on the ETPL, training providers are required to meet annual performance goals. The information used for the renewal process is collected and

reviewed by the Local Workforce Development Boards and the Texas Workforce Commission. Currently, training providers in Texas cannot apply on-line to be on the state's ETPL, although may be able to do so in the near future..

The Texas site offers users a host of useful tools and a comprehensive consumer report card system in an easy-to-navigate site. While it does not provide specific services to people with disabilities, the site will be helpful to all users.

Indiana users can access the Indiana Department of Workforce Development for information on job listings, the labor market, and eligible training providers (http://www.state.in.us/dwd/). Users can search for providers (at www.state.in.us/dwd/policy/ne02005.htm) and occupations, or take an on-line aptitude test. Currently, according to DWD, the state ETPL is a paper listing that identifies the training provider, training program name, training location, cost and other performance data. It is updated periodically as additional training provider programs are submitted and approved. Users can search the list by county or by career cluster. However, the site is limited in its usefulness to people looking for consumer report card information. According to DWD, in the future, Indiana would like a more interactive ETPL that allows the user to access the data from the Internet, that allows for additional information on program descriptions, cost break outs, program length, additional performance data, links to other appropriate informational sites, etc. DWD envisions this future system to allow for search capabilities beyond a presorted paper list, and the state is working toward this end.

Utah's job seekers can access the state's Department of Workforce Services for a list of eligible training providers (www.dws.state.ut.us/pi/wia/dwsapprovedschools.html), as well as occupational and wage information (www.dws.state.us). The site offers information on how to write a resume and cover letter, and a host of other job search tips. Utah's consumer report card system is not as extensive as either Texas' or New Jersey's, providing less information on the training providers, and less performance data (completion rate, percentage of graduates in unsubsidized employment, wages at placement, and percentage of students certified). Neither Utah nor Indiana provide any specific services to people with disabilities, indicate whether programs are accessible to people with disabilities, or allow users to search for programs that serve people with disabilities (likewise, neither Texas or New Jersey's sites offer this last feature).

Although each case study state has placed its ETPL and consumer report card system online, this does not guarantee access for people with disabilities. For example, none of the these sites indicate that they are "Bobby Approved." Bobby is a Web-based tool that analyzes web pages for their accessibility to people with disabilities. It is a free service that helps web authors to identify changes to their pages needed so users with disabilities can more easily use their web pages. For example, according to Center for Applied Special Technology (CAST), the provider of the Bobby service, a blind user will be aided by adding a sound track to a movie, and a written transcript of a sound file on a Web page will aid a hard-of-hearing user. Bobby will recommend that these be added if they do not already exist. Many people with disabilities use special web browsers, such as one that reads text out loud using a speech synthesizer for blind users. The suggestions made by Bobby will help web designers to add information to a web page that will help the special browsers work more effectively. Once a site is "Bobby Approved," it is are

permitted to display the Bobby icon. Notably, none of the workforce development or consumer report card sites studied indicate that they are Bobby Approved. It is likely, then, that the states have not taken the measures necessary to ensure that these sites are fully accessible to users with disabilities (for more information on Bobby, please see http://www.cast.org/bobby/).

When respondents were asked about specific barriers to serving those with disabilities, most spoke about lack of physical access, lack of support services, and lack of knowledge of disability issues. Wollenzein of VR in Utah surmises that "a lot of providers don't think about the types of accommodations, hearing impaired units, interpreters and other issues" that are important when serving people with disabilities. Respondents in both Texas and Indiana explain that all providers must assure the state that their services are accessible. In other words, providing the appropriate accessibility equipment cannot be considered a barrier to training people with disabilities since everyone in the system must comply, not only those providers who focus on people with disabilities. Lottman, of the Texas Rehabilitation Commission, also notes that some programs for people with disabilities, particularly supported work programs, can be costly, a possible barrier to providers. Again, none of the respondents spoke about the performance management system itself as a barrier, particularly as it relates to serving people with disabilities.

Some states are taking additional measures to improve services for people with disabilities. In Texas, Arturo Gil, Manager of TWC's Interagency Relations, describes how his agency is "working with Workforce Incentive grants to local boards to increase the services to people with disabilities" and has a grant application in with the Texas Council for Developmental Disabilities "to develop best practices through One-Stops to serve people with disabilities." Lottman of the Texas Rehabilitation Commission also spoke about the program to "identify and tout exemplary practices in One-Stops" around service to people with disabilities, which honored two specific One-Stops at a statewide meeting this year. Both Texas and Indiana are working to ease the transition of students with disabilities into the workplace or into higher education. In addition, Indiana has a document in its state plan under vocational rehabilitation employment that describes initiatives "to improve the performance of the State with respect to the evaluation standards and performance indicators." This program redesign initiative takes many of the tenets of WIA, including streamlined services, customer satisfaction, and greater employer relations, and applies them to the VR services of Indiana. The state hopes that these plans will result in improved employment outcomes for people with disabilities.

The states varied in terms of outreach to providers around serving people with disabilities. New Jersey, Texas, and Indiana indicate that outreach activities would occur on the local level. In New Jersey, training providers are invited to visit the Vocational Rehabilitation Services office to present their programs. Utah's Office of Rehabilitation will offer technical assistance to those providers who wish to serve people with disabilities, which may help providers feel more confident about entering into that arena. In Texas, Pittman notes that providers were involved in the eligibility planning process in Texas, working on "everything from reporting requirements and definitions to application content to design specs for the automated application system that comes online in December." Having providers involved in the system gives them an incentive to continue working in the system and insures that reforms are workable for providers.

D.   Compliance with the Americans with Disabilities Act

The Workforce Investment Act (and, previously, JTPA) contain nondiscrimination and equal opportunity provisions. As outlined in the November 12, 1999 (Volume 64, Number 218) Federal Register, the JTPA nondiscrimination provisions are contained in Section 167 of that statute, and in its implementing regulations codified in 29 CFR part 34. These regulatory provisions generally are carried over in section 188 of the Workforce Investment Act, the nondiscrimination and equal employment opportunity provisions of WIA's implementing regulations. The latter regulations are contained in the Interim Final Rule, to be codified in 29 CFR part 37. Section 188 and the "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final Rule"

> …prohibits WIA Title I-financially assisted grant applicants and recipients, as defined in Section 37.4, from discriminating on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief. It also protects any beneficiary (person intended by Congress to receive WIA Title I-financially assisted aid, benefits, services, or training) from discrimination based on either that beneficiary's citizenship, or his or her participation in any WIA Title I-financially assisted program or activity. The rule provides procedures for determining and enforcing compliance…there are only limited substantive differences between 29 CFR part 34, implementing the nondiscrimination and equal opportunity provisions of JTPA, and 29 CFR part 37, implementing the similar provisions of WIA. Those substantive changes that have been made are based on the experience of the Civil Rights Center (CRC), the Departmental agency responsible for administering the nondiscrimination provisions of JTPA and WIA, and on feedback provided to CRC by grant applicants and recipients regarding their work with the nondiscrimination and equal opportunity provisions of JTPA and part 34.

Section 188 also mandates compliance with other equal opportunity and non-discrimination regulations, including the Americans with Disabilities Act (ADA). Under Section 188, states are required to ensure access to WIA programs and information for all participants, including people with disabilities. In conjunction with ADA, states must ensure that all One-Stop facilities are physically accessible to all participants. States, in response to section 188 and ADA, have adopted a number of approaches to ensure accessibility and equal opportunity for all One-Stop users and most have developed a system to resolve complaints brought under ADA.

In Texas and Indiana, providers must prove they are ADA compliant before they can become certified to receive WIA dollars. The consumer report system, the means by which customers can research the outcomes of eligible training providers, is accessible to people with disabilities in Texas, Utah, New Jersey and Indiana, inasmuch as it is online and accessible from local One-Stop Centers (or any place with Internet access). At One-Stops in Indiana, "zoom software is available to make print larger, and counselors can help job seekers interpret the report system" according to Gilbert. Similar software is used in One-Stops in Utah and Texas. New Jersey indicates that adaptive technology will be available at One-Stops to assist people with disabilities. Each state takes a slightly different approach to monitoring One-Stops for compliance with ADA. In Utah, the Department of Workforce Services uses staff from VR to do

site visits. The Texas Workforce Commission has its own ADA/Disability specialist who insures all services will be accessible.

The complaint process is similar across states. Indiana posts procedures for resolving complaints in the One-Stops and most of those are handled on the local level, though on appeal they will go to the state, according to Faye Stewart, the Equal Employment Opportunity Coordinator at the Indiana DWD. Texas has an ombudsman procedure within TWC to resolve complaints, and Utah also uses an Equal Opportunity Officer on the state level, but resolves most complaints at a local level. According to Carolyn Parsons, the Equal Opportunity Officer at Utah's DWS, Utah is also planning on having the Rocky Mountain ADA Technical Assistance Center do trainings with all of the One-Stops across Utah on ADA accommodations and accessibility. Similar to Texas' project to highlight best practices for people with disabilities in One-Stops, this technical assistance in Utah should also result in improvements in services for people with disabilities. The New Jersey Department of Labor follows equal opportunity guidelines established by USDOL. The state plans on issuing Equal Opportunity bulletins on this subject shortly, and notes that resolving discrimination complaints is a required element of the mandated Methods of Administration. Currently, none of the states report many complaints.

E.   Improving Services Through Performance Management

The final question of the survey revolved around how increased performance management would improve service delivery to people with disabilities. Opinions were extremely varied among respondents. Jo Ann Hammill of Workforce NJ and Chris Badalain, a Program Specialist at Utah's DWS, express doubt that the training provider approval process would improve services. On the other hand, Mike Wollenzein suggests that DWS now knows the "good" providers and what makes a good provider, and the creation of the workforce system has helped VR to share that information across agencies, improving service for people with disabilities. Rick Little of Utah also believes that the tracking will improve service since it will be an important tool in collecting feedback on how well the system is working, and in then deciding how to allocate funding. Patrik Madaras from Indiana argues that the tracking system will improve services to everyone, but will not benefit any one group in particular. His colleague Linda Gilbert suggests that the collection of information on providers will be an especially important tool for people with disabilities looking for training. In Texas, Lottman saw improvement similar to what Wollenzein had suggested in Utah; that the creation of a system has encouraged partners to work together in improving services to people with disabilities. In Texas, for example, the workforce system learned about individual employment planning from the VR system. Pittman of Texas asserts that the provider certification could specifically aid people with disabilities, because in the past it has shown success with other unique populations, such as Welfare-to-Work participants.

In general, few respondents related improvement in service delivery for people with disabilities directly to the performance management mechanisms. Instead, they cite improvement as a result of a combination of factors, including performance management, system-building and provider certification.

III. Implications

In evaluating the implications of this study, it is important to consider a number of issues regarding the limitations of the case study data. This data, because it was collected from a very small sample size of non-randomly selected states, cannot be assumed to apply to all states. The states selected for study are those states we felt had made significant progress towards implementing the federally mandated performance management requirements and, therefore, most likely to be in a position to address the performance management needs of specific populations. In this respect, these states cannot be considered "typical" among states; rather, they are the most advanced. The small sample size (four states) means that any findings presented in this report cannot be generalized to the wider population of states. Our intent is to provide a current, in-depth review of a select group of states implementing their performance management systems. The intent is not for this information to be representative of state efforts, but educative for other states working to design and implement similar systems. This information is most valuable in that it offers state policymakers and workforce practitioners the opportunity to review the progress being made in four states that are implementing performance management systems. This report may call attention to issues not previously considered by other states (confidentiality, accessibility, etc.) and help states formulate approaches and solutions. An examination of the experiences of these states can instruct the development of other states' performance management systems.

The difficulties faced by states around tracking service for people with disabilities, including self-reporting and confidentiality issues, may be why states are not making a committed effort to track people with disabilities in the general workforce development system. Because states are relying on people to self-report their disabilities, and because of the perception that many One-Stop users will not do so, states may believe that there is no way to disaggregate data for people with disabilities from the overall WIA population. At the same time, states cannot require the disclosure of disabilities without addressing issue of keeping this information confidential. States may then conclude that the effective and thorough tracking of people with disabilities is not a worthwhile pursuit. States such as Texas raise legitimate questions regarding how confidentiality issues and underreporting of disabilities affect whether the performance data itself would improve services to people with disabilities.

In addition, comprehensive services for people with disabilities are impeded by a lack of collaboration between the VR and One-Stop systems in most states. Likewise, since states are not analyzing outcome data for people with disabilities on a regular basis means that services for people with disabilities may not see the same improvement due to increased performance management as general services might. The four case study states have highly planned and comprehensive performance management systems, with several serving as models for the rest of the country. That they have not yet developed systems that provide comprehensive tracking for people with disabilities means that it is unlikely full tracking of people with disabilities is occurring in many other states.

While these states have not yet focused on extensive outcome analysis for people with disabilities, some are implementing other strategies to make employment services for people with disabilities more effective and accessible. The first step each state must take is to ensure

that on-line consumer report card information and other data is fully accessible to people with disabilities. Submitting their web sites to Bobby review or taking other steps to ensure that state Internet sites are accessible to people with disabilities is an important first step in this process. The additional strategies revolve around technical assistance, streamlining of services, and partnerships with agencies whose focus is on the disabled. At the same time, performance measures should reflect the characteristics of the customer base of each training provider, a measure most states have yet to implement. If states create a system in which providing training to people with disabilities jeopardizes a training provider's place on the ETPL, some providers may try to avoid training customers with disabilities. States must take care not to create disincentives to service of any particular subset of the overall WIA population, if the intent of WIA is to be successfully implemented.

IV.   Conclusion

Performance Management is still a relatively recent requirement of the federal workforce development system, and states are still grappling with issues related to performance indicators and outcomes, eligible training providers, and customer satisfaction, particularly with regards to tracking specific populations such as with disabilities. The performance management systems being developed and implemented in the states are sophisticated, data-intensive systems that will take time to fully implement and master. At the same time, it is clear that in many states, people with disabilities are not receiving the attention and services that they need to fully participate in the One-Stop system. What is not clear is how seriously states will take this problem. Will states refine their performance management systems so that they can address the needs of specific populations, such as people with disabilities? Will states adopt policies that encourage training providers to serve people with disabilities and develop measures that accurately reflect the success or failure of these providers? Will performance management information be accessible to all One-Stop customers? As states continue to implement performance management systems and refine their strategies, these questions will be more definitively answered. In the meantime, researchers should continue to study state efforts to implement the performance management requirements of WIA. In particular, future research should focus on issues surrounding confidentiality requirements, self-reporting of disabilities, and subsequent undercounting of people with disabilities in the One-Stop system. How can participants be tracked so that states can accurately account the experiences of people with disabilities? How can this tracking be utilized to provide better services to people with disabilities? These and other issues are essential to improving the system of job training and workforce development for people with disabilities.

Appendix A

Glossary of Terms

Term	Acronym
Americans with Disabilities Act	ADA
Center for Applied Special Technology	CAST
Data for Educational and Career Informed Decisions for Everyone	DECIDE
Eligible Training Provider List	ETPL
Indiana Department of Workforce Development	DWD
Individual Training Account	ITA
Local Workforce Development Area	LWDA
Memorandum of Understanding	MOU
New Jersey Department of Labor	NJDOL
One Stop Operating System	OSOS
State Employment and Training Commission	SETC
Texas Council on Workforce and Economic Competitiveness	TCWEC
Texas Rehabilitation Commission	TRC
Texas Workforce Commission	TWC
The Workforce Information System of Texas	TWIST
Unemployment Insurance	UI
U.S. Department of Labor	DOL
Utah Department of Workforce Services	DWS
Vocational Rehabilitation	VR
Workforce Investment Board	WIB
Workforce Investment Act	WIA

Appendix B

Interview Questionnaire

Performance Management and People with Disabilities Survey

Introduction
The Heldrich Center at Rutgers University is a partner in a U.S. Department of Education funded Rehabilitation Research and Training Center on employment policy for individuals with disabilities, which seeks to offer new and revised approaches to workforce development and employment policy for individuals with disabilities. One of our research projects involves analyzing state policies and procedures that pertain to the performance outcomes of individuals with disabilities who receive career services through the WIA One Stop system. In particular, we are interested in identifying state policies and procedures that are designed for persons with disabilities and/or parents with children with disabilities.

The Workforce Investment Act of 1998 identifies quantifiable outcomes for the workforce investment system and mandates the creation of a performance management system that tracks the employment and earnings of participants as well as the performance of service providers, One-Stop Career Centers, local Workforce Investment Boards, and states. These new and complex systems must be in place by July 1, 2000.

Under WIA, states are required to track the outcomes for people with disabilities for each of the 17 mandated core performance indicators. To measure the success of employment programs and interventions for individuals with disabilities, it will be important for each state to develop a performance management system that can track the progress of individuals with disabilities, as well as reward service providers that contribute to positive outcomes for individuals with disabilities. Due to the complex mix of employment incentives and disincentives built into various programs serving individuals with disabilities— including Medicaid, SSI, and SSDI—a comprehensive performance management system must consider these factors.

The purpose of this study is to provide useful information and guidance to state policy-makers creating performance management systems that track the employment outcomes of individuals with disabilities as well as the performance of states, local WIBS, One-Stops Career Centers, and education and training vendor providing services to individuals. Our ability to better understand your state's policy approach would greatly benefit from a short discussion with someone familiar with the issues.

Background Information:

A. Name of Interviewee/State _____

B. Job Title and/or Responsibilities _____

C. Date of Interview _____

I.   Implementing Performance Management Systems

1.   What is the current status of your state's performance management
       system?

2.   What progress has your state made in developing and
        implementing the mandated performance management systems under WIA?

3.   In addition to the 17 indicators of performance mandated by the federal government, has
       your state developed additional indicators of performance?

       If yes, what are they?

4.   In your opinion, do any of the federally mandated features of your performance
       management system discourage partners from joining One-Stops?

       If yes, please explain.

5.   How are One-Stops in your state monitored for compliance with performance
       management goals?

II.   Tracking the Performance of People with Disabilities In the One-Stop System

5.   Under WIA, States are required to develop a performance management system that
       specifically tracks the employment outcomes for people with disabilities. How will your
       system accomplish this?

6.   What disability-specific organizations (such as Vocational Rehabilitation) are partners in
       your state's One-Stop system?

7.   Does your state track employment outcomes for individuals with disabilities receiving
       vocational rehabilitation or other services (such as state services for the blind)?

**III.   Tracking the Performance of Eligible Training Providers who Serve People with
       Disabilities**

8.   a) What categories of training providers does your state's performance management
       system include? (i.e. community colleges, public post-secondary vocational schools,
       private vocational schools, state universities, etc..)

       b) Does it include all students of the providers or just those receiving state monies (JTPA,
       welfare-to-work, vocational rehabilitation, etc.)?

9. Are organizations that focus on training people with disabilities on your state's list of Eligible Training Providers?

10. WIA requires that states set the general procedures and standards for performance, which must take into account a variety of factors, including economic conditions, and student or client characteristics. Has your state set standards of performance for training providers who serve large numbers of people with disabilities?

11. Will the outcomes of providers who serve people with disabilities be adjusted or weighted to take into account the many barriers to employment faced by people with disabilities?

12. Is your state's performance management system and related fiscal incentives and disincentives to providers structured in such a way as to ensure that serving people with disabilities is a positive outcome? (or, how is your system structured)

    If not, does your state intend to offer incentives to training providers to serve people with disabilities?

13. Has your state addressed the issue of training providers restricting eligibility to keep their performance numbers high?

    If yes, how?

14. Are there specific barriers to training providers serving people with disabilities?

15. Does your state conduct outreach to training providers regarding training for people with disabilities?

16. Has your state developed any additional strategies to ensure that people with disabilities receive the training services they need?

IV.   Americans with Disabilities Act

17. WIA requires that performance and cost information must be provided in a Consumer Report system, which must be made available to the general public as part of core services in the One-Stop system. Is your state's Consumer Report system accessible, as defined by the Americans with Disabilities Act (ADA), to people with disabilities?

18. What steps has your state taken to ensure that training services are accessible, as defined by ADA, to people with disabilities?

19. Does your state monitor compliance with ADA statutes? How?

20. Has the state developed procedures for resolving complaints involving allegations of discrimination under the ADA?

    Prompt: a) Have any such complaints been brought?
                          b) If so, how many?
                          c) What were the outcomes?
                          d) Have complaints resulted in modified procedures? If yes, how?

V. Conclusion

21. Do you think that tracking the performance of eligible training providers and One Stops will improve how the state provides employment related services to people with disabilities?

22. Is there anything else you would like us to know about your performance management system? Would you be willing to send us copies of regulations, laws or manuals that govern your system?

Thank you for your time. If after reviewing this information, we should have any additional questions, would it be all right if we called you back?

    Yes   No   (verify number)

Appendix C

State Profiles

Indiana

Interviewees:

1. Patrik Madaras, Director of Evaluation, Department of Workforce Development
2. Linda Gilbert, Policy Analyst, Department of Workforce Development
3. Faye Stewart, Equal Employment Opportunity Coordinator, Department of Workforce Development

Resources:

1. Indiana Department of Workforce Development, www.state.in.us/dwd
2. Indiana Eligible Training Provider List, www.state.in.us/dwd/policy/ne02005.htm
3. Strategic Five-Year State Workforce Investment Plan. Indiana Department of Workforce Development
4. DWD Communication #2000-4; PY '00 Local Performance Levels and Incentive Awards Policy

Background

Indiana was an early implementation state for WIA. This means that the state received permission from the federal Department of Labor to begin WIA before the law went into effect on July 1, 2000, and submitted an early state plan that was acceptable to federal DOL.

Indiana's Performance Management System

Under WIA, performance management requirements are extensive and states must create new systems to collect all necessary data. The Commissioner of the Indiana Department of Workforce Development (DWD) notes that in Program Year 2000, "all WIA performance is being tracked and is subject to incentives and sanctions." Patrik Madaras, the Director of Evaluation for DWD, expands on this statement, saying Indiana's system is "fully functional" and they are "collecting all the data and generating reports." One-Stop centers are monitored through performance reports generated on a quarterly basis on a substate level.

States have the option of tracking additional performance measures beyond those required by WIA, and Indiana has added its own performance measures. DWD terms the additional measures "system goals," identified as the major goals they want to accomplish through the One-Stop system. These measures track aggregate wage gain, skill gain, and customer satisfaction. For example, the goals for PY 2000 are: "at least 147,000 individuals assisted by the One-Stop system will have wage gains, and at least 3,000 individuals will have documentable skill increases" (defined as attainment of a credential or degree). While the federal measures can specifically illustrate Indiana's success or failure in training programs for youth, adults, and

dislocated workers supported by federal WIA Title I dollars, these more general measures allow Indiana to observe and discuss the global success or failure rate of their workforce development system. The customer satisfaction system measure also expands the population surveyed beyond those supported by WIA Title 1. Indiana uses additional measures to provide a more complex understanding of the statewide picture.

Tracking People with Disabilities in the One-Stop System

WIA requires that states track the performance of people with disabilities in their One-Stop system. Indiana's performance management system contains data on people with disabilities. Madaras explains that while Indiana "can disaggregate and track" those with disabilities using workforce development services, they "are not planning on doing that on a regular basis." When there is interest, they can produce reports on people with disabilities on an ad-hoc basis. However, Madaras also notes: "detailed breakouts for our disabled customers are in the annual report." Vocational Rehabilitation is a partner in the One-Stop system, and they do track their own performance. The Indiana DWD does not have access to the Rehabilitation database, but there is a vehicle for Rehabilitation to access the DWD information. Madaras explains that all "partners can gain access to intake and report system of" DWD.

In the state plan, Indiana states that it will meet the needs "of its major customer groups by maximizing the use of One-Stop partner resources." This statement is supported by those interviewed, who repeatedly state that the needs of people with disabilities will be met by Vocational Rehabilitation's role as a partner in the One-Stop. While this is the intent of WIA, it does not seem that there is sufficient understanding of how people with disabilities will be served beyond saying that Vocational Rehabilitation would be present in One-Stops.

Tracking the Performance of Eligible Training Providers

Understanding the types of training providers on Indiana's eligible training provider list (ETPL), and the ways the state plans to ensure these providers are serving all populations is an important factor in evaluating the state's services to people with disabilities. Madaras notes that "at this time any training provider can be on the Indiana list" since there are "relaxed documentation requirements for the time being." In the coming year, DWD will require data from providers to maintain a position on the list. Indiana is tracking the performance of eligible training providers that include community colleges, public post-secondary vocational schools, private vocational schools, state universities, and non-profit training providers. The system tracks only the students of these providers funded through WIA.

In terms of specific policies for providers serving people with disabilities, Indiana's policy is to rely on Vocational Rehabilitation. There are no disability-specific training providers on the ETPL and no separate WIA performance standards for training providers who serve large numbers of people with disabilities. WIA outcomes for providers who serve people with disabilities will not be adjusted to take into account barriers faced by people with disabilities. Linda Gilbert, a policy analyst at DWD, explains that Indiana "does not offer incentives to service providers, but incentives are offered to the WIBs" where Vocational Rehabilitation's role as a partner will ensure they "cross the t's and dot the i's" when serving people with disabilities.

Indiana has not addressed the issue of training providers restricting access to keep outcomes high.

Neither Gilbert nor Madaras believe there are barriers to providers serving people with disabilities, and they note that all providers have to agree with broad statements around serving all populations to be eligible for WIA funds. According to Gilbert, outreach to training providers regarding services to people with disabilities does not occur at the state level, but at the local level, where "Vocational Rehabilitation is making sure" people with disabilities are served, and "the possibility exists they are providing outreach," especially since VR is on the boards.

Indiana's state plan outlines additional strategies to ensure people with disabilities are getting the services they need. The state vocational rehabilitation employment plan includes initiatives to "improve the performance of the State with respect to the evaluation standards and performance indicators." The document describes a program redesign initiative that was developed with current and former VR customers and includes four components: Easy Access/Quick Services, Choice/Self Determination, Seamless Services, and Employment. In short, Indiana is merging some of the tenets of WIA with their VR programs—including collecting customer satisfaction data and improving relations with employers. Other plans include providing more vendor options to clients, a "fast track" for customers, and "a resource document that will assist customers in accessing various services in a community." Indiana believes this program redesign will improve employment outcomes, but are planning on reviewing existing plans once performance indicators are published, to "ensure the identified initiative address(es) the expected outcomes." The Vocational Rehabilitation agency in Indiana is taking its role as a WIA partner seriously, working to improve their services with many of the WIA directives.

Other components of the state plan specifically explore services to people with disabilities. Gilbert describes how "through School-to-Work, students with disabilities are being connected to the workplace" and noted that having "VR as a mandatory partner will help develop strategies" and "expand the customer base" for adults with disabilities.

Compliance with the Americans with Disabilities Act

The Americans with Disabilities Act (ADA), requires that all WIA services must be accessible to people with disabilities. Indiana's Consumer Report system is accessible. At One-Stops, "zoom software is available to make print larger, and counselors can help job seekers interpret the report system" according to Gilbert. All training providers must meet the standards of Rehabilitation Act, which are similar to ADA, before becoming eligible to receive WIA funds. Compliance with ADA statutes is monitored "along with all the other non-discrimination requirements" around categories like race and sex according to Faye Stewart, Equal Employment Opportunity Coordinator at DWD. There are specific procedures for resolving complaints that are posted in the One-Stops. Ms. Stewart is not aware of any ADA complaints, but indicates that they are usually handled on the local level and only come to the state on appeal.

Improving Services through Performance Management

Does collection of performance information result in better service to people with disabilities? Those interviewed in Indiana do think so. Madaras argues that it would not help people with disabilities more than others, but that "it helps customers in general." Linda Gilbert notes that all information Indiana does collect "is made available to people with disabilities to look at schools," helping them to choose the best training for their needs.

Conclusion

Like many of the other states in this study, while Indiana has developed their performance management tracking system, they have not taken into account barriers experienced by people with disabilities in judging provider success or connected their VR tracking system to the DWD database. However, also like several of the other states, Indiana is reforming services to people with disabilities through other WIA mandates, such as streamlining services, collecting customer satisfaction data and taking into consideration employer needs.

Texas

Background

Along with Utah, Texas is a leader in reforming the workforce development system across the nation. Larry Lottman, a Program Specialist at the Texas Rehabilitation Commission (TRC), explains that the Texas "workforce system was already localized with local areas and boards in 1995." Lottman notes that when WIA was created in Congress, specific references were made to grandfathering the Texas system, "since they had just revamped the whole business, they didn't want to have to change again" especially since much of WIA "was in fact based on Texas." This grandfathering provision did affect the role of Vocational Rehabilitation in the system. Under the reformed Texas system, Vocational Rehabilitation was not a member of the state board, and under WIA continues to be only a voluntary partner on the state level. However, on the local level Rehabilitation is a mandatory partner.

Texas has merged many state functions (28 workforce training programs) into one agency called the Texas Workforce Commission (TWC). TWC oversees job training and employment services, including WIA, Wagner-Peyser, and Food Stamp Employment and Training, as well as state-funded child care services. Welfare reform responsibilities, Food Stamps, and Medicaid are still handled through the Human Services agency. Nevertheless, the merger of many training programs and childcare services for low-income parents is a significant step towards streamlining services and easing the transition of job seekers into work and self-sufficiency.

Performance Management System

Texas is also a leader in creating a performance management system. According to the Texas State Plan, the state was working with a "comprehensive, unified system of strategic planning and performance based budgeting" in 1991. The Workforce Information System of Texas (TWIST) is a "national model" according to Arturo Gil, Manager of Interagency Relations at TWC. The Texas state plan goes into much detail about the use of mathematical models based on specific economic factors to set standards for each region. The plan states that "the regression analysis [Texas uses] estimates how the outcome (e.g., WIA Entered Employment Rate) can vary

among Boards with variations in client characteristics and local economic conditions." The comprehensive TWIST system insures that Texas sets realistic performance measures for each area, and the possibility exists for state planners to target improvements for the unique needs of each region.

Texas also works with "management reports," which may be submitted to TWIST as frequently as contractors or local boards desire. Stephen Stappenbeck, who works in the Performance Reporting Department explains that since "so many of the performance measures are based on Unemployment Insurance Data…there is an inherent lag. . . [making it] difficult for boards to interpret" their progress in a timely manner. The management report is a "pre-programmed report, in which the user supplies a timeframe (beginning and ending dates)", and according to Stappenbeck, "it probably only works best when run on a monthly basis." The contractor or local board can thus submit information and use it to "judge performance levels" as they are working, rather than just turning in data at the end of the year, as required by WIA. These reports encourage true continuous improvement, especially in terms of advising local boards on where improvement may need to occur in order to meet end-of-the-year standards.

Opinions on whether performance requirements would discourage partners from joining the One-Stop system vary. Stephen Stappenbeck believes that this is not occurring in Texas. Larry Lottman, of TRC, feels that partners did react negatively at first, explaining that the "first inkling of performance measures and accountability caused a lot of partner agencies to circle the wagons." Lottman says that some agencies were "reluctant to collect new data" since they are already required to collect certain information by the federal government, and this "became a theme the state board wanted to adhere to; since all agencies report information to the federal government or states anyway, [Texas] will just try to get close using that information." To avoid performance requirements discouraging partners from participating, Texas decided to accept data collected under other regulations for their WIA reports.

One-Stop monitoring begins with the application to become a certified One-Stop. Lottman described the certification process. One-Stops present a plan to the TWC, then to the Texas Council on Workforce and Economic Competitiveness (TCWEC, the state WIB), and finally to the Governor's office. Lottman explains how "One-Stops had to say how they would track performance measures as part of that plan." Stappenbeck adds that TWC "produces a monthly report of performance for all programs." This report is distributed within TWC, to the legislature, and the boards. According to Stappenbeck, the data is on "the board level, based on reports down to the staff level" and reflects the performance of individual One-Stops.

Tracking the Performance of People with Disabilities

Many states face the difficulty of confidentiality in tracking people with disabilities, an issue that has two components: agencies are often dependent on job seekers disclosing their disability, and confidentiality issues prohibit agencies within a state from sharing information on disabilities with each other. Texas respondents spoke to both of these issues when describing the state's mechanism for tracking services to people with disabilities. TWC will only have those people who have self-reported disabilities appear in any report of services to people with disabilities. According to Stappenback, TWC does not "have a particular performance report" on people with

disabilities and while they "could produce a report for people with disabilities, it would be an undercount."

Information sharing between agencies is a significant issue for Texas. "Texas is struggling with confidentiality issues," says Lottman, an assertion with which Gil agrees. This becomes an issue in particular when tracking referrals. Lottman describes several situations where confidentiality and self-reporting make it difficult to track a person's experience in the workforce development system:

> Sometimes keeping track of those [referrals] is difficult. If someone comes to Rehab and is not eligible, we don't have any tracking or paper trail, so don't have a record they were in the office, but we do make a "soft referral" [to Workforce Development]. On the other hand, some folks come into a One-Stop and do not want to be identified as a person with a disability, so the referral gets to be difficult for workforce folks to come to Vocational Rehabilitation.

Gil reports that the TWC is working with the Rehabilitation Commission and the Commission for the Blind to find a solution around confidentiality issues, so that information can be better shared between the agencies. A realistic determination of the experience of people with disabilities and employment services is difficult to obtain, and Texas currently can only accurately report the experiences of those in disability-specific organizations.

WIA does require that disability-specific agencies be partners in the workforce system, and Texas has partnered with many of these organizations. The Rehabilitation Commission is a major partner, as reflected in Lottman's knowledge of the system, but the Commission for the Blind and the Texas Council for Developmental Disabilities are also involved. Gil reports he is "working on an Memorandum of Understanding with the Department of Mental Health and Rehabilitation to expand services in One-Stops." Memorandums of Understanding are agreements between partners in the system that layout each partner's responsibilities and the ways in which they will work together. By making so many state agencies that deal with various types of disabilities partners in the system, Texas is clearly working to create a more streamlined system for those with disabilities who need employment services.

The Rehabilitation Commission does track its own performance, and makes its annual reports available to the workforce development agencies and commissions. Lottman cautions against comparing the Rehabilitation numbers to the workforce development numbers. He notes "if Vocational Rehabilitation was . . . compared to regular one-stop services, there is the potential for some misinformation" since for example, those who are rehabilitated and go back to work after a disability may in fact show earnings loss instead of earnings gain. Lottman speaks directly to the need for disability specific measures, however, as illustrated in the discussion below on eligible training providers, Texas does not take these same considerations in mind when collecting data on the workforce development system outside of disability specific agencies.

Tracking the Performance of Eligible Training Providers

Under WIA, each state is required to create an eligible training provider list. These are the providers who are eligible to receive WIA training vouchers, or Individual Training Accounts. Texas' list includes community colleges, public post-secondary vocational schools, private

vocational schools, state universities, and private training providers. The list also includes out-of-state schools, both schools in bordering states and distance-learning programs in states like Arizona, increasing the choices of Texas job seekers despite the fact that the money will be spent outside of Texas. The Rehabilitation Commission has its own "approved vendor list" according to Lottman, which does share many vendors with the WIA eligible provider list.

Texas splits reporting requirements into two "participant universes:" those paid for with WIA and all the participants of a provider. Providers are allowed to report on all students in their programs through a "self-reporting mechanism." In discussing these reporting requirements, Linda Pittman, with Training Provider Certification at TWC, confirms Lottman's earlier comment about different agencies using different mechanisms to report information. For example, the Texas Higher Education Coordinating Board already has a very standardized reporting mechanism, while others might not. Pittman explains that her agency also does random sample verification, to make sure providers are reporting accurately.

When asked if Texas had providers on the state ETPL that focus on training people with disabilities, Pittman said that was "not a question we [TWC] ask them [the providers]." She explains that "at the board level, they may know because they do business with [the providers]" and notes that when the application process to become an eligible provider goes online in a few weeks, applicants will indicate the type of provider and training, but not the main population they serve. As would be expected, Lottman at the Rehabilitation Commission say their approved list does include providers who primarily train people with disabilities. That the TWC does not know whether or not their list includes providers serving primarily people with disabilities could be a problem in judging that provider's performance, since their clients face different barriers to employments than other providers. The TWC is counting on local areas to be aware of these issues.

The Texas system is very localized, and the local workforce investment boards are being counted on to know if a provider mainly serves people with disabilities and to set the subsequent eligibility standards based on such information. Under WIA, training providers are required to apply for eligibility annually, and each year they must show that they are reaching performance standards in order to remain eligible. Pittman says that "with subsequent eligibility boards have the responsibility to decide what type of methodology to put into place and have to consider the characteristics of their area" and further explained that the decision about whether the outcomes of providers who serve people with disabilities will be adjusted to take into account unique barriers is "also part of the local adjustment option when providers reapply." Failure to insure that such adjustment occurs could result in providers restricting eligibility to their programs so they will not have to work with the specific barriers of those with disabilities. Protecting against this type of creaming has not happened on the state level. Again, this issue is left up to local boards. WIA intended to encourage local decision making, and Texas is allowing local flexibility and counting on the assumption that local areas can make the best decisions about how to insure all their citizens, including those with disabilities, are getting the services they need. It remains to be seen whether it is better to leave it up to local control or to require from the state level that any barriers to employment that come along with a disability be taken into account in analyzing performance measures.

At the same time, those working in Texas do realize that there are specific barriers to serving people with disabilities. Pittman notes that "the provider certification process has everyone frustrated" because you have to apply to each board and report on everyone in the program," meaning that providers must apply to each local board whose area they want to serve separately. She explains that in terms of physical barriers, each training provider must be ADA compliant. No matter whether a provider does or does not serve a large number of people with disabilities, they must all pay to insure their services are accessible. Lottman also notes that certain programs for people with disabilities, particularly supported work programs, are costly, a possible barrier for providers.

While Texas does not provide incentives to those providers who serve people with disabilities, there is some outreach to providers. The provider community is involved in planning and reforming the workforce system. Pittman says that Texas felt it made sense to involve the people in the system in the planning process. Providers are involved on different levels, including "sitting on the design team to make specifications" for "everything from reporting requirements and definitions to application content to design" for the automated application system. Provider groups, such as the Higher Education Board and community college association are also active in the process, and TWC tried to go out and make presentations to interested organizations. Making providers part of the planning process is a form of outreach that will solidify their stake in the system and help insure their participation. Whether or not this will specifically create more opportunities for people with disabilities is unclear. In addition, Gil notes that the state agencies work with the local boards to promote outreach on a local level, an approach advocated by the TWC.

Despite leaving many of the decisions regarding services to people with disabilities up to local areas, Texas is working on additional statewide strategies to insure this population receives the services it needs. Gil describes how Texas is "working with Workforce Incentive grants to local boards to increase services to people with disabilities," and the TWC has put in an application to the Texas Council for Developmental Disabilities "to develop best practices through One-Stops to serve people with disabilities." In addition, Gil notes that TWC is working with "all agencies to improve the input and attendance" of people with disabilities, helping local WIBS to set up MOUs with relevant disability-serving agencies, and is "engaged in an MOU with State Education to effect transitional students from special education who are moving into higher education or the workforce. Lottman of the Rehabilitation Commission explains that "the state, under the guidance of TWC, pulled together a workgroup to identify and tout exemplary practices in One-Stops" around services to people with disabilities. Two One-Stops were honored at a statewide meeting for their services to people with disabilities, with the "goal to publicize so that folks are moving in that direction" and insuring all one-stop services are fully accessible.

Compliance with the Americans with Disabilities Act

All services under WIA must be compliant with the Americans with Disabilities Act. This includes the consumer report system, which allows job seekers to see the outcome data of training providers before choosing which provider to attend. The Texas report card system is ADA compliant, and Gil explains that they were working on making sure there is "adaptive

technology in all workforce centers" to help the visually impaired view the resources. Lottman notes that "all One-Stops have to pass the scrutiny of TWC" that has an ADA/disability specialist who insures all services will be accessible. The training provider certification process requires that providers assure they are compliant with ADA according to Pittman, who also notes that particular documentation was required to prove ADA compliance. Compliance is monitored by the TWC and Lottman explains that the workforce agency has an ombudsman procedure to resolve complaints. While he has heard of one parking issue, where all parking spaces at a One-Stop were located on a hill, in general has not heard of many complaints and believes that "TWC is sensitive to the issues and tries to fix" any problems.

Improving Service through Performance Management

In general those surveyed in Texas felt that the focus on performance management, both through the One-Stops and the training providers, will improve service delivery. Lottman feels they are "obviously on the path to improvement" but that they need to resolve issues around how compatible the Rehabilitation computer system and the workforce computer system are and to insure that both Rehabilitation and the One-Stop system give access to all providers in the system. In addition, while he notes that there was some "fear in the Rehabilitation community that they were going to get gobbled up" by the larger workforce system, this fear in itself encouraged them to "be good partners to make sure others knew they provided a good, needed service" and the partnership itself helps make the overall system better, since "the generic system has been able to learn a lot about planning for individuals" from being exposed to Rehabilitation's practice of writing individual employment plans. Pittman sees the possibility of the provider certification system improving services to people with disabilities, since it has "proved to be effective for people under WIA, Welfare to Wok, and Food Stamp training," it has the ability to help populations with specific barriers to employment.

Conclusion

Texas has created a comprehensive performance tracking system, which takes into account client characteristics in defining "success." However, like the other four states, Texas does not specifically track people with disabilities and has not created any statewide incentives to serve people with disabilities. The state relies on its local areas to insure the necessary services are being provided to people with disabilities, and that disability specific training providers are on the eligible provider list. At the same time, the relationship between the Rehabilitation Commission and TWC seems to be an open and productive one, and Texas is working on expanding and improving the partnerships between various disability specific agencies and the workforce development system. At the state level, Texas has also made a commitment to highlighting effective practices in One-Stops around serving people with disabilities. Again, as is the general trend among these four states, innovative practices are generally occurring in the service delivery area rather than in the performance management area.

Utah

Interviewees:

1. Rick Little, Management Information Services Manager, Department of Workforce Services (DWS)
2. Chris Badalain, Program Specialist, WIA, DWS
3. Carolyn Parsons, Equal Opportunity Officer, DWS
4. Mike Wollenzein, Facilities Specialist, State Office of Rehabilitation

Resources:

1. Utah Department of Workforce Services, www.dws.state.ut.us
2. Utah's Eligible Provider List, www.dws.state.ut.us/pi/wia/DWSapprovedschools.html
3. Office of Rehabilitation Website: http://www.usor.state.ut.us/inform.html
4. *Utah Department of Workforce Services Approach to Performance Accountability*

Background

Since 1993, Utah has been working to streamline employment and public assistance services. Prodded by a 1993 legislative audit, the governor and state legislature recommended that the workforce and public assistance systems be consolidated. The agencies that oversaw Temporary Assistance to Needy Families (then AFDC), Food Stamps, Medicaid, childcare funding, state funded general assistance, Wagner-Peyser, Department of Education training programs, and the Job Training and Partnership Act merged into the new Department of Workforce Services (DWS). In this way, Utah not only anticipated the Workforce Investment Act, but also became a national example of how to streamline services. Rick Little Management Information Services Manager at DWS, relates that the new agency merged service delivery systems, eliminated duplication, and eased Utah's implementation of both welfare reform and WIA.

Performance Management System

Utah continues to take a lead in reforming its workforce development system, particularly through the creation of a comprehensive performance management database. Utah's performance tracking system is known as UWORKS. This system collects all the required information on WIA, Wagner Peyser, and other services. UWORKS is being applied in three phases. The first phase was implemented July 1, 2000, and includes the case management functions. These functions outline the employment planning process case managers must use with clients. On September 5, 2000, phase two was implemented, providing interface between the workforce development system and the public assistance system. Phase Three is scheduled to begin on November 13, 2000, and will allow the system to provide job matching, connecting jobseeker's competencies to employer needs.

WIA requires 17 measures of performance, and Utah has termed their measures "Key Business Processes." In a document entitled *Utah Department of Workforce Services Approach to Performance Accountability* one of the goals is "identifying the Key Business Processes

associated with program and service delivery (and those that support program and service delivery)." Utah terms those processes associated with program and service delivery "operation processes." Some examples of how Utah will measure the operation processes include: measuring employer services through the job order fill rate and total number of job orders, measuring employment exchange through the individual placement rate and the total number of new jobseekers, measuring employment counseling by rates of cases receiving the Earned Income Tax Credit, and using time lapses in unemployment insurance to measure services to insured workers. These operation processes meet the federal requirements for tracking performance. Other "support processes" are measured to determine how Utah is supporting service delivery through areas like technology integration, service and policy development, and facilities services. Thus Utah's system encompasses both measures to determine if workforce development activities are helping jobseekers and employers, and measures to determine if the state itself is helping to improve service delivery. The collection of this data is above and beyond what WIA requires, and allows Utah to use outcome measures to improve service at all levels, whether it be to the jobseeker, the employer, or the provider.

Under WIA, states are also required to monitor One-Stops. Each state is divided into service delivery areas (SDA), and each service delivery area must have at least one One-Stop center and provide access to all services required under WIA. A small number of states have only one service delivery area, and Utah is one such state. Utah has over fifty employment centers despite having a single service delivery area. Employees of DWS visit each One-Stop at least once in a three-year period to monitor for compliance with performance management.

Some in Utah do feel reporting requirements could potentially discourage partners from joining One-Stops. Partners must track all active participants and submit quarterly reports on their progress, a requirement Rick Little feels could make partners "reluctant to fully engage in the One-Stop." In Utah, since the Department of Workforce Services is a consolidation of several One-Stop partners, reluctance to participate is less of an issue. However, partners outside of DWS may not be as willing to become involved because of reporting requirements.

Tracking the Performance of People with Disabilities

Once all this data is collected, UWORKS stores information in a data warehouse. Utah can extract whatever information it needs for reports from this warehouse. The UWORKS system tracks the same measures for all subsets of participants, including people with disabilities who have notified the One-Stop or their training provider about their disability. Ultimately, any One-Stop partner will be able to go into UWORKS and create a query of the information they want to view. Users can select different subsets of the population and performance measures for the query. The system will then isolate the requested data; for example, it could retrieve placement rates for people with disabilities as compared to all others served. This self-service system is not yet fully functional, so DWS currently runs reports for partners who request specific information. Rick Little of DWS, cites Utah's "biggest challenge" as working with federal agencies, who are "trying to build systems to meet the needs of all fifty states" and therefore are not interested in querying Utah's data, but only in receiving the required reports in the standard format. As Little notes, since the Department of Labor does have to keep track of performance across the nation, it is somewhat unrealistic to expect them to query Utah's data themselves. However, it is

frustrating that federal agencies may not take advantage of the opportunity for significant outcome analysis found in the UWORKS comprehensive data warehouse.

The state Office of Rehabilitation, the only disability specific WIA partner in Utah, tracks its own clients, though some of these people could be in both the Rehabilitation system and UWORKS. Though UWORKS will be able to cross-tabulate information from the employment and training system, the public assistance system, and earnings and wage information system (UI), UWORKS does not interface with the Rehabilitation database. There is some discussion of at least linking the two systems enough so that Rehabilitation counselors will have access to it for recording basic customer data for use in the One-Stop system.

Eligible Training Providers and People with Disabilities

Eligible training providers in Utah's WIA system include applied technical centers, all colleges and universities, and proprietary schools. The DWS performance management system tracks all the students of the eligible providers. The Office of Rehabilitation primarily works with private vocational schools and community rehabilitation programs. Mike Wollenzein, of the Office of Rehabilitation, explains that although they "ask for statistics from the general population," they often "don't get great feedback" for those not paid for with state monies.

There are providers on the state's ETPL that focus on serving people with disabilities, though the outcomes of these groups are not adjusted to take into account barriers to employment that people with disabilities face. The reporting system under the Office of Rehabilitation does have different, disability specific standards, such as tracking particular disabilities and determining if clients felt their employment plan was appropriate for their abilities. Rehabilitation provides technical assistance to providers to track performance. Other than technical assistance, neither DWS nor the Office of Rehabilitation offers incentives to providers to serve people with disabilities.

Utah has not addressed the issue of providers restricting access to their programs in order to keep performance high; in fact, the Office of Rehabilitation has experienced the opposite. Mike Wollenzein of the Office of Rehabilitation asserts that "many providers just want to know if your money is green," and do not even consider if an applicant has a disability.

The state itself does not provide outreach to training providers to serve people with disabilities through DWS or the Office of Rehabilitation. The position of the Office of Rehabilitation is that providers should approach them if they are definitely interested in serving people with disabilities. Rehabilitation will then work with them in creating a program. While several of those interviewed did not see any barriers to serving people with disabilities, Wollenzein of Rehabilitation notes that "a lot of providers don't think about the types of accommodations, hearing impaired units, interpreters and other issues" that are important when serving people with disabilities. These are services that programs must make available according to federal regulations. While the Office of Rehabilitation will offer technical assistance in these areas, it is ultimately the provider's responsibility.

Compliance with the Americans With Disabilities Act

Utah's Consumer Report system, required under WIA to give jobseekers information on training providers' success rates, is accessible to people with disabilities. In terms of accessibility to training sites and services, the Office of Rehabilitation does site visits to every program it contracts with to insure compliance with the Americans with Disabilities Act. The Office of Rehabilitation annually reminds providers that their course materials and sites must be compliant with ADA.

DWS will also use Rehabilitation staff to do site visits to providers in the One-Stop system. Other than site visits, monitoring of compliance with ADA is primarily carried out though the complaint process. Each employment center throughout the state posts the phone numbers to call to report a civil rights complaint. Carolyn Parsons, Equal Opportunity Officer for DWS, explains that when applying for WIA services, each client receives a form that lists all their rights and responsibilities. This form also outlines how to report complaints and get in touch with the Equal Opportunity Officer. When a complaint is made at the One-Stop it will be entered into the computer system along with information on how the complaint was resolved; for example, whether it was fixed in the One-Stop or sent on to the state. The state follows the time frames set up by federal regulations in resolving complaints. DWS has not yet received any complaints, and do not have any on file for the past three years. Parsons notes that Utah is planning on having the Rocky Mountain ADA Technical Assistance Center do trainings with all of the One-Stops across Utah on ADA accommodations and accessibility.

The Office of Rehabilitation also follows Justice Department regulations in resolving the complaints they occasionally receive. Rehabilitation attempts to resolve all complaints and is usually successful. However, if they cannot resolve the issue, Rehabilitation may decide to stop doing business with the school where the complaint was lodged.

Improving Services through Performance Management

Those interviewed in Utah share a range of opinions around how tracking the performance of eligible providers will impact services to people with disabilities. Some argue that tracking performance will not improve services to anyone. Others think that because the state is recording the "good" providers for working with individuals with disabilities, and sharing that information across the relevant agencies of Rehabilitation, Workforce, and Education, services to clients will improve. Another opinion is that while tracking will not increase services, it will be an important tool in deciding how to allocate funding and collecting feedback on how the system is working.

Conclusion

On paper, Utah's workforce development system has done an excellent job streamlining services and creating a useful and informative performance tracking system. Like Texas, Utah decided early in the 1990s to begin streamlining services by reorganizing state agencies, and merged many services associated with workforce development into the Department for Workforce Services. It is highly likely that these reforms will result in a better employment and training system for all its residents, including those with disabilities, though the agencies that specifically serve people with disabilities remain independent from DWS. The relationship between the

Rehabilitation Commission and TWC seems to be an open and productive one. Like all of the states studied, Utah faces the difficulty of how to track people with disabilities who do not report their disability to the One-Stop.

New Jersey

Interviewees:

1.   Aaron Fichtner, Senior Project Manager, Heldrich Center for Workforce Development
2.   Leela Hebbar, Project Director, Heldrich Center for Workforce Development
3.   Jo Ann Hammill, Assistant Commissioner, Workforce NJ
4.   Mary Fitzgerald, New Jersey Department of Labor

Resources:

1.   New Jersey's Consumer Report Card, www.njtrainingsources.org
2.   Strategic Five-Year Unified State Plan for New Jersey's Workforce Investment System
3.   New Jersey Department of Labor Annual Plan
4.   State Plan for the State Vocational Rehabilitation Services Program, March 1999

Background

New Jersey's Performance Management System

New Jersey has developed the One-Stop Operating System, or OSOS, as their outcome collection tool. According to the state plan submitted to the federal Department of Labor, this system "enable[s] automated labor exchange services and the tracking of a majority of clients served by the state's One-Stop system partner agencies." While the system is partially functional, the section of the system that coordinates payment to vendors was not ready by July 25, 2000, but was expected by mid-August. The performance management system is composed of three sections: "the federally mandated WIA standards, system standards that cover all one-stop partners" and "standards for training providers that are part of New Jersey's consumer report card." Like several of the other states, New Jersey is trying to understand how the system as a whole is functioning.

One-Stops Centers, which serve as gateways for all job seekers into the WIA system, are also monitored for compliance with performance standards. According to Jo Ann Hammill, the Assistant Commissioner of Workforce NJ, "the various agencies within the One-Stop will monitor their own program areas [and] procedures will eventually be developed to share this information among the partners." Out of the four states surveyed, New Jersey was the only one who mentioned having all the partners involved in One-Stop monitoring.

In its state plan, New Jersey responds to questions about insuring all populations are served by stating; "equity will be a Governor's performance measure. As part of the development of service protocols, we will develop, with each WIB, an equity component that includes objective measures and outcomes for performance, recruitment activities, projected retention and placement. The Monitor Advocate will assist in the development of these protocols and development of a monitoring process." While the majority of New Jersey's planning around this "equity measure" is around insuring women do not experience discrimination in employment services, New Jersey does state that individuals with disabilities will have services provided in a

manner that best serves them" including use of "alternate media . . . when requested" and accessibility at all sites. In adding additional performance measures, New Jersey has decided to focus on making sure that all job seekers receive equal treatment, a unique and important measure that will allow New Jersey to judge more clearly how the system is affecting specific populations. This should help services to people with disabilities.

Tracking the Performance of People with Disabilities
As noted, WIA requires states to track services to people with disabilities. In New Jersey, the Division of Vocational Rehabilitation Services has its own client data system. Disability specific partners in New Jersey's One-Stop system include the Division of Vocational Rehabilitation Services and the Commission for the Blind and Visually Impaired. The Department of Human Services, which provides services to people with disabilities, is also a partner. In addition, Hammill notes "in some areas, other Community Rehabilitation Programs are either on the WIB or on subcommittees of the WIB.'

Tracking the Performance of Eligible Training Providers.
New Jersey's ETPL includes community colleges, public post-secondary vocational schools, private vocational schools, state universities, and private training providers. The performance management system will track all students of these providers.

The ETPL "will identify supported employment vendors that provide specialized services to individuals with disabilities. Arrangements have been made with the various departments, including the Departments of Human Services, Education, and Labor, and agencies, such as New Jersey Division of Vocational Rehabilitation Services, that serve individuals with disabilities to incorporate their existing provider lists into the statewide list." Under the guidance of New Jersey's Unified State Plan, the SETC, and the Center for Occupational & Employment Information, the Heldrich Center for Workforce Development at Rutgers University and Electricvine Interactive, developed New Jersey's consumer report card, which was launched on July 1, 2000. New Jersey is one out of approximately nine states that currently have a consumer report card available on-line. The website allows individuals to search for training programs by geographic area, subject area, and keywords. There are over 2,000 programs in the database. Information on training providers includes whether or not providers are accessible to people with disabilities. There are training providers who specialize in serving people with disabilities on New Jersey's list, and under Type of Training Provider, the site does specify if a provider is a community rehabilitation specialist and what organizations have certified the program. However, a customer seeking training cannot search for disability-specific providers. The state is planning to create a more advanced system that will allow customers to limit their search to disability-specific providers.

In tracking the outcomes of eligible training providers, New Jersey is still working on standards that will take into account whether a provider is serving a large number of people with disabilities. The state does plan to adjust the outcomes of these providers, and is "hoping to establish standards that will ensure that people with disabilities will have equal opportunity, thus encouraging positive outcomes." New Jersey is the only state among the four under study that plans to take number of people with disabilities served into account when measuring success of training providers. Such adjustments will keep training providers from avoiding people with

disabilities. Likewise, New Jersey is also using the one-stop system reporting to monitor training providers, to insure that providers are not restricting eligibility to keep performance numbers high. These moves to weight outcomes and be aware of possible creaming reflect that New Jersey recognizes the barriers to serving people with disabilities. In her discussion of disability services, Hammill names "lack of support services and knowledge of disability issues" as barriers for service providers in meeting the needs of people with disabilities.

Similar to Texas, New Jersey provides outreach to training providers on the local level, through "local office initiatives." Also in a parallel to other states, New Jersey relies on VR to provide much of the outreach around training people with disabilities. Hammill shares that "training providers are invited to visit the Vocational Rehabilitation Service office to present their programs." New Jersey uses its disability-specific One-Stop partners to help training providers understand the program needs of people with disabilities.

In reforming and improving the workforce development system, New Jersey did include some additional strategies to improve services to people with disabilities. As part of their Vocational Rehabilitation state plan, the state discusses a customer satisfaction survey commissioned by the State Rehabilitation Council. The survey of consumers who received services from the Department of Vocational Rehabilitation Services, resulted in programs to increase assistance to customers and a plan to continually survey consumers while they are receiving rehabilitation services. Other recommendations from the State Rehabilitation Council have included greater consumer involvement on the state and local WIBs, that DVRS work with the One-Stop system to insure it is accessible, targeting "low income areas for outreach for transition services for students with disabilities," training counselors on transition services, ensuring "cultural diversity training addresses New Jersey's rapidly growing Asian population," addressing need for improved transportation services for people with disabilities and increasing "outreach activities to welfare recipients with disabilities." These proposals show a commitment to using those with expertise in rehabilitation to insure that the workforce development system meets the needs of all New Jersey citizens, though how the suggestions were reflected in actual policy is not clear.

Compliance with Americans With Disability Act

The Consumer Report system in New Jersey, available at www.njtrainingresources.com, is accessible to people with disabilities, inasmuch as it is online and accessible to anyone with Internet access. In addition, the state plans on having adaptive technology in all workforce centers to ensure access to performance management and other data for people with disabilities. Insuring that training services are accessible to people with disabilities is the responsibility of the state-approving agency, that takes these issues into account when reviewing training providers. In order to monitor compliance with ADA, the state investigates complaints, but the information on numbers of complaints and how they were resolved was not available.

Conclusion
Following in the general trend found among states, New Jersey is relying on disability-specific agencies, such as VR, to track people with disabilities and provide outreach to training providers around serving people with disabilities. Unlike the other states, New Jersey is planning to weight performance outcomes by the number of people with disabilities served by providers.

Hopefully this stance will allow the state to draw realistic conclusions about how people with disabilities are being served by the One-Stop system, which in turn can help the state determine how to improve the system.