



AGENDA

(Hybrid Meeting)

Monday, May 20, 2024

1:30 pm

809 Copper Avenue NW

<https://us06web.zoom.us/j/89521286349?pwd=VIJOVFM4RnVrdXVyanNlL0xRaEdKZz09>

Passcode: 624618

John Mierzwa, Chair

Krista Kelley, Chair-Elect

AGENDA

- Call to Order**
- Roll Call** - Determination of Quorum

Carl Adams, Youth Standing Committee Chair

Doug Calderwood – Operations Standing Committee Chair

Karla Causey, Treasurer, Finance Standing Committee Chair

Antoinette Holmes, Disability Standing Committee Chair

Honorable Gregg Hull, WCCNM Chief Elected Official

Krista Kelley – Chair-Elect, Sandoval County Rep

John Mierzwa - Chair

Debbie Ortiz-, Torrance County Rep.

Stacy Sacco - Bernalillo County Rep

Jerry Schalow, Past Chair

Susan Yasenka – Valencia County Rep.

Approval of Monday, May 20, 2024, Agenda

Motion

Second

Action

Tab 1 **Approval of Minutes: March 18, 2024**

Motion

Second

Action

ACTION ITEMS

Tab 2 **Approval of MP-306 Data Validation Policy – New (with approval of MP-306, MP-305 Subject: Data Validation dated 9/25/2023 is rescinded and replaced with MP-306)**

Motion

Second

Action

Tab 3 **Approval of Open Meetings Act and WCCNM Meetings Date**

Motion

Second

Action

INFORMATION & DISCUSSION ITEMS

Tab 4 **WIOA Updates –**

- **PY24 Preliminary WIOA Allotments by State**
- **Future Legal Contract**

PUBLIC COMMENT/ADJOURNMENT

- Public Comments** - Anyone who wishes to address the Board must register with the secretary of the Board
- Adjournment**

NOTES

Next Meeting: July 15, 2024, 1:30 pm

*Anyone requiring special accommodations please notify the MRCOG office at 247-1750 seven (7) days prior to the meeting.
"Equal Opportunity Program"*

MINUTES



Executive Committee

Monday, March 18, 2024

1:30 pm

Mid-Region Council of Governments
809 Copper Ave. NW, Albuquerque, N M
Hybrid

Call to Order – 1:31 pm – John Mierzwa

Member

- ✓ **Carl Adams**, Youth Standing Committee Chair
- ✓ **Doug Calderwood**, Performance & Monitoring Chair
- ✓ **Karla Causey**, Treasurer, Finance Standing Committee Chair

Antoinette Holmes, Disability Standing Committee Chair

- ✓ **Honorable Gregg Hull**, CEO
- ✓ **Krista Kelley** – Chair-Elect, Sandoval County Rep
- ✓ **John Mierzwa** - Chair
- ✓ **Debbie Ortiz**- Past Chair, Torrance County Rep.

Stacy Sacco - Bernalillo County Rep

- ✓ **Jerry Schalow**, Past-Chair

Susan Yasenka – Valencia County Rep

Approval of Monday, March 18, 2024, Agenda

Motion : **Gregg Hull**

Second : **Debbie Ortiz**

No Discussion

Action: Passed unanimously by Roll Call Vote

	Yes	No	Abstain	No Vote
Carl Adams	X			
Doug Calderwood	X			
Karla Causey				X
Gregg Hull	X			
Krista Kelley	X			
John Mierzwa	X			
Debbie Ortiz	X			
Jerry Schalow	X			

Tab 1: Approval of WCCNM Minutes for September 25, 2023

Motion: Doug Calderwood
Second: Mayor Gregg Hull
No Discussion
Action: Passed unanimously by Roll Call Vote

	Yes	No	Abstain	No Vote
Carl Adams	X			
Doug Calderwood	X			
Karla Causey				X
Gregg Hull	X			
Krista Kelley	X			
John Mierzwa	X			
Debbie Ortiz	X			
Jerry Schalow	X			

ACTION ITEMS

Tab 2	<p>Approval of WCCNM Resolution R-02-23 Disposition of WCCNM Property</p> <p>By: Art Martinez, WCCNM Administrator</p> <ul style="list-style-type: none"> ▪ Mr. Martinez stated that this agenda item was left over from our February 26, 2024 Full Board meeting as we had lost quorum. ▪ At our October 30, 2023, WCCNM Full Board Meeting. Appointment of the WCCNM Finance Standing Committee was approved to oversee and approve the disposition of WIOA office equipment and computers. ▪ The WCCNM Finance Standing Committee has reviewed the listed equipment and recommends the disposal of these assets. <p>Motion: Krist Kelley Second: Jerry Schalow No Discussion Action: Passed unanimously by Roll Call Vote.</p> <table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> <th>Abstain</th> <th>No Vote</th> </tr> </thead> <tbody> <tr> <td>Carl Adams</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Doug Calderwood</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Karla Causey</td> <td></td> <td></td> <td></td> <td>X</td> </tr> <tr> <td>Gregg Hull</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Krista Kelley</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>John Mierzwa</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Debbie Ortiz</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Jerry Schalow</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Yes	No	Abstain	No Vote	Carl Adams	X				Doug Calderwood	X				Karla Causey				X	Gregg Hull	X				Krista Kelley	X				John Mierzwa	X				Debbie Ortiz	X				Jerry Schalow	X			
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Jerry Schalow	X																																													

INFORMATION & DISCUSSION ITEMS

Tab 3: WIOA Updates

- Mr. Martinez gave an update on the February 26, 2024, Full Board Meeting.
- Mr. Calderwood Confirmed the Operations Committee meeting on Thursday, March 21, 2024, at 1:00 pm.
- Mr. Mierzwa stated he was looking forward to NAWB Conference that is coming up next week. Looking forward to sharing any findings of new things that other boards are offering.
- Mr. Schalow asked for a briefing to be scheduled when they get back from NAWB to discuss any new finding and ideas.

PUBLIC COMMENT/ADJOURNMENT

Public Comments – None

Adjournment – 1:45 pm

Next Meeting: May 20, 2024, at 1:30 pm.

A more detailed account of the meeting and discussions are available for review at the MRCOG offices at:

809 Copper NW, Albuquerque, NM 87102

John Mierzwa, WCCNM Chair

ATTEST:

Secretary

“Equal Opportunity Program”

Tab 2

Workforce Connection of Central New Mexico MP-306 Data Validation Policy (New) May 20, 2024

Action Requested:

The WCCNM must establish and submit to NMDWS a Data Validation Policy which meets the minimum requirements of the State Data validation policy (DWS 23-002) and U.S. Department of Labor (USDOL) Employment and Training Administration (ETA) requirements within 90 days of the receipt of the NMDWS policy and no later than June 18, 2024. NMDWS policy was received on March 18, 2024. ***Additionally, with the Executive Committee's approval of MP-306, MP-305 Subject: Data Validation dated 9/25/2023 is rescinded and replaced with MP-306.***

Background:

The new NMDWS guidance received on March 18, 2024, replaces the previous NMDWS guidance in its entirety, as such this policy replaces and rescinds WCCNM Monitoring and Oversight Policy MP-305, Subject: Data Validation dated 9/25/2023.

The new MP-306 Data Validation Policy defines the NMDWS and WCCNM Data Validation Program roles and responsibilities. In addition, this Data Validation Policy provides guidance to the Administrative Entity; Adult, Dislocated Worker, Youth, CHANCES, and H-1B Service Providers to ensure the performance reporting data submitted to NMDWS and/or USDOL is valid and reliable.

The NMDWS shall conduct a validation of data submissions of each Local Workforce Development Board (LWDB) according to the U.S. Department of Labor (USDOL), Employment and Training Administration guidance (TEGL 23-19). This data validation is required for federally funded employment and training programs, including the Workforce Innovation and Opportunity Act (WIOA) programs administered by the NMDWS.

Financial Impact: None

Do Pass _____

Do Not Pass _____



Monitoring and Oversight Policy NO. MP - 306

Subject: Data Validation (New)

Effective: PY23 – 05/20/2024

PURPOSE:

Per the New Mexico Department of Workforce Solutions (NMDWS) Data Validation Policy Issuance # DWS 23-002 dated February 1, 2024, and received by the WCCNM on March 18, 2024, NMDWS has changed their Data Validation Policy requirements.

The purpose of this policy is to replace WCCNM Monitoring and Oversight Policy MP-305, Subject: Data Validation dated 9/25/2023 with this Monitoring and Oversight Policy MP-306, Subject: Data Validation dated 5/17/2024.

REFERENCES:

- TEGL 23-19
- TEGL 23-19 Change 1
- TEGL 23-19 Change 2
- TEGL 23-19 Change 2 Attachment I-Program-Specific Instructions
- TEGL 23-19 Change 2 Attachment II – Source Documentation for Core/Non-Core Programs DOL-only Data Element Validation Source Documentation Validation Instructions
- NMDWS Workforce Guidance Letter: Policy Issuance: Data Validation Policy, DWS 23-002, February 1, 2024
- Workforce Innovation and Opportunity Act (WIOA), July 22, 2014: §116.
- Workforce Innovation and Opportunity Act (WIOA), July 22, 2014: §503.
- WIOA Final Rules – U.S. Department of Labor (Title I): 20 CFR §677, §677 and §678.
- Training and Employment Guidance Letter WIOA No. 7-18, Guidance for validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA)
- Training and Employment Guidance Letter WIOA No. 23-19 (including Change 1 and Change 2), Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs
- 2 CFR 200.303 Internal Controls
- 2 CFR 200.329 Performance Monitoring and Reporting
- TEGL 39-11 Guidance on the Handling and Protection of Personally Identifiable Information (PII)
- 2 CFR 200.334 Retention Requirements for Records
- NMAC 1.21.2.122 Grant Administration Records Retention
- 2 CFR 200.328 Financial and Performance Reporting



Attachments

- TEGL 23-19
- TEGL 23-19 Change 1
- TEGL 23-19 Change 2
- TEGL 23-19 Change 2 Attachment I-Program-Specific Instructions
- TEGL 23-19 Change 2 Attachment II – Source Documentation for Core/Non-Core Programs DOL-only Data Element Validation Source Documentation Validation Instructions
- NMDWS Workforce Guidance Letter: Policy Issuance: Data Validation Policy, DWS 23-002, February 1, 2024

The following Data Validation Policy defines the NMDWS and WCCNM Data Validation Program roles and responsibilities. In addition, this Data Validation Policy provides guidance to the Administrative Entity; Adult, Dislocated Worker, and Youth Service Providers to ensure the performance reporting data submitted to NMDWS is valid and reliable.

BACKGROUND:

The NMDWS shall conduct a validation of data submissions of each Local Workforce Development Board (LWDB) according to the U.S. Department of Labor (USDOL), Employment and Training Administration guidance (TEGL 23-19). This data validation is required for federally funded employment and training programs, including the Workforce Innovation and Opportunity Act (WIOA) programs administered by the NMDWS.

WIOA-funded programs included in TEGL 23-19, Change 2 are as follows (Please Note: Not all programs listed below are currently applicable to the WCCNM; however, WCCNM's partners may also benefit from this policy). See attached TEGL 23-19 Change 2 Attachment I-Program-Specific Instructions for full descriptions of the following required programs:

1. Adult, Dislocated Worker, Wagner-Peyser Act Employment Service, and Youth
 - a. Trade Adjustment Assistance (TAA)
2. Indian and Native American Program (INAP)
3. Job Corps
 - a. Job Corps Demonstration
4. National Farmworker Jobs Program (NFJP)
5. YouthBuild
6. Reentry Employment Opportunities (REO)
7. H-1B Skills Training Grants
8. The Senior Community Services Employment Program (SCSEP)
9. Apprenticeship Grants (OA-Managed)
10. Jobs for Veterans State Grants (JVSG)
11. National Dislocated Worker Grants (DWG)



Data Validation is a series of internal controls or quality assurance techniques established to verify the accuracy, validity, and reliability of data. Establishing a data validation framework will ensure that all program data is consistent and accurately reflects the performance of each core program. NMDWS Workforce Guidance Letter: DWS 23-002, Data Validation Policy defines the NMDWS data validation requirements, validation framework, and LWDB data validation requirements.

Data Validation activities and compliance are separate and distinct from other WCCNM Monitoring activities and compliance as defined in WCCNM *Monitoring and Resolution Policy No. MP-304, Change 2*.

STATE RESPONSIBILITIES

NMDWS shall conduct data validation of each Local Workforce Development Board meeting the following requirements:

State Data Validation Sample Selection:

- NMDWS shall conduct Data validation no less than annually.
- A sample of records from each of the most recently certified four (4) quarters are validated.
- The sample selection will be sorted by LWDB and WIOA core program.
- NMDWS shall utilize a random sample methodology in which a random sample of records is derived or utilize the data validation record sampling functionality of the Workforce Connection Online System.
- The random sample is representative of the cohort of which the sample is drawn. Representative sampling is a technique being utilized to obtain insights and observations about a targeted population group.
- NMDWS has identified the targeted population groups by funding stream:
 - ✓ Adult
 - ✓ Dislocated Workers
 - ✓ Youth Program
 - ✓ Wagner-Peyser
 - ✓ Trade Adjustment Assistance
 - ✓ National Dislocated Worker Grants
 - ✓ Jobs for Veterans State Grants
- For Adult, Dislocated Worker, Youth, National Dislocated Worker Grants, Trade Adjustment Assistance, and Jobs for Veterans State Grants, 5% of each funding stream will be drawn for data validation, not to exceed thirty (30) record per target population group and not less than 1 record.
- For Wagner-Peyser, 5% of the target population group will be drawn for data validation, not to exceed 150 records and no less than 1 record.
- Data Validation Samples must include both active and exited participants.
- Data Validation Samples may be customized or weighted to specific service, education, or performance areas.



- The CHANCES and H-1B grants were awarded to the WCCNM directly and as such are not included in the NMDWS's Data Validation Report as targeted population groups by funding streams.

State Data Validation Report:

When the NMDWS completes a data validation sample, the Workforce Connection Online System (WCOS) will generate a State Data Validation Report.

- The NMDWS Data Validation Report will be provided to the WCCNM Board Chair and/or Workforce Administrator upon completion and approval of the NMDWS Compliance Manager.
- Each report will identify pass/fail rates of the data validation element.
- The NMDWS Data Validation Report shall comply with federal record retention requirements or state record retention requirements if the state record retention requirements are more stringent. Data validation records must be retained for the period specified by Federal or State guidance, whichever is longer. This may include copies of worksheets on data elements or records reviewed, frozen quarterly wage records for wage record matching used for reporting outcomes, trends in common data accuracy issues, error rates, and corrective action efforts made after data validation reviews.

The NMDWS Compliance Manager will review each State Data Validation Report.

- Repeated or egregious data validation failures which result in disallowed cost or program monitor findings may increase the LWDB's overall LWDB risk level as determined by the Compliance Manager.
- Consistent successful data validations may result in a decrease in the LWDB's risk level as determined by the Compliance Manager.
- NMDWS shall conduct a regular assessment of the effectiveness of the data validation policy/process (recommended annually) and enact revisions to that policy/process as needed.

State Training and Technical Assistance:

NMDWS staff shall provide data validation guidance, technical assistance or training to local workforce development boards and program partners as needed, it is recommended no less than annually.

NMDWS WIOA staff are responsible for ensuring LWDBs' adherence to their local Data Validation policies during routine oversight, they are not mandated to verify this compliance when the State is actively conducting its own Data Validation procedures. This distinction suggests that these two monitoring activities occur separately, with the State's Data Validation process being distinct from regular programmatic monitoring in terms of its focus on LWDBs' compliance with their local Data Validation policies. Individual title programs will direct state staff in data validation activities.



WCCNM BOARD REQUIREMENTS

The WCCNM Board with the assistance of the Administrative Entity; Adult, Dislocated Worker, Youth, CHANCES and H-1B grant Service Providers are responsible for the following:

- The WCCNM Board Chair and/or Workforce Administrator are the individuals authorized by NMDWS to receive the State Data Validation Reports and are responsible for ensuring appropriate staff receive all NMDWS communications regarding data validation reviews in a timely manner.
- The Administrative Entity and Service Provider Managers are responsible for ensuring appropriate staff receive data validation training annually, which includes feedback from prior data validation reviews.

Service Provider Requirements:

Service providers are responsible for developing and implementing internal Quality Assurance/Quality Control (QA/QC) procedures to ensure the following:

- Collection of source documentation required for data validation, as indicated in TEGL 23-19 Change 2, Attachment II-Data Validation *Source Documentation DOL-only Data Element Validation* Excel spreadsheet.

All WIOA funded and WCCNM grant programs must collect source documentation in compliance with TEGL 23-19, Change 2 including Attachment I and II.

Service Providers must collect source documentation when it is available and practical. Self-attestation or case notes may be used for many of data elements as noted in TEGL 23-19, Change 2, Attachment II. To meet the needs of migrant and seasonal farmworkers and their dependents, program procedures should incorporate the use of self-attestation or case notes to meet their customers' needs and increase access to program services. For the definitions of self-attestation and case notes refer to Attachment II.

Service providers must consider the impacts on equity and accessibility when developing their source documentation procedures. While the collection of source documentation for data validation will often take place at the same time as the determination of an individual's program eligibility, these actions serve different purposes.

Eligibility determination only needs to confirm that an individual meets the requirements of a program before becoming a participant in the program. Where self-attestation is listed as an option for source documentation in TEGL 23-19, Change 2, Attachment II, the lack of source documentation



beyond self-attestation must not delay or prevent enrollment and receipt of services in a program.

To avoid a disparate impact on services to populations who often face barriers to employment, WCCNM may not restrict the use of self-attestation in policies when specifically permitted, as per TEGL 23-19, Change 1.

- ✓ Ensuring participant data and source documentation is complete, valid, and reliable by performing routine QA/QC Data Validation sampling of participant files. See below for RECOMMENDED LWDB DATA VALIDATION SAMPLE SELECTION.
 - ✓ The Service Provider QA/QC Data Validation sampling activities are separate from the State Data Validation Report the WCCNM Board Chair and/or Workforce Administrator will receive from NMDWS at least once per year. Routine QA/QC Data Validation sampling is intended to ensure the WCCNM does not receive any State Data Validation Report with failed data validation results.
 - ✓ WCCNM's Service Providers must maintain separate QA/QC Data Validation reports documenting the participant sample, sample outcomes, and the corrective action taken to meet compliance, if needed. Service Providers shall submit their Data Validation Report, at least once per program year, to the Workforce Administrator and Administrative Program Managers.
 - ✓ Ensuring safeguards are in place to protect personally identifiable information and other sensitive information found on the source documents collected for data validation, as instructed in TEGL 39-11.
 - ✓ Ensuring all source documents are uploaded in WCOS so that NMDWS staff can verify and validate appropriate source documentation has been obtained for all participant files selected for WCCNM's State Data Validation Report.
 - ✓ Ensuring that any failed data validation results identified in the State Data Validation Report are corrected within 45-days of WCCNM Board Chair/Workforce Administrator receipt of the report from NMDWS. During this process, the Service Providers will also ensure their program adheres to the allowable source documentation as defined in TEGL 23-19 Change 2, Attachment II.
- Although the CHANCES (Reentry Employment Opportunity) and H-1B grants were awarded to the WCCNM directly and are not included in the NMDWS targeted population groups by funding stream, CHANCES and H-1B grant service providers must include Data Validation procedures in their routine QA/QC procedures and ensure that source documents are being obtained as applicable for each participant. See TEGL 23-19 Change 2, Attachment I and II for additional information and requirements for these grants.



- CHANCES and H-1B grant monitors will verify program Data Validation compliance and assess outcomes during annual monitoring activities, or more often if needed as determined by the WCCNM Operations Standing Committee.
- Currently, NMDWS does not require the LWDBs to submit back to NMDWS their corrected State Data Validation Reports. However, the Administrative support staff and service providers shall maintain records of WCCNM data validation activity and retain such records as set forth in WIOA, Federal, State and LWDB record retention requirements. Data Validation records shall be retained for the period identified in Federal or State guidance, whichever is longer. Per 2 CFR 200.334 and NMAC 1.21.2.122 Grant Administration records must be retained for a period three (3) years from the date the file is closed.
- The WCCNM Administrative staff will perform at least an annual assessment of the effectiveness of the WCCNM Data Validation policy and Service Provider Procedures and enact revisions to the data validation policy/procedures as required. The WCCNM Operations Standing Committee shall receive all data validation assessments and related reports for review and committee discussion. Should any data validation assessments indicate repeated or egregious data validation failures, the findings will be presented to the WCCNM Operations Standing Committee for corrective action including the implementation of a Continuous Quality Improvement (CQI) plan to mitigate the deficiency. Service Providers shall submit their Data Validation Report, at least once per program year, to the WCCNM Workforce Administrator and Program Managers.

RECOMMENDED LWDB DATA VALIDATION SAMPLE SELECTION

Per the DWS Policy Issuance 23-002 (see attached), it is recommended that the data validation sample is taken from the Workforce Connection Online System (WCOS). Upon request, the WCCNM may request data validation samples from WCOS sample selection functionality.

To request data validation samples derived from WCOS for Service Provider use in their QA/QC data validation activities, the Workforce Administrator or designated WCCNM representative must initiate the request. The data validation sample request should be specific to time period (program year quarter(s)), program, sample size and sample type (active participants, exited participants or both active and exited participants). The NMDWS Compliance Manager will respond to the WCOS Data Validation Sample request in a timely fashion and advise the WCCNM Workforce Administrator or designated representative when the requested samples have been drawn.

If the WCCNM Service Providers wish to utilize a different sample selection methodology for their QA/QC data validation activities, prior to implementation, the proposed methodology as documented in the Service Provider's Procedure Manual should be forwarded to the WCCNM Workforce Administrator, who will then submit the methodology request for approval to the NMDWS Compliance Manager. The WCCNM Workforce Administrator will advise the Service Provider with the determination after receipt of reply from the NMDWS Compliance Manager. Upon NMDWS approval the Service Provider may implement the approved sample methodology.



If the service providers would like to utilize the NMDWS sample selection methodology to perform their QA/QC Data Validation procedures, they must request the sample by contacting the WCCNM Workforce Administrator, who will in turn forward the request to the NMDWS Compliance Manager. Only NMDWS can pull the sample, which is part of the WCOS functionality.

APPLICABILITY:

WCCNM AE/FA Support Staff and Service Providers

INQUIRIES:

WIOA Program Manager 505-724-3658

This Policy has been approved by the Workforce Connection of Central New Mexico Board and rescinds any policy previously in effect.

John Mierzwa, Board Chair

Date



STATE OF NEW MEXICO
DEPARTMENT OF WORKFORCE SOLUTIONS
Policies & Procedures

Policy Issuance: Data Validation Policy

Policy Issuance # DWS 23-002

Responsible Department: NMDWS State
Administrative Entity

Origination Date: February 1, 2024

Effective Date: February 1, 2024

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I. Policy Statement

The U.S. Department of Labor (USDOL, Employment and Training Administration (ETA)), requires States to conduct validation of data submissions for federally funded employment and training programs, including the Workforce Innovation and Opportunity Act (WIOA) programs.

Data validation is a series of internal controls or quality assurance techniques established to verify the accuracy, validity, and reliability of data. Establishing a data validation framework will ensure that all program data is consistent and accurately reflects the performance of each core program.

The State of New Mexico Department of Workforce Solutions Data Validation policy is in accordance with USDOL federal guidance (CFR, TEGL). State Data Validation Reports are the official data validation of record for WIOA Core Programs and the TAA program in relation to each local workforce development board.

This policy requires each LWDB to establish a local data validation policy and meet related local data validation requirements.

The LWDB is expected to correct deficiencies/errors identified in the State Data Validation Report.

II. Purpose of Policy

The purpose of issuing a data validation policy and guidance is to provide a structured framework for the State and local workforce development boards (LWDB) regarding the Workforce Innovation and Opportunity Act (WIOA) core partners and programs. This policy aims to ensure that the data submitted for performance reporting is both valid and reliable.

III. Policy Scope

This policy applies to all Local Workforce Development Boards.

IV. Definitions

N/A



STATE OF NEW MEXICO
DEPARTMENT OF WORKFORCE SOLUTIONS
Policies & Procedures

Policy Issuance: Data Validation Policy

Policy Issuance # DWS 23-002

Responsible Department: NMDWS State
Administrative Entity

Origination Date: February 1, 2024

Effective Date: February 1, 2024

V. Policy & Procedures

A. Data Validation

Data validation helps ensure the accuracy of the quarterly and annual statewide performance reports, safeguards data integrity, and promotes the timely resolution of data errors, anomalies and inaccuracies.

As such, the State has established this policy which defines State data validation requirements. The outcomes of completed data validation samples are captured in State Data Validation Reports.

State data validation framework is defined by identified roles and responsibilities of the State as detailed below:

1. Data Validation Requirements:

State shall conduct data validation of each Local Workforce Development Board meeting the following requirements:

- a. Data validation is conducted no less than annually.
- b. A sample of records from each of the most recently certified 4 quarters are validated.
- c. A sample of records from WIOA Title I (Adult, Dislocated Worker, and Youth), Title III (Wagner-Peyser), Trade Adjustment Assistance (TAA), National Dislocated Worker Grants, and Jobs for Veterans State Grants are validated for each local workforce development board in accordance with federal guidance TEGL 23-19 Change 1.
- d. Utilize a random sample methodology in which a random sample of records is derived or utilize the data validation record sampling functionality of the Workforce Connection Online System. Data validation sample specifications are defined in the *Data Validation Sample Requirements* section of this policy.

2. State Data Validation Report:

- a. When a data validation sample is completed, the Workforce Connection Online System will generate a State Data Validation Report.
- b. Each report will identify pass/fail rates of the data validation element.
- c. State Data Validation Report will be provided to each local workforce development board(s) upon completion and approval of the Department of Workforce Solutions Compliance Manager.



STATE OF NEW MEXICO
DEPARTMENT OF WORKFORCE SOLUTIONS
Policies & Procedures

Policy Issuance: Data Validation Policy

Policy Issuance # DWS 23-002

Responsible Department: NMDWS State
Administrative Entity

Origination Date: February 1, 2024

Effective Date: February 1, 2024

- d. The LWDB is expected to correct deficiencies/errors identified in the State Data Validation Report 45 days from the date which the board has received the report.
 - e. State Data Validation Report shall comply with federal record retention requirements or state record retention requirements if the state record retention requirements are more stringent. Data validation records must be retained for the period specified by Federal or State guidance, whichever is longer. This may include copies of worksheets on data elements or records reviewed, frozen quarterly wage records for wage record matching used for reporting outcomes, trends in common data accuracy issues, error rates, and corrective action efforts made after data validation reviews.
3. Assessment:
- a. Department of Workforce Solutions Compliance Manager will review each State Data Validation Report(s).
 - b. Repeated or egregious data validation failures which result in disallowed cost or program monitor findings may increase the local workforce development board(s) overall lwdb risk level as determined by the Compliance Manager.
 - c. Consistent successful data validations may result in a decrease in the local workforce development board(s) risk level as determined by the Compliance Manager.
 - d. Regular assessment of the effectiveness of the data validation policy/process (recommended annually) and enact revisions to that policy/process as needed.
4. Training and Guidance:
- a. State staff shall provide data validation guidance, technical assistance or training to local workforce development boards and program partners as needed, it is recommended no less than annually.
5. State Staff:
- a. State WIOA staff are responsible for ensuring LWDBs' adherence to their local Data Validation policies during routine oversight, they are not mandated to verify this compliance when the State is actively conducting its own Data Validation procedures. This distinction suggests that these two monitoring activities occur separately, with the State's Data Validation process being distinct from regular programmatic monitoring in terms of its focus on LWDBs' compliance with their local Data Validation policies. Individual title programs will direct state staff in data validation activities.



STATE OF NEW MEXICO
DEPARTMENT OF WORKFORCE SOLUTIONS
Policies & Procedures

Policy Issuance: Data Validation Policy

Policy Issuance # DWS 23-002

Responsible Department: NMDWS State
Administrative Entity

Origination Date: February 1, 2024

Effective Date: February 1, 2024

B. DATA VALIDATION SAMPLE SELECTION

The State will query the Workforce Connection Online system for participant activity across the NMDWS administered core programs resulting in a random sample. The sample selection will be sorted by Local Workforce Development Board and WIOA core program.

1. Utilize a random sample methodology in which a random sample of records is derived or utilize the data validation record sampling functionality of the Workforce Connection Online System
 - a. Random sample is representative of the cohort of which the sample is drawn. Representative sampling is a technique being utilized to obtain insights and observations about a targeted population group.
 - b. NMDWS has identified the targeted population groups by funding stream:
 - i. Adult
 - ii. Dislocated Workers
 - iii. Youth Program
 - iv. Wagner-Peyser
 - v. Trade Adjustment Assistance
 - vi. National Dislocated Worker Grants
 - vii. Jobs for Veterans State Grants
2. Data Validation Sample Parameters for each target population group:
 - a. Minimum/maximum limits on the number of records based on the target population group.
 - i. For Adult, Dislocated Worker, Youth, National Dislocated Worker Grants, Trade Adjustment Assistance, and Jobs for Veterans State Grants, 5% of each funding stream will be drawn for data validation, not to exceed 30 record per target population group and not less than 1 record.
 - ii. For Wagner-Peyser, 5% of the target population group will be drawn for data validation, not to exceed 150 records and no less than 1 record.
 - b. Data Validation Samples must include both active and exited participants.



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- c. Data Validation Samples may be customized:
- i. Sample may be weighted to specific service, education or performance areas:
 - Participant Received Training Services
 - Participated in Postsecondary Education during Program Participation
 - Enrolled in Secondary Education
 - Participant Received a Recognized Credential
 - Enrolled During Program Participation in an Education or Training Program leading to a Recognized Postsecondary Credential or Employment
 - Received a Measurable Skill Gain
 - Employed in 2nd Quarter after Exit Quarter
 - Employed in 4th Quarter after Exit Quarter
 - ii. Customized Data Validation Templates may be developed and implemented which identify specific Participant Individual Record Layout (PIRL) data elements in any combination which is included on every record in each data validation sample.

C. SOURCE DOCUMENTATION

The WIOA core programs are required to adhere to allowable source documentation for available Participant Individual Record Layout (PIRL) data elements. *Attachment II-Source Documentation for WIOA Core/Non-Core Programs* lists the allowable source documentation, which local workforce development boards, providers and program staff may utilize. (NOTE: *Attachment II-Source Documentation for WIOA Core/Non-Core Programs* is required by USDOL, some State level core partner/program source documentation may vary from *Attachment II*, please reference ‘*Attachment I-Program Specific Instructions*’ for any core partner/program source documentation variations imposed by State policy).

1. LWDBs, core partners and programs may also:
 - a. Maintain supporting source documentation for program-specific data elements that are not included in this guidance.
 - b. Conduct source document/data validation for additional data elements; and/or



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c. Require additional source documentation in their policy/procedures.

2. Conflicts in Source Documentation Data:

- a. If the data reported in the PIRL file conflict with source documentation for a given data element, the data element 'fails'.
- b. If multiple sources are listed for the same data element and the sources conflict, the most reliable source is used to determine if the element passes or fails. For example, for Education Status at Participation, copies of records from an educational institution are a more reliable source than participant self-attestation.
 - i. The data provided by the most reliable source available must match the data provided for the PIRL file for a given data element. Non-matching data for a given data element results in 'fails'.

Refer to *Attachment I-Program Specific Instructions* for program specific information regarding data validation policies or source documentation specific to individual WIOA Core Partners or programs.

D. LOCAL WORKFORCE DEVELOPMENT BOARD REQUIREMENTS

1. The local workforce development board(s) are responsible for the following:

a. LWDB Data Validation Policy:

Establish a LWDB Data Validation Policy which meets the minimum requirements of the State Data Validation Policy.

i. LWDB Data Validation Policy meets the following criteria:

- Data validation is conducted no less than annually.
- A sample of records from each of the most recently certified 4 quarters are validated.
- A sample of records from WIOA Title I (Adult, Dislocated Worker, and Youth), Title III (Wagner-Peyser), Trade Adjustment Assistance (TAA), National Dislocated Worker Grants, and Jobs for Veterans State Grants are validated for each local workforce development board in accordance with federal guidance TEGL 23-19 Change 1.



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- Utilize a random sample methodology in which a random sample of records is derived or utilize the data validation record sampling functionality of the Workforce Connection Online System. Data validation sample specifications are defined in the *Data Validation Sample Requirements* section of this policy.

2. Record of Local Data Validation Activity:

Each local workforce development board shall maintain records of local data validation activity and retain such records as set forth in WIOA, Federal, State and LWDB record retention requirements. Data validation record shall be retained for the period identified in Federal or State guidance, whichever is longer.

3. Assessment:

- a. LWDB will analyze data validation results contained in the State Data Validation Report from the NMDWS Compliance Manager.
- b. Failed data validation elements identified in the State Data Validation Report are to be addressed by the LWDB 45 days from the receipt of the report.
- c. Regular assessment of the effectiveness of the LWDB data validation policy/process (recommended at least annually) and enact revisions to the LWDB data validation policy/process as needed.

4. Training and Guidance:

Provide regular data validation training and technical assistance or training for appropriate board program/provider staff (recommended at least annually);

E. RECOMMENDED LWDB DATA VALIDATION SAMPLE SELECTION

1. Workforce Connection Online System Data Validation Samples:

Upon request a LWDB may request data validation samples from the Workforce Connection Online system sample selection functionality.

To request data validation samples derived from the Workforce Connection Online System for use in LWDB data validation activities, the Administrative Executive or designated representative for each board must initiate the request. The data validation sample request should be specific to time period (program year quarter(s)), program (Adult, Dislocated Worker, Youth, Dislocated Worker Grants, JVSG, TAA or Wagner-Peyser), sample size and sample type (active participants, exited participants or both active and exited participants).



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The NMDWS Compliance Manager will respond to the WCOS Data Validation Sample request in a timely fashion and advise the Administrative Executive or designated representative when the requested samples have been drawn.

2. Other Data Sample Methodology:

If a LWDB wishes to utilize a separate sample selection methodology for data validation, the proposed methodology should be forwarded to the NMDWS Compliance Manager prior to implementation. Utilizing methods other than the Workforce Connection Online System data validation functionality are allowable, but must meet the sample methodology criteria set forth in federal guidance TEGL 23-19 Change 1. The approved method should be stated in the LWDB Data Validation policy.

VI. Compliance

- A. The local boards are required to establish written data validation policies and procedures which adhere to this guidance within 90 days of the issuance of this guidance and forward to the local workforce development board data validation policy to the NMDWS Compliance Manager upon completion.

VII. Roles and Responsibility

The NMDWS State Administrative Entity is responsible for this policy. Local Workforce Development Boards are responsible for implementing this policy in their regions.

VIII. References

Workforce Innovation and Opportunity Act (WIOA), July 22, 2014: §116.

Workforce Innovation and Opportunity Act (WIOA), July 22, 2014: §503.

WIOA Final Rules – U.S. Department of Labor (Title I): 20 CFR §677, §677 and §678.

Training and Employment Guidance Letter WIOA No. 7-18, *Guidance for validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA)*

Training and Employment Guidance Letter WIOA No. 23-19 (including Change 1 and Change 2), *Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs*

2 CFR 200.303 Internal Controls

2 CFR 200.329 Performance Monitoring and Reporting



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IX. Review and Revision History

February 1, 2024

X. Appendices, Forms or Related Material

Attachment I-Program Specific Instructions

Attachment II-Source Documentation for WIOA Core/Non-Core Programs

XI. Adoptions

This policy is hereby adopted on this 1st day of February, 2024.



Marcos Martinez
NMDWS Deputy Cabinet Secretary



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**Workforce Connection of Central New Mexico
(R-01-24)
Open Meetings Act Resolution**

Action Requested:

Approval of R-01-24 Open Meetings Act Resolution, to remain in compliance with statutory regulations.

Background:

NMSA 1978, Section 10-15-1B (194 as Amended), of the Open Meetings Act states that, except as otherwise provided in the Constitution of New Mexico or the Provisions of the Open Meetings Act, all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, any agency or authority of formulation public policy, discussion public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings.

Policy Ramifications:

Section 10-15-1D of the Open Meetings Act requires WCCNM to determine annually what constitutes reasonable notice of its public meetings.

Financial Impact:

None

Do Pass: _____

Do not Pass: _____

RESOLUTION
of the
Full Board
of the
Workforce Connection of Central New Mexico
R-01-24

OPEN MEETINGS RESOLUTION

WHEREAS, Section 10-15-1 B NMSA 1978, of the Open Meetings Act states that, except as otherwise provided in the Constitution of New Mexico or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussion public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings; and

WHEREAS, Section 10-15-1 (C) allows a public body to provide members of a public body to participate in a meeting of the public body by means of a conference telephone or other similar communicating equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating, by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed policy, resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, NMSA § 10-15-1, the Open Meetings Act requires WCCNM to determine annually what constitutes reasonable notice of its public meetings;

WHEREAS, WCCNM complies with all the requirements set forth in NMSA § 10-15-1 et. seq, the Open Meetings Act.

NOW THEREFORE BE IT RESOLVED by the WCNNM Full Board that:

1. Regular meetings of the WCCNM Board shall be held at least once each quarter at 809 Copper Ave. NW, Albuquerque, New Mexico or as indicated on the meeting notice.
2. Regular meeting of the WCCNM Executive Committee of the WCCNM board may be held once each quarter at 809 Copper Ave. NW, Albuquerque, New Mexico or as indicated on the meeting notice .
3. For the purposes of regular meetings, notice requirements are met if notice of the date, time, place, and information on how the public may obtain an agenda, is placed as a legal notice in newspapers of general circulation in the state at least ten (10) days in advance of the meeting date. Written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request of the WCCNM for notice of public meetings. A proposed agenda will be posted on the MRCOG website at www.mrcog-nm.gov and or WCCNM website at wccnm.org one week before the meeting; and
4. The final agenda will be available on the MRCOG website at www.mrcog-nm.gov and or WCCNM website at wccnm.org not less than seventy-two (72) hours prior to the meeting.
5. Special meetings may be called by the Chairman or a majority of the members upon three (3) days notice.
6. Emergency meetings will be called only under circumstances which demand immediate action to protect the health, safety and property of citizen. WCCNM will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hours notice, unless threat of personal injury or property damage requires less notice.
7. For the purposes of special meetings and emergency meetings described in paragraphs 6 and 7 of this Policy, notice requirements shall be met by posting notices on the MRCOG website and or WCCNM website. The WCCNM secretary shall also provide email notice to newspapers of general circulation that have made a written request for notice of public meetings.
8. The WCCNM Board may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meetings requirement pursuant to Section 10-15-1(H) of the Open Meetings Act.
 - a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the WCCNM Board taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual board member shall be

recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting; and

- b. If the decision to hold a closed meeting is made when WCCNM is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances and stating the specific provision of law authorizing the closed meeting and the subjects to be discussed, is given to the Board members and to the general public; and
- c. Except as provided in Section 10-15-1(I), any final action taken as a result of discussions in a closed meeting shall be made by vote of the WCCNM Board in an open meeting.

PASSED, APPROVED, AND ADOPTED this 20th day of **May, 2024** by the Workforce Connection of Central New Mexico Executive Committee for Full Board.

John Mierzwa, WCCNM Chair

ATTEST:

Secretary

**Workforce Connection of Central New Mexico
(WFCP-01-24)
Executive and Full Board Meeting Dates
Through June 30, 2025**

Action Requested:

Approval of WCCNM Meeting dates July 1, 2024 through June 30, 2025

Background:

This schedule follows the meeting schedule established in August 2003. Full Board meetings will be scheduled to meet the third Monday of every other month. As unplanned actions, may be required, Executive Committee meeting will be scheduled the alternating months of the Full Board to occur on the third Thursday.

Financial Impact:

None

Do Pass: _____

Do not Pass: _____



PY24 WCCNM Meeting Schedule

July 1, 2024 – June 30, 2025

<u>MEETING</u>	<u>DATE</u>	<u>TIME</u>
Chief Elected Officials	July 9, 2024	10:00 am
Executive Committee	July 15, 2024	1:30 pm
Full Board	August 19, 2024	1:30 pm
Executive Committee	September 16, 2024	1:30 pm
Full Board	October 21, 2024	1:30 pm
Joint Chief Elected Official's /Executive Committee	November 18, 2024	10:00 am
Full Board	December 16, 2024	1:30 pm
Executive Committee	January 27, 2025	1:30 pm
Chief Elected Official's	February 11, 2025	10:00 am
Full Board	February 24, 2025	1:30 pm
Executive Committee	March 17, 2025	1:30 pm
Full Board	April 21, 2025	1:30 pm
Executive Committee	May 19, 2025	1:30 pm
Full Board	June 16, 2025	1:30 pm

Disability Standing Committee – Twice Annually

Finance Standing Committee – To be Determined

Operations Standing Committee– 3rd Thursday of every other month–1:00 pm

Youth Standing Committee – quarterly 2nd Tuesday of the month at 2:00 pm

*All meetings subject to change. Special or Emergency meetings may be scheduled at any time

Legal Contract

Mid-Region Council of Governments issued RFP-2021-01 titled on call legal services on January 18, 2021

Contracts will end on April 21, 2025, but expect for a renewal and solicitation prior to the expiration date.

Cuddy & McCarthy, LLP

Partner's rate: \$225/hr
Associate's rate: \$195/hr
Paralegals rate: \$90/hr
Legal Assistants rate: \$65/hr

German Burnette & Associates, LLC

Attorney/Contractor rate: \$180/hr
Paralegals/Law Clerks rate: \$80/hr
Legal Assistants rate: \$50/hr
Clerical rate: \$0.00/hr
Copies or document reproduction \$0.15/page
IN-State Mileage: \$0.22/mile

Robles, Rael & Anaya, P.C.

Partner rate: \$175/hr
Of Counsel rate: \$175/hr
Associate Attorney rate: \$150/hr
Paralegal rate: \$65/hr

Sanchez, Mower & Desiderio, P.C.

Raymond G. Sanchez, Frederick M. Mowrer, Robert J. Desiderio: \$275/hr
Erin S. Ferreira: \$250/hr
Other attorney(s): \$125/hr
Paralegals and law clerks: \$80/hr

Stelzner, Winter Warburton, Flores & Dawes, P.A

Partners rate: \$225/hr
Associate Attorneys rate: \$195/hr
Paralegals rate: \$85/hr
Law Clerks rate: \$65/hr