

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 37-07, Change 1
Date:	January 2, 2008
Keyword:	All Programs
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Laurence M. Jones, Director, Workforce Development Division

Subject: **Workforce Investment Act: Application of Definitions of Credential, Degree/Diploma, and Certificate: *Clarification***

PURPOSE:

U.S. Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) No. 17-05, entitled "Common Measures Policy for the Employment and Training Administration's (ETA) Performance Accountability System and Related Performance Issues," provides Common Measures policy and reiterates existing definitions of the terms *degree/diploma* and *certificate*.

This WD Letter provides Local Workforce Development Boards (Boards) with **further** clarification on:

- the application of these definitions ~~to all Texas workforce system participants enrolled in an educational activity designed to result in a recognized degree/diploma or certificate;~~ **and**
- **the criteria for determining whether a certificate offered by a training program meets the definition of certificate.**

CHANGES TO WD LETTER 37-07:

New information in this WD Letter is indicated by:

- A ~~strikethrough~~ of the original language, which indicates that language has been deleted; and
- **Bold** typeface, which indicates new or clarifying language.

BACKGROUND:

TEGL 17-05 is comprehensive guidance that reiterates definitions in effect since December 2003 and clarifies the applicability of these definitions for purposes of Common Measures. TEGL 17-05 clarifies that the term *credential* is all encompassing and includes degrees/diplomas and certificates. Under the DOL waiver that permits Texas to report only six Common Measures, the term

credential is no longer pertinent. The more specific terms—degree/diploma and certificate—are used.

In TEGL 17-05, DOL defines degree/diploma and certificate as:

Degree/Diploma – any credential that the state education agency accepts as equivalent to a high school diploma. The term diploma also includes postsecondary degrees including associate (AA and AS) and bachelor degrees (BA and BS).

Certificate – awarded in recognition of an individual’s attainment of measurable technical or occupational skills necessary to gain employment or advance within an occupation. These technical or occupational skills are based on standards developed or endorsed by employers.

For inclusion in performance, certificates are limited to those awarded by:

- A state educational agency or a state agency responsible for administering vocational and technical education within a state.
- An institution of higher education described in Section 102 of the Higher Education Act (20 USC §1002) that is qualified to participate in the student financial assistance programs authorized by Title IV of that Act. This includes community colleges, proprietary schools, and all other institutions of higher education that are eligible to participate in federal student financial aid programs.
- A professional, industry, or employer organization (e.g., National Institute for Automotive Service Excellence certification, National Institute for Metalworking Skills, Inc., Machining Level I credential) or a product manufacturer or developer (e.g., Microsoft Certified Database Administrator, Certified Novell Engineer, Sun Certified Java Programmer) using a valid and reliable assessment of an individual’s knowledge, skills, and abilities.
- A registered apprenticeship program.
- A public regulatory agency, upon an individual’s fulfillment of educational, work experience, or skill requirements that are legally necessary for an individual to use an occupational or professional title or to practice an occupation or profession (e.g., FAA aviation mechanic certification, state certified asbestos inspector).
- A program that has been approved by the Department of Veterans Affairs to offer education benefits to veterans and other eligible persons.
- Job Corps centers that issue certificates.
- Institutions of higher education, which are formally controlled, or have been formally sanctioned, or chartered, by the governing body of an Indian tribe or tribes.

Note: Certificates awarded by Boards for generic work readiness are not included in this definition even if recognized by employers or industry groups.

It is DOL’s intent that a certificate awarded by a professional, industry, or employer organization be portable—i.e., one that is recognized statewide as well as nationally.

PROCEDURES:

Boards must ensure that the definitions of degree/diploma and certificate are applied correctly when posting outcomes used to calculate performance.

NLF

Boards must be aware of the following:

NLF

- **The definition of certificate does not include certificates awarded by Boards or other entities in recognition of the attainment of preemployment or work readiness skills. TEGL 17-05 states: “ETA recognizes that work readiness skills are a valued skill set that will lead to successful employment and retention and encourages programs to continue to provide work readiness skills. However, the focus of the certificate measure is attainment of measurable technical or occupational skills, rather than work readiness skills.”**

- **To meet the definition of certificate, a certificate must meet all of the following criteria:**

- *Be awarded in recognition of the attainment of measurable technical or occupational skills*

The training program must measure the individual’s attainment of the skill using a valid and reliable assessment of an individual’s knowledge, skills, and abilities. For this purpose, *measurable* is defined as an increase in the learner’s skill as determined by pre- and post-assessments.

Note: A course that merely awards a *certificate of completion* does not qualify.

- *Be awarded by a training program that teaches a skill that is necessary to gain employment or advance within an occupation*

Individuals must attain skills that are necessary for them to gain employment or advance within their current occupation. If the skill that is taught does not benefit the individual in this way, then the training program’s certificate does not qualify. As noted, this does not include preemployment or work readiness skills regardless of their value in gaining employment.

- *Be awarded by an acceptable entity*

An entity listed under the definition of *certificate* must award the certificate. Some acceptable entities may design a training course and authorize a third party to deliver the course and award certificates for successful attainment of skills following completion of the course. In these instances, Boards are limited to awarding certificates on behalf of:

- 1. a professional, industry, or employer organization (e.g., National Institute for Automotive Service Excellence certification, National Institute for Metalworking Skills, Inc., Machining Level I credential); or**
- 2. a product manufacturer or developer (e.g., Microsoft Certified Database Administrator, Certified Novell Engineer, Sun Certified Java Programmer).**

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

RESCISSIONS:

~~None~~WD Letter 37-07

REFERENCE:

Workforce Investment Act; Section 136
Workforce Investment Act; Final Rule, 20 C.F.R., Part 652
United States Department of Labor Training and Employment Guidance Letter No. 17-05, issued February 17, 2006, and entitled “Common Measures Policy for the Employment and Training Administration’s (ETA) Performance Accountability System and Related Performance Issues”
United States Department of Labor Employment and Training Administration’s Program Guidance, “Frequently Asked Questions on Common Performance Measures”
WD Letter 16-05, issued March 25, 2005, and entitled “The Workforce Information System of Texas: Entering Attained Credentials, Certificates, Diplomas, and ‘Last Grade Level Completed’ Data”

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”