

## Summary of Comments & Responses: Chapter 11.6 Exclusions from Performance Indicators

Policy Effective August 7, 2017

1. A commenter agreed that the timeframe qualifying an institutionalized participant for an exclusion from performance indicators did not have a minimum length however, requested further clarification on when this exclusion would apply.

The Department's guidance is the exclusion may only be used when the participant is institutionalized and unable to continue to receive program services. TEGL 10-16 states "the participant exits the program because he or she has become incarcerated in a correctional institution or has become a resident of an institution or facility providing 24-hour support such as a hospital or treatment center during the course of receiving services as a participant." The exit is a direct result of the entry into the institution and the inability of the participant to continue services. There is flexibility in the length of time in an institution and each case must be reviewed for the appropriateness of continued services. For example: the participant who becomes institutionalized for 30 days and misses critical components of a training class causing the participant the inability to complete the training should be exited for exclusion and reviewed for reenrollment when the participant is prepared to complete services. The Department does not expect that participants that experience short term stays in an institution that do not impact the ability to continue services are exited from the program. For example, a participant who visits the hospital or stays in a hospital for a few days without interruption to their ability to participate in the WIOA program should not be exited for exclusion. There will be further guidance in the revised TEGL 10-16 regarding exclusions from WIOA performance indicators during the four quarters following exit. No changes will be made to the policy until further guidance from DOL is received.