

**STATE OF NEVADA**  
**GOVERNOR'S WORKFORCE DEVELOPMENT BOARD**

**Performance and Reporting Subcommittee**

Wednesday, November 4, 2020 – 9:00 a.m.

**TELECONFERENCE ONLY**  
**1-669-900-6833 | Meeting ID 878 2732 7103**

**MINUTES OF MEETING**

**Present:** William “Bill” Stanley, Ann Silver, Nancy Olsen, Steve Fisher, Craig von Collenberg, William “Larry” Fagerhaug, Jennifer Keiser, Stacey Bostwick

**Absent:** Erik Jimenez, Hugh Anderson

**Also present:** Andres Feijoo, (OWINN), Joan Finlay, (OWINN), Shelly Hendren (DETR), Irene Bustamante Adams (Workforce Connections), Brett Miller (Workforce Connections) Robert Whitney (Attorney General’s Office), Zachary Heit (OWINN)

**1. OPENING REMARKS**

**William “Bill” Stanley, Chair**, called the meeting to order and welcomed participants. he explained that under normal circumstances, the Board would not be permitted to conduct business via teleconference. However, due to COVID-19, the Governor issued Emergency Directive 006, which permits public bodies to conduct proceedings via teleconference.

**2. ROLL CALL - CONFIRMATION OF A QUORUM AND VERIFICATION OF PUBLIC POSTING**  
Per direction from Chair Bill Stanley, **Andres Feijoo** took roll call and confirmed the presence of a quorum.

**3. VERIFICATION OF PUBLIC POSTING**

**Andres Feijoo** affirmed that the agenda and notice of the GWDB Performance and Reporting Subcommittee meeting on November 4, 2020, was posted pursuant to Nevada's Open Meeting Law, NRS 241.020.

**4. FIRST PUBLIC COMMENT(S) NOTICE**

**Chair Stanley** read the notice into the record as follows: “Members of the public are invited to comment at this time; however, no action may be taken on any matters during public comment until the matter itself has been included on an agenda as an item for possible action. At my discretion, in the interest of time, public comments will be limited to three minutes per person.”

**There were no comments.**

**5. FOR POSSIBLE ACTION – Approval of October 16, 2020 Minutes**

**Chair Stanley** called for a motion to approve the October 16, 2020 draft meeting minutes of the GWDB Performance and Reporting Subcommittee.

**It was moved by Craig von Collenberg and seconded by Nancy Olsen to approve the October 16, 2020 draft minutes as presented. Motion carried.**

6. **DISCUSSION/INFORMATION ONLY – Overview of the Title IV Program**

**Chair Stanley** welcomed and thanked **Shelley Hendren** for appearing before the subcommittee. Instead of providing an overview of Title IV, subcommittee questions began right away.

7. **DISCUSSION/INFORMATION ONLY – Subcommittee Questions for Title IV Program**

**Chair Stanley** asked **Shelley Hendren** that in her response to the matrix question on timeframe/duration she wrote about the requirement to match federal funds in year one in order to spend in year two. **Chair Stanley** asked where the match comes from.

**Shelley Hendren** answered that the general fund is the biggest source of matching funds because it cannot be federal funds. Matching funds do come from other sources though. One is by using expenditures from the Blind Business Enterprise Program, which assists blind entrepreneurs, as a form of soft match. As money is spent on the program on certain things, it can be claimed as a match to draw down federal funds to spend in the vocational rehabilitation (voc rehab) program. Another form of the match to draw down federal funds is a third-party cooperative arrangement (TPCA), which is when a government entity puts up the match to serve joint clients either through cash or certified staff time. In the past, there was more money from the match than was needed to pay expenditures in the TPCA program, so voc rehab could spend the additional federal funds. Because of the pandemic, there is only one third-party cooperative arrangement remaining. If voc rehab jointly serves clients with disabilities to reach employment with entities such as Health and Human Services, the other government entity can put up the match to draw down federal funds.

**Ann Silver** asked for a specific example of a joint program.

**Shelley Hendren** responded by describing a third-party cooperative arrangement which is a formal contracted arrangement with another government entity. The only one remaining in operation is with Clark County School District which is a program to provide work experience to students with disabilities while in school. The cost of the program to help the student achieve employment comes from the program. The program provides the match and voc rehab provides the federal funds.

**Ann Silver** asked for an example of a provider voc rehab works with.

**Shelley Hendren** answered that in the example she gave, it is the Clark County School District that provides teachers and staff. Voc rehab provides job coaches that work with students. She also said there are other service providers voc rehab works with and she is willing to share the list with the subcommittee.

**Ann Silver** followed up by asking **Shelley Hendren** if her program's money goes to pay someone in the Clark County School District to provide those counseling services.

**Shelley Hendren** responded by saying they could but in this example, Clark County School District is bearing the cost and because of that, it can be claimed as match to draw down federal funds at a four to one rate to pay for the program.

**Ann Silver** said that the school district is doing more than its match, so what WIOA funds are being used beyond that and for what?

**Shelley Hendren** responded that any federal funds that are drawn down for a TPCA based on matched funding that are not spent on a TPCA program can be spent on the voc rehab program to provide a full array of services for Nevadans with disabilities to help them obtain employment.

**Steve Fisher** asked if the federal funding stream was a block grant or if there was a cap on federal funding voc rehab receives or if federal funds are drawn down based on caseload?

**Shelley Hendren** responded saying funding is from a federal formula grant so there is no state by state competition for it. The formula funding is based on population, the average wage in the state, and some other factors. Last year Nevada was awarded \$28.5 million. The federal funding is available if the state of Nevada can match it.

**Steve Fisher** followed up asking what the ratio of the match was.

**Shelley Hendren** said the match is basically a four to one match, so one state dollar draws down four federal dollars. Because of recent state general fund reductions, federal funds cannot be drawn down for the general funds lost. The last round of state funding reductions resulted in a \$3 million loss to the program.

**Jennifer Keiser** asked if the Clark County School District program she referred to earlier allow adult education students who are 16 and older or is it strictly for K-12 students.

**Shelley Hendren** said the Vocational Rehabilitation program mainly serves ages 16 and up, as well as both in-school youth and out-of-school youth.

**Craig von Collenberg** asked about the disability employment initiative and wanted to know how when job seekers receive disability benefits and assign their tickets to the workforce board or agency, the employment network receives money or ticket revenue.

**Shelley Hendren** responded by saying the program is for individuals receiving social security disability benefits and it provides an incentive for them to move into employment by lengthening the transition period before they lose their benefits, for example. An employment network contracts with the Social Security Administration to provide the same kind of barrier mitigation services for disabled individuals voc rehab provides. An individual selects an employment network to serve them and if the employment network successfully serves them and the individual becomes gainfully employed and reaches other criteria, they receive reimbursement from the Social Security Administration. While voc rehab is not an employment network, if voc rehab helps an individual with a ticket reach employment, they can be reimbursed for costs as well.

**Stacey Bostwick** asked about the difference between the federal formula funds and the client services funding of \$5 million and what is client services.

**Shelley Hendren** said voc rehab typically spends around \$19 million a year in the total budget with the largest amount going to client services and staffing which includes around 110 to 115 staff. Without the match, voc rehab cannot tap into the \$28 million of federal funding. She offered to share the budget with the subcommittee.

**Stacey Bostwick** asked if client services include accommodations in the workplace like visual impairment software.

**Shelley Hendren** responded that services like accommodations in the workplace are typically provided by the employer but voc rehab can work with the employer to determine what accommodations might be needed and could help pay for it. Voc rehab mainly helps individuals with disabilities prepare to go into the workforce and provides continued assistance for a limited time once they are working.

**Stacey Bostwick** asked who determines the target populations that are served by voc rehab. She also referred back to earlier questions about whether school districts are providing the services for disabled students up to age 22.

**Shelley Hendren** said the target population of students with disabilities up to age 22 is determined by WIOA. There is also a legal requirement that 15% of federal grant funds be used to provide specific services for students with disabilities up to age 22 and the money cannot be spent on anything else and must be spent in proportion to the rest of the populations voc rehab serves. She added that if future reductions in funding occur, then potentially voc rehab will not be able to serve everyone it can that has a documented disability that has a goal of employment and will instead go into an "Order of Selection" which creates wait lists and prioritizes services to those with the most significant disabilities.

**Chair Stanley** asked for clarification on the different sources of funding that Shelley Hendren outlined in the matrix she submitted

**Shelley Hendren** clarified that the amount of funding to serve clients is the \$5 million outlined in the matrix. The rest of the funding she previously talked about pays for staff and other costs of doing business (operating, travel, training). The \$19 million she previously referred to is the amount voc rehab typically spends of their full budget for a year. Of that \$19 million, \$5 million is spent on client services and the rest is spent on other costs. The \$28 million is the full amount of the federal grant and if there was sufficient match voc rehab could draw the full amount and spend it but the match is currently not there so it can draw some but not all the available federal funds.

**Ann Silver** asked if it's still correct that many unemployed people can qualify for voc rehab services.

**Shelley Hendren** said that voc rehab's requirements for disability are a lesser standard than what is required under the Americans with Disabilities Act so if someone has a medically documented mental or physical disability, and has the goal of employment, then they would qualify for voc rehab services.

**Ann Silver** asked if someone has a physician's note saying they were depressed, would they qualify for services?

**Shelley Hendren** said yes but with the caveat that the medical documentation must come from a professional in the field of their disability. In the case of depression, the note would need to come from a mental health professional, not just a general practitioner.

**Steve Fisher** asked if there is an entity that provides services to disabled people do they have to partner with voc rehab to draw federal funds or if they are using non-federal dollars to provide services, can those dollars be used to draw down the match.

**Shelley Hendren** responded by saying that to be considered a match, the entity has to be a government entity, and the client they are serving needs to be a joint client (ie. If the client is from welfare they need to be a voc rehab client too). Also, voc rehab has to have control of the money.

**Nancy Olsen** brought up the money spent on client services versus the money on operational costs like staffing. She asked **Shelley Hendren** to confirm that the intensive case management to serve voc rehab clients is what requires the level of staffing needed. She also asked if there are federal requirements on the education level for voc rehab staff.

**Shelley Hendren** said there are federal requirements for the education and training levels staff need. Vocational Rehabilitation Counselors typically go to college or graduate school for their field and receive certification. WIOA reduced the qualifications for vocational rehabilitation counselors so only a bachelor's degree is now required, not a master's degree.

**Stacey Bostwick** referred back to the program at Clark County School District and asked if there are similar efforts in other school districts.

**Shelley Hendren** said there were at one point six third-party cooperative arrangements and the most successful one that was canceled due to the pandemic so that resources could be allocated elsewhere was with Washoe County School District. The challenge with third-party cooperative arrangements is they are administratively burdensome so some other programs have ended for that reason. There are still other ways to have joint programs where the partner entity puts up the match such as an interagency transfer but doing these programs outside of a third-party cooperative arrangement would require a cash match, not certified staff time.

**Stacey Bostwick** said the network of entities serving people with disabilities is bigger than just government entities and they partner with voc rehab but wanted to confirm they cannot be used for the match.

**Shelley Hendren** responded that a government entity must put up the match for federal funds to be drawn. As for other service providers, voc rehab contracts with them to provide particular services. There are close to 150 service providers voc rehab contracts with.

**Stacey Bostwick** asked about outcomes and what counts as a successful outcome and what does voc rehab strive for?

**Shelley Hendren** said the success rate is close to 35%. The number used to be between 50% and 55% eight years ago. Since WIOA passed, the percentage has dropped nationwide but she believed that this could be due to services being provided to people earlier, and perhaps this leads to their success outside of the voc rehab program.

**Shelley Hendren** added that regarding outcomes, the goal of voc rehab is employment. It used to be about 800 people a year under the voc rehab program that achieved employment but that number has also been dropping since the passage of WIOA. With the pandemic it is currently around 500 people; last year it was 650 to 700 people. She offered to share the data with the subcommittee. She added that voc rehab is constantly working to

be better, be more efficient, achieve higher outcomes but cannot entirely explain why the numbers have been going down. She speculated that his might be the new norm nationwide since the passage of WIOA.

**Craig von Collenberg** asked about the performance measure about the effectiveness of serving employers. That specific performance measure requires entities to choose two of the three approaches. He asked if there are two approaches voc rehab using or if they use all three. In addition, he asked if the performance measures are an effective measure of what voc rehab is doing or is there something else that should be looked at in terms of reporting.

**Chair Stanley** asked if **Shelley Hendren** could briefly summarize what the six common performance measures are.

**Shelley Hendren** said that WIOA created six common performance measures for all workforce programs under the law. Title I are the local workforce boards. Title II is adult education. Title III is Job Connect/the Employment Security Division/Wagner Peyser. Title IV is voc rehab. All these programs have the same performance measures. The first performance measure is employment in the 2<sup>nd</sup> quarter after exit from the program. Exit to voc rehab means the person is not just employed but in stable employment for at least 90 days; if the person meets these criteria their case is closed. The second measure is employment in the 4<sup>th</sup> quarter after exit from the program. She added they track people regardless if they successfully exited the voc rehab program or not; early data indicated employment numbers are going up from the 2<sup>nd</sup> quarter after exit to the 4<sup>th</sup> quarter. The third measure is credential attainment where the number of credentials a person obtains is counted. The fourth measure is skill gains which measure whether the person is attaining skills along the way of earning their credential. The fifth measure is about serving employers. States must pick two of three ways to measure this. Voc Rehab measures serving employers by measuring repeat business (does an employer work with voc rehab again).

**Craig von Collenberg** said that the three measures for serving employers are 1) retention with the same employer 2) repeat business customers and 3) employer penetration rate.

**Shelley Hendren** said the two measures voc rehab and all programs use are repeat business and employer penetration rate.

**Nancy Olsen** mentioned these two performance measures are under a pilot phase. Title II has not been reported on these.

**Shelley Hendren** said these performance measurements have been reported to the Employment Security Division. They also are reported to the US Department of Labor and Education. The sixth measure deals with wages but the way it is designed, voc rehab gets the data from unemployment insurance but there are no hours attached, just wage information so there is no way to see the wage per hour.

**Nancy Olsen** clarified this measure is the median quarterly earnings.

**Shelley Hendren** added that Title IV was asked to collect two years of baseline data so in the unified state plan there is only one measure for which there is a negotiated goal and she does not know what the federal government will do with the employer engagement measure.

**Shelley Hendren** explained that what voc rehab considers successful is seeing if hourly wages are going up (they are), seeing if students with disabilities are achieving employment or moving to post-secondary options, determining if people with mental health disabilities (which make up to 50% of the clientele voc rehab serves) reach successful employment, and seeing how to serve those with the most significant disabilities and help them move into competitive community integrated employment.

**Chair Stanley** thanked Shelley Hendren for her presentation and asked if she wanted to add anything.

**Shelley Hendren** said she is happy to share any resources she has such as outcomes with the subcommittee. She added that the biggest challenge she has is getting sufficient match that the pandemic has made more difficult and without that the unspent federal grant funds are reallocated and spent in other states. She asked for the subcommittee and full board's help in generating more match.

**Chair Stanley** said that if any subcommittee member had followed up questions for **Shelley Hendren** to send them to **Andres Feijoo**.

**8. PUBLIC COMMENTS NOTICE (SECOND)**

**Chair Stanley** read the statement into the record: “Members of the public are invited to comment at this time; however no action may be taken on any matters during public comment until the matter itself has been included on an agenda as an item for possible action. In my discretion, in the interest of time, public comment will be limited to three minutes per person.” She invited comments from Carson City, Las Vegas, or on the telephone.

**There were no comments.**

**9. ADJOURNMENT – The November 4, 2020 meeting was adjourned.**

**Notice of this meeting was posted on or before 9 a.m. on the third day prior to the meeting on the Internet at:**

OWINN’s Public Meetings website - <http://owinn.nv.gov/GWDB/Performance and Reporting Subcommittee Meetings/> and Nevada’s Public Notice website at <https://notice.nv.gov/>, as required by NRS 232.2175.

Supporting public material provided to Committee members for this meeting is posted on OWINN’s Web site at <http://owinn.nv.gov/GWDB/ Performance and Reporting Subcommittee Meeting> and may be requested from the Executive Director’s Office at: 555 E. Washington Ave, Las Vegas, Nevada or call (702) 486-8080