

**DRAFT
AGENDA**

**Bay Consortium Workforce Development Board, Inc.
One Stop Committee
Tuesday, January 14, 2020
Fredericksburg Area Workforce Center
10304 Spotsylvania Avenue, Fredericksburg, VA
10:00 A.M.**

- I. Call to Order
- II. Roll Call
- III. Public Input
- IV. Approval of Meeting Notes from October 15, 2019 Meeting
- V. New Business
 - A. WIOA Personally Identifiable Information (PII) Policy
 - B. WIOA Priority of Service Policy
- VI. Old Business
 - A. Strategic Priorities
- VII. Other Topics for discussion
 - A. April Meeting Date and Time
- VIII. Adjournment

Bay Consortium Workforce Development Board, Inc.
One-Stop Committee Meeting
Draft Minutes
Tuesday, October 15, 2019
10:00 a.m.

The One-Stop Committee met Tuesday, October 15, 2019 at the Fredericksburg Workforce Center.

Call to Order: Debbye Warf called the committee meeting to order at 10:00 a.m.

Roll Call: Present in person were Debbye Warf, Rebecca Mann, and Tracy Harrington Not present was Nikole Cox and Cherlanda Sidney-Ross. In addition, present was Katlyn Moss, WDB Staff. A quorum was present.

Public Input: There was no public input.

Approval of Minutes: There was a motion to approve the July 16, 2019 minutes. The motion was seconded and approved.

New Business: Katlyn Moss reviewed the Case Management, Case Notes, and IEP/ISS Policy update with members. A motion was made to approve the Case Management, Case Notes, and IEP/ISS Policy, which was seconded and approved.

Old Business: There was no old business.

Other Items for Discussion: A discussion regarding future meeting dates for the committee and Board took place.

There being no further business, the meeting was adjourned at 10:25 a.m.

Respectfully submitted,

Katlyn Moss

Bay Consortium Workforce Development Board

Policy Number: 19-01

Effective Date: February 6, 2019

Revised Date: February 5, 2020

Title: WIOA Personally Identifiable Information (PII) Policy

PURPOSE

The purpose of this policy is to provide guidance on compliance with the requirements of handling and protecting personally identifiable information (PII).

REFERENCES

- U. S. Department of Labor (DOL), Employment and Training Administration (ETA), Training and Employment Guidance Letter (TEGL) 39-11, Guidance on the Handling and Protection of Personally Identifiable Information (PII) (June 28, 2012)
- VWL 19-05

POLICY and PROCEDURES

As part of their WIOA activities, BCWDB WIOA funded contractors (including WIOA service providers) may have in their possession large quantities of PII relating to their organization and staff; partner organizations and their staff; and individual program participants. This information is generally found in personnel files, participant data sets, performance reports, program evaluations, grant and contract files and other sources. All parties in possession of PII are required to take aggressive measures to mitigate the risks associated with the collection, storage, and dissemination of PII.

Federal regulations require that PII and other sensitive information be protected. All WIOA funded agencies (including WIOA service providers) must secure transmission of PII and sensitive data developed, obtained, or otherwise associated with WIOA funds and must comply with all of the following:

- Ensure PII is not transmitted to unauthorized users and all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted.
- Take the necessary steps to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure.
- Ensure that any PII is obtained in conformity with applicable Federal and state laws governing the confidentiality of information.

- Acknowledge that all PII data shall be stored in an area that is physically safe from access by unauthorized persons at all times. Accessing, processing, and storing of PII data on personally owned equipment, at off-site locations (i.e. employee's home, personal email), is strictly prohibited unless approved by ETA.
- Ensure all employees and other personnel who will have access to sensitive, confidential, proprietary, and/or private data (1) are advised of the confidential nature of the information and of the safeguards required to protect the information; and (2) are advised that, per Federal and state laws, civil and criminal sanctions may be imposed for noncompliance.
- Have in place policies and procedures under which all employees and other personnel acknowledge (1) their understanding of the confidential nature of the data; (2) the requirements with which they are required to comply when handling such data; and (3) that they may be liable to civil and/or criminal sanctions for noncompliance with statutory nondisclosure requirements.
- Must not extract information from data supplied by the VAWC system for any purpose not stated in the contract with the BCWDB.
- Access to any PII must be restricted to only those employees who need it in their official capacity to perform duties in connection with the scope of work in the grant or agreement with the BCWDB.
- All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal or any other means. Data may be downloaded to, or maintained on mobile or portable devices only if the data are encrypted.
- Must permit the BCWDB, Federal and or state staff to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that the WIOA funded agency is complying with the confidentiality requirements described in this policy.
- Must retain data received only for the period of time required to use it for assessment and other purposes, or to satisfy applicable Federal records retention requirements, if any. Thereafter, the grantee agrees that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.
- Protected PII is the most sensitive information encountered in the course of grant work, and it is important that it stays protected. WIOA service providers are required to protect PII when transmitting information, but are also required to protect PII and sensitive information when collecting, storing and/or disposing of information as well.

Outlined below are some recommendations to help protect PII:

- Before collecting PII or sensitive information from participants, have participants sign releases acknowledging the use of PII for grant purposes only.
- Whenever possible, use unique identifiers for participant tracking instead of SSNs. While SSNs may initially be required for performance tracking purposes, a unique identifier could be linked to each individual record. Once the SSN is entered for performance tracking, the unique identifier would be used in place of the SSN for tracking purposes. If SSNs are to be used for tracking purposes, they must be stored or displayed in a way that is not attributable to a particular individual, such as using a truncated SSN.

- Use appropriate methods for destroying sensitive PII in paper files (i.e., shredding) and securely deleting sensitive electronic PII.
- Do not leave records containing PII open and unattended
- Store documents containing PII in locked cabinets when not in use.
- Immediately report any breach or suspected breach of PII to the BCWDB.

DATA BREACH

In the event that a BCWDB or contracted WIOA service provider suspects, discovers, or is notified of a data security incident or potential breach of security relating to personal information, the BCWDB shall as soon as possible, but no later than twenty-four (24) hours from the incident, notify the WIOA Title I Administrator and Grant Recipient. The WIOA Title I Administrator will notify the DOLETA Federal Project Officer assigned to Virginia about data security incident or potential breach. Timely notice (within 24 hours) of a breach will be provided to Bay Consortium Workforce Development Board members and Chief Local Elected Officials.

- The notification shall include the following:
- Approximate date of the incident;
- Description of cause of the security event and how it was discovered;
- Number of individuals affected and the type of PII involved;
- Steps taken/to be taken to remedy the event.

The BCWDB or contracted WIOA Service provider shall also comply with notification requirements outlined in §18.2-186.6. of the Code of Virginia.

WIOA Title I Administrator

Academic and Workforce Programs Virginia Community College System

300 Arboretum Place, Suite 200

Richmond, VA 23236

Telephone: (804) 819-5387

Fax: (804) 786-8430

Email: wioa@vccs.edu

DEFINITIONS

For purposes of this policy, following are definitions of terms related to PII.

- PII – the Office of Management and Budget (OMB) defines PII as information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.
- Sensitive Information – any unclassified information whose loss, misuse, or unauthorized access to or modification of could adversely affect the interest or the conduct of Federal programs, or the privacy to which individuals are entitled under the Privacy Act.



BAY CONSORTIUM REGION

- Protected PII and non-sensitive PII - DOL has defined two types of PII, protected PII and non-sensitive PII. The differences between protected PII and non-sensitive PII are primarily based on an analysis regarding the “risk of harm” that could result from the release of the PII.
 1. Protected PII is information that if disclosed could result in harm to the individual whose name or identity is linked to that information. Examples of protected PII include, but are not limited to, social security numbers (SSNs), credit card numbers, bank account numbers, home telephone numbers, ages, birthdates, marital status, spouse names, educational history, biometric identifiers (fingerprints, voiceprints, iris scans, etc.), medical history, financial information and computer passwords.
 2. Non-sensitive PII, on the other hand, is information that if disclosed, by itself, could not reasonably be expected to result in personal harm. Essentially, it is stand-alone information that is not linked or closely associated with any protected or unprotected PII. Examples of non-sensitive PII include information such as first and last names, e-mail addresses, business addresses, business telephone numbers, general education credentials, gender, or race. However, depending on the circumstances, a combination of these items could potentially be categorized as protected or sensitive PII. For example, the disclosure of a name, business e-mail address, or business address most likely will not result in a high degree of harm to an individual. However, a name linked to a social security number, a date of birth, and mother’s maiden name could result in identity theft.

Bay Consortium Workforce Development Board

Policy Number: 02-02

Effective Date: November 2, 2002

Revised Date: February 5, 2020

Title: WIOA Priority of Service

PURPOSE

To create a Priority of Service Policy that establishes a process and priority ranking system which gives priority for services to veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient served with WIOA adult funds.

REFERENCES

- WIOA Section 134(b)(3)(E)
- Jobs for Veterans Act (JVA) of 2002
- 20 CFR Parts 676, 677, and 678 - Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule
- TEGL 19-16 (Guidance on delivering services under the Adult and Dislocated Worker Programs under WIOA Title I and individuals served by the ES program, as amended by WIOA Title III under the WIOA Final Rule.
- VBWD Policy 600-01
- VWL 18-04

BACKGROUND

WIOA mandates, under the Adult Formula funds, priority of service be given to those who are veterans and their eligible spouses, those who are basic skills deficient, those who receive public assistance, and those who are low income individuals, therefore all services under the umbrella of individualized services shall be first granted to those cohorts identified above.

DEFINITIONS

For the purpose of this policy, the following definitions apply.

- A. **Basic Skills Deficient**
An individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. (1)
- B. **Eligible Spouse of a Veteran ("covered person") (2)**
Those who meet one of the criteria below are eligible for priority of services in WIOA Adult,



BAY CONSORTIUM REGION

Dislocated and Youth programs are those spouses of:

1. Any veteran who died of a service-connected disability;
2. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - A service member missing in action;
 - A service member captured in line of duty by a hostile force; or
 - A service member forcibly detained or interned in line of duty by a foreign government or power;
3. Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; or
4. Any veteran who died while a disability was in existence.

C. Low-Income

An individual that meets one of the four criteria below qualifies as low-income:

1. Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the supplemental nutrition assistance program (Food Stamps), temporary assistance for needy families' program, supplemental security income program, or state or local income-based public assistance.
2. In a family with total family income that does not exceed the higher of the following:
 - the poverty line; or
 - 70 percent of the Lower Living Standard Income Level.
3. A homeless individual; or
4. An individual with a disability, whose own income does not exceed the income requirement, but is a member of a family whose total income does. (3)

D. Public Assistance

An individual that receives federal, state, or local government cash payments. (4)

E. Veteran

For the purpose of providing Priority of Service in the WIOA Adult Program and WIOA Dislocated Worker Program eligibility, "veteran" is defined as a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or Reserve component, other than full time duty for training purposes.(5)

LOCAL POLICY

It should be noted that the term "priority of service" refers to a preferential ranking. It conveys the idea that higher consideration should be applied to a given population, such as recipients of public assistance, low-income individuals and Veterans and eligible spouses, including widows and widowers, when providing individualized and training services. (6)

A. Veteran

Federal Law requires that priority treatment be given to covered persons under the Jobs for



BAY CONSORTIUM REGION

Veterans Act. This means that priority of service applies for veterans and some spouses who meet the eligibility requirements for participation in any DOL-funded training program. Priority of service for the covered person applies to all services and activities provided within the center, not just individualized and training services. Veteran priority applies to all Department of Labor funded job training programs. Each veteran discharged, other than those dishonorably discharged, are eligible for priority of service, along with their spouses, if they meet the definition in the section "Definitions" (B) of this policy. Military earnings are not to be included when calculating income for veterans or transitioning service members.

B. Adult Program

Adults who fall under one of the following categories listed below must be given priority in regards to individualized and training services.

1. Family Income at or below the Poverty Line or 70% of the Lower Living Standard Income Level (LLSIL), whichever is greater;
2. SNAP, TANF or SSI recipient within the last 6 months;
3. Be Low Income Home Energy Assistance Program, Subsidized Child Care Benefits, or Refugee Assistance recipient;
4. Homeless; or
5. Individuals with a felony conviction (Dishonorable Discharge is excluded from this category):
6. An individual with a disability whose own income meets the income requirement of item (1) above, but who is a member of a family whose income does not meet the requirement.

C. Priority of Service Client Sequence

As described in Training and Employment Guidance Letter (TEGL) 03-2015, below is the order of priority. The Service Provider shall document and record each determination of a participant receiving or not receiving services, due to priority of service. The facts used to make the decision must be recorded and made available upon request.

1. Veterans and eligible spouses who meet WIOA Adult low-income priority (section B), or individuals who are basic skills deficient;
2. Those who meet WIOA Adult low-income priority;
3. Veterans and eligible spouses who do not fall under the WIOA low income priority;
4. Those who are not veterans, eligible spouses or WIOA low income. An individual who does not provide income verification automatically falls within this category.

COMPLIANCE

The Service Provider shall track the results of who received and who did not receive training services due to priority of service criteria. Information used to make the determination needs to be addressed in the data. This information shall be given Board Staff upon request, for monitoring purposes. A Priority of Service Verification Form (Attachment A) will be completed, a copy placed in applicant's file and a copy filed in a separate notebook for monitoring purposes.

- (1) WIOA § 3(5)
- (2) 38 U.S.C. 101(2)
- (3) WIOA § 3(36)

- (4) WIOA § 3(50)
- (5) WIOA § 3(53); TEGL 10-09, Revision 2
- (6) WIOA § 134(c)(3)(E); TEGL 03-15

Attachment A

Priority of Service Verification Form

Purpose: This form is to be used to document the Priority of Service category of a Title I Adult participant.

Participant Name: _____

Application Date: _____

Please check only one category that applies:

	1. Veterans or eligible spouses who are also recipients of public assistance, low income individuals or basic skills deficient.
	2. Individuals who are recipients of public assistance, other low-income individuals or individuals who are basic skills deficient.
	3. Veterans and eligible spouses who are not recipients of public assistance, not low-income individuals, or who are not basic skills deficient.
	4. Priority populations as established by the BCWDB WIOA Priority of Service Policy (Local Policy-Section B)
	5. All other populations not included in WIOA Priority Groups.

I verify that I have followed the “Priority of Service” Policy:

Staff Signature: _____

Date: _____

Strategic Priorities

Strategic Priority Number One: Funding – Performance and Accountability

Goal: Maximize funding opportunities to support strategic priorities

Objectives:

- 1. Diversify streams of revenue to support the strategic priorities**
- 2. Support professional grant writing to supplement existing revenue**
- 3. Monitor funds for correlation with goals**
- 4. Evaluation – Review Quarterly reports, annual budgets, and grant revenue**

Strategic Priority Number Two: Program Development and Implementation – One Stop

Goal: Lead workforce system of partners to provide comprehensive programs and services

Objectives:

- 1. Provide responsive and innovative employer services**
- 2. Provide responsive and innovative training and support services for jobseekers**
- 3. Ensure WIOA compliance through technical assistance, tracking and documentation**
- 4. Evaluation – Review quantity and quality of services provided to job seekers and employers**

Strategic Priority Number Three: Business and Community Engagement –Board Development

Goal: Enhance outreach and connectivity to business and community partners

Objectives:

- 1. Enhance connections with regional employers through ongoing outreach and resource promotion**
- 2. Enhance communication and collaboration with local elected officials**
- 3. Coordinate and collaborate with community partners to promote and align resources of all stakeholders without duplicating services**
- 4. Evaluation – Track business and community outreach by WDB members and staff**

Strategic Priority Number Four: Marketing – Labor Market

Goal: Enhance visibility and viability of WDB as an important key community resource

Objectives:

- 1. Align WDB marketing activities with VA Career Works initiative to support strategic priorities**
- 2. Pursue sponsorships and partnerships to support program initiatives**
- 3. Build rapport with industry and business community through ongoing needs assessment, resource promotion, and service enhancement**
- 4. Evaluation – Institute feedback methods to capture community opinion and usage of workforce services**