

1. Screening and assessment of W-2 applicants and participants must be conducted following the protocols of informed consent. It is the Department and the Agencies' responsibility to offer these services, with clear explanations of the potential benefits for the clients, but they must be no coercion or deception used in the administration of screening and assessment procedures.
2. Screening and assessment should be done to establish barriers that the individual client may have, and additionally the Agency should seek to establish whether family members of the client face disabling conditions that may affect the client's ability to participate in W-2.
3. Currently some W-2 Agencies are using their own screening and assessment measures. We strongly advocate for the use of validated and uniform tools that are administered by appropriately trained staff.
4. Screening and assessment are conducted so that the client and their caseworker have a clear understanding of the functional ability of the client. This information is vital for developing achievable employability plans. Wisconsin has one of the highest sanction rates of welfare recipients. Many analysts believe this is related to our insistence on a 40 hour "work week" within W-2 community service jobs, and the fact that so many W-2 participants were never properly assessed. Ensuring that all ongoing participants, as well as new applicants, have appropriate plans based on the abilities of the clients must be a requirement for W-2 Agencies.
5. Similarly, we believe that since many W-2 participants have not been properly served in W-2 to date, we respectfully ask the Committee to require that a thorough review of the cases that are not being recommended for extensions based on non-compliance issues. We believe there are many instances ~~of~~ where a client can't comply and they are being cut off of W-2 as if they simply won't comply.

Finally, we have long been concerned that the training of W-2 caseworkers is inadequate to prepare them to fully do their jobs, especially in the area of dealing with clients with disabilities. We think they should be required to have more training in screening, assessing, and accommodating the types of issues that are prevalent in the welfare population.

Thank you again for this chance to make these comments.

Appendix 4

Percentage of Participants Receiving Assessment and Counseling Services  
Under Current Implementation Contracts  
2000

<u>W-2 Contractor</u>	<u>Enrollment</u>	<u>Occupational Assessment</u>	<u>Physical Rehabilitation</u>	<u>Employment Counseling</u>	<u>Disability Assessment</u>	<u>Mental Health Counseling</u>	<u>Substance Abuse Counseling</u>
<b>Counties</b>							
Adams	227	3.1%	0.0%	4.4%	2.6%	3.1%	0.0%
Ashland	62	9.7	1.6	1.6	4.8	12.9	1.6
Barron	162	3.7	3.1	1.2	4.3	8.6	3.1
Bayfield	53	11.3	5.7	3.8	9.4	5.7	3.8
Brown	548	1.3	3.3	0.5	3.1	1.6	0.5
Buffalo	70	8.6	1.4	2.9	24.3	7.1	0.0
Burnett	39	2.6	10.3	0.0	10.3	2.6	2.6
Calumet	34	5.9	11.8	0.0	11.8	26.5	8.8
Chippewa	96	1.0	16.7	0.0	0.0	2.1	24.0
Clark	113	0.0	8.0	0.9	8.0	3.5	1.8
Columbia	159	38.4	13.8	0.0	15.7	15.7	11.3
Crawford	9	0.0	22.2	0.0	0.0	22.2	0.0
Dane	1,802	7.8	26.6	2.6	7.3	8.6	5.0
Dodge	193	0.5	15.5	0.0	0.0	5.2	1.0
Door	68	7.4	2.9	0.0	7.4	22.1	0.0
Douglas	448	5.4	10.9	0.7	2.2	9.8	1.6
Dunn	189	0.5	11.6	1.6	1.6	6.3	2.6
Eau Claire	366	9.8	10.4	0.3	0.5	1.9	2.5
Fond du Lac	247	3.2	22.3	1.2	5.3	8.5	2.0
Grant <sup>1</sup>	52	9.6	3.8	1.9	21.2	9.6	0.0
Green <sup>1</sup>	48	0.0	0.0	0.0	2.1	6.3	2.1
Green Lake	63	1.6	3.2	0.0	11.1	11.1	1.6
Iowa <sup>1</sup>	26	0.0	7.7	0.0	7.7	15.4	0.0
Iron	12	25.0	16.7	0.0	8.3	41.7	16.7
Jackson	119	7.6	4.2	0.0	8.4	7.6	1.7
Jefferson	75	9.3	12.0	0.0	8.0	13.3	4.0
Kenosha	1,522	22.5	10.7	5.9	2.4	5.4	0.7
La Crosse	396	1.3	10.6	2.3	4.0	3.3	1.8
Lafayette <sup>1</sup>	15	0.0	0.0	0.0	13.3	6.7	0.0
Langlade	135	1.5	3.7	0.0	19.3	3.0	1.5
Lincoln	116	1.7	5.2	0.0	6.0	2.6	0.0
Manitowoc	63	3.2	4.8	0.0	9.5	1.6	0.0
Marathon	376	13.6	17.6	8.5	3.7	6.4	1.9
Marinette	128	12.5	0.8	0.0	4.7	5.5	1.6
Marquette	58	1.7	10.3	0.0	1.7	3.4	3.4
Menominee	82	2.4	4.9	4.9	3.7	2.4	4.9
Oconto	95	6.3	3.2	0.0	3.2	15.8	5.3
Outagamie	346	4.0	12.7	18.5	16.5	15.9	1.4

<u>W-2 Contractor</u>	<u>Enrollment</u>	<u>Occupational Assessment</u>	<u>Physical Rehabilitation</u>	<u>Employment Counseling</u>	<u>Disability Assessment</u>	<u>Mental Health Counseling</u>	<u>Substance Abuse Counseling</u>
Ozaukee	41	48.8%	0.0%	0.0%	0.0%	2.4%	0.0%
Pepin	17	58.8	0.0	0.0	5.9	0.0	0.0
Pierce	32	3.1	15.6	3.1	9.4	6.3	9.4
Polk	121	3.3	9.1	0.8	12.4	7.4	1.7
Portage	144	0.0	16.7	0.0	6.3	0.7	0.0
Price	109	1.8	1.8	0.0	4.6	3.7	0.9
Racine	937	0.5	10.1	0.4	11.5	2.3	0.6
Richland <sup>1</sup>	54	0.0	1.9	0.0	3.7	5.6	0.0
Rock	596	0.5	19.6	13.3	3.0	6.7	1.3
Rusk	48	2.1	14.6	0.0	6.3	0.0	0.0
St. Croix	109	22.0	9.2	1.8	11.0	1.8	0.0
Sauk	146	53.4	2.7	0.0	26.0	4.1	2.7
Sawyer	69	1.4	7.2	5.8	1.4	5.8	0.0
Sheboygan	216	0.0	13.9	0.0	0.0	6.5	1.9
Taylor	40	12.5	0.0	0.0	10.0	7.5	0.0
Trempealeau	79	1.3	24.1	1.3	0.0	3.8	0.0
Vernon	65	6.2	9.2	0.0	7.7	1.5	0.0
Washburn	64	10.9	6.3	0.0	7.8	9.4	1.6
Washington	185	23.8	5.9	0.0	1.1	1.6	1.1
Waupaca	103	9.7	37.9	1.9	2.9	29.1	2.9
Waushara	80	32.5	1.3	0.0	5.0	0.0	2.5
Winnebago	386	25.1	17.6	15.3	17.6	12.2	2.1
Wood	368	7.3	15.5	7.3	5.2	6.3	0.3
<b>Tribes</b>							
Bad River Band	21	0.0	4.8	14.3	0.0	4.8	4.8
Oneida Nation	71	0.0	15.5	0.0	1.4	0.0	1.4
<b>Private Agencies in Milwaukee County<sup>2</sup></b>							
Employment Solutions	7,237	2.0	14.7	2.2	6.8	5.4	2.8
Maximus	4,560	24.2	8.9	12.7	13.0	5.3	3.3
OIC-GM	4,038	21.7	5.5	0.5	8.6	3.8	4.2
UMOS	3,212	6.2	9.0	56.7	8.8	6.6	2.0
YW Works	3,223	16.4	7.8	1.7	3.6	8.2	2.5

<u>W-2 Contractor</u>	<u>Enrollment</u>	<u>Occupational Assessment</u>	<u>Physical Rehabilitation</u>	<u>Employment Counseling</u>	<u>Disability Assessment</u>	<u>Mental Health Counseling</u>	<u>Substance Abuse Counseling</u>
<b>Private Agencies in Other Counties<sup>3</sup></b>							
Florence—Fwd. Serv.	25	0.0%	8.0%	0.0%	8.0%	12.0%	0.0%
Forest—Fwd. Serv.	31	3.2	0.0	0.0	16.1	16.1	3.2
Juneau—Wkfce. Conn.	173	1.2	6.4	8.7	19.1	11.0	0.0
Kewaunee—Fwd. Serv.	39	5.1	5.1	7.7	12.8	17.9	2.6
Monroe—Wkfce. Conn.	162	0.6	12.3	12.3	6.2	8.6	1.2
Oneida—Fwd. Serv.	142	7.0	2.1	1.4	35.2	1.4	1.4
Shawano—Job Center	99	5.1	16.2	3.0	11.1	7.1	16.2
Vilas—Fwd. Serv.	34	2.9	0.0	0.0	0.0	5.9	2.9
Walworth—Kaiser	212	0.5	20.3	0.9	11.8	2.8	0.5
Waukesha—Curtis	342	4.4	0.6	0.3	13.5	5.0	1.2

<sup>1</sup>These five county agencies contract to administer W-2 as a consortium.

<sup>2</sup>These agencies serve six regions in Milwaukee County:

Region I	YW Works
Region II	United Migrant Opportunity Services, Inc.
Region III	Opportunities Industrialization Center of Greater Milwaukee
Region IV	Employment Solutions, Inc., a subsidiary of Goodwill Industries of Southeastern Wisconsin and Metropolitan Chicago, Inc.
Region V	Employment Solutions, Inc., a subsidiary of Goodwill Industries of Southeastern Wisconsin and Metropolitan Chicago, Inc.
Region VI	Maximus, Inc.

<sup>3</sup>Ten counties other than Milwaukee are served by these five private agencies under the current contracts:

Curtis & Associates, Inc.	Waukesha County
Forward Service Corporation	Florence County Forest, Oneida, and Vilas counties, operating as a consortium Kewaunee County
Kaiser Group, Inc.	Walworth County
Shawano County Job Center Incorporated	Shawano County
Workforce Connections, Inc.	Juneau County Monroe County

October 30, 2002



## MEMORANDUM

TO: Senate Committee on Labor and Agriculture

FROM: Patti Seger, Policy Development Coordinator, Wisconsin Coalition Against Domestic Violence

RE: Clearinghouse Rule 02-050 Relating to Wisconsin Works  
Screening and Training for Domestic Abuse

Thank you for allowing me to submit testimony today on behalf of the Wisconsin Coalition Against Domestic Violence (WCADV). WCADV is a statewide membership organization representing local domestic violence programs, victims of domestic violence and their children, and citizens concerned with ending domestic abuse.

I am testifying in support of this administrative rule that will require domestic violence training of all Financial and Employment Planners (FEPS) working in W-2 offices, and which will also require screening clients for barriers created by domestic abuse. Since the adoption of federal TANF and W-2, advocates for victims of domestic violence and their children have raised concerns about the ability of victims to safely seek and sustain employment. With a primary emphasis on strict time limits and work, the W-2 program has had little capacity to identify and support victims of abuse. WCADV understands that there has been some concerns raised about screening for domestic violence as some welfare agencies believe a primary role of W-2 is to transition individuals from cash assistance to work. The assumption that domestic violence will not somehow impact a person's ability to work could not be more erroneous.

Researchers have found that the prevalence of domestic violence amongst those receiving welfare is quite high. Varying studies have found that as many as 74% of welfare recipients have experienced severe forms of domestic violence.<sup>1</sup> The Institute for Wisconsin's Future conducted a survey of 274 domestic violence victims and found that three quarters had a high school diploma or less. More than 90% had received AFDC at some time, while 61% had been or were currently enrolled in W-2.<sup>2</sup> Other major findings indicated that domestic violence has a severe negative impact on low-income women's ability to maintain jobs or to succeed at education and training efforts. More than half (57.8%) of the women indicated that they were threatened to the point where they were afraid to go to school or work. Approximately 30% reported that they were fired or lost a job because of domestic abuse.

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<sup>1</sup> Barush, Taylor and Derr, 1999, Utah.

<sup>2</sup> Moore and Selkove, Institute for Wisconsin's Future, "Domestic Violence Victims in Transition from Welfare to Work: Barriers to Self-Sufficiency and the W-2 Response", Sept. 1999.

Many domestic abuse programs in Wisconsin indicate that welfare reform, and other economic issues such as housing, transportation and child care, have had a significant impact on domestic violence victims' ability to liberate themselves from abusive relationships. Programs note that shelter stays have been longer as victims struggle to establish economic independence from their abusers. Victims require a wider range of advocacy on their behalf in order to access childcare, housing, employment and transportation. Abuse victims, having just left their violent partner, are often deemed "job ready" by many W-2 staff. There is little, if any, consideration for the impact of the trauma that families have experienced, whether or not these families have achieved any level of stability, or whether or not the abusers are stalking or otherwise endangering or sabotaging the victims' ability to work. Those who fail to comply, or cannot comply with work requirements, are sanctioned. Programs also note that they are seeing greater numbers of victims returning to abusive situations for lack of safe and stable economic, childcare and housing resources.

When TANF was being authorized in 1996, advocates for domestic violence victims and their children raised numerous concerns about the barriers created by domestic abuse. In responding to those concerns, federal legislators included a provision titled the "Family Violence Option" (FVO). The FVO gives states the opportunity to adopt provisions in their own welfare reform measures that will provide services, support and flexibility for victims of domestic violence in order to reduce barriers to self-sufficiency and increase victim safety. To date, only six (6) states have failed to adopt the FVO, Wisconsin included. Because FEPs have so few options available to assist victims of abuse under current law, we believe that this screening process would make better sense if Wisconsin adopted the FVO. In the meantime, WCADV sees the adoption of this training and screening legislation and the corresponding administrative rule as a first step towards the recognition of the impact of domestic violence on those receiving W-2.

Again, thank you for considering my testimony. If you should have further questions, please feel free to contact me at 608-255-0539.



October 30, 2002

Senator David Hansen, Chair  
Senate Committee on Labor and Agriculture  
Room 319 South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

HAND DELIVERED

RE: Proposed Rule Changes for W-2 Program  
Clearinghouse Rule 02-50

Dear Sen. Hansen:

I am submitting these comments on behalf of the ACLU of Wisconsin regarding the Wisconsin Department of Workforce Development's (DWD) decision to promulgate rules for screening of W-2 applicants and for training of W-2 agency staff, CR 02-50. As you may be aware, earlier this year the ACLU of Wisconsin Foundation and the Milwaukee Branch of the NAACP, filed a complaint with the Office for Civil Rights of the U.S. Department of Health and Human Services, regarding disability and race discrimination in the W-2 program.

There is no question that a substantial proportion of persons remaining on W-2, as well as many of those whose W-2 benefits have been terminated, suffer from disabling impairments. For example, a 2001 U.S. G.A.O. report found that as many as 44% of TANF recipients reported having physical or mental impairments.<sup>1</sup>

Portions of DWD's proposed rules represent a positive step towards meeting the needs of disabled persons. Unfortunately, they are not sufficient to comply with the non-discrimination requirements of the Americans with Disabilities Act and Rehabilitation Act, and the 2001 HHS-OCR *Policy Guidance on Prohibition Against Discrimination on the Basis of Disability in the*

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<sup>1</sup>*Welfare Reform: More Coordinated Federal Effort Could Help States and Localities Move TANF Recipients with Impairments Toward Employment* (U.S. General Accounting Office, 10/01). The 44% figure may understate the extent of the problem, since most counties relied on recipients' self-disclosure "which may not ensure the identification of some impairments that could interfere with employment." *Id.* at 4.

*Administration of TANF (Temporary Assistance for Needy Families).*<sup>2</sup> Other portions of the proposed rules appear to violate the ADA. Therefore, we request that the legislature object to portions of the proposed rules and require DWD to modify other portions of its proposed rules in the manner discussed below.

## **I. DWD MUST REQUIRE W-2 AGENCIES TO MODIFY WORK PROGRAM REQUIREMENTS.**

Proposed DWD 12.15(2) requires W-2 agencies to incorporate the results screening and assessment in a W-2 participant's employability plan. However, the rule goes on to state that:

Nothing in this subsection may be construed to limit the ability of a W-2 agency to require a W-2 participant to comply with . . . required activities under s. DWD 12.16 [setting forth work program requirements].

One of the core issues in the ADA and Rehabilitation Act is a requirement that agencies modify program requirements to facilitate participation by those persons. As the OCR Policy Guidance states:

...TANF agencies must provide TANF beneficiaries with disabilities with services that are appropriate . . . Program providers are required to make reasonable modifications to policies, practices, and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result.

The Policy Guidance also makes it clear that:

TANF agencies may exempt individuals with disabilities from work requirements . . . when, due to their disabilities, these individuals are unable, with or without reasonable accommodation, to participate in work or other TANF program requirements.

DWD's proposed rule is simply indefensible. The reasonable modifications mandated by federal law in fact may require the agency to modify work program requirements (for example, by changing assigned activities, reducing the number of hours assigned, or providing necessary supportive services) to permit appropriate participation by disabled individuals. DWD's statement that its rules do not limit an agency in requiring compliance with DWD 12.16 clearly violates this mandate. Because this portion of the proposed rule violates the ADA and imposes impermissible and undue

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<sup>2</sup>A copy of this policy guidance, as well as of the ACLU/NAACP complaint, has been transmitted electronically to your office.

hardships on disabled W-2 participants, we request that the committee object to this portion of the rule and require DWD to delete it.

## II. DWD MUST MODIFY ITS RULES RELATING TO SCREENING.

Federal law, 42 U.S.C. §608(b)(1), requires that TANF agencies conduct an initial assessment of the skills, prior work experience, and employability of TANF participants. This initial assessment must include screening for barriers to employment, including potential disabilities. As the OCR Policy Guidance makes clear:

intake workers should be able to recognize potential disabilities, and to conduct an initial screening to identify possible disability for those individuals who agree to undergo screening. Such screening should be conducted only by trained staff, using screening tools that have been properly validated.

For the following reasons, DWD's proposed screening rules must be modified.

- a) Proposed DWD 12.15(2) requires the W-2 agency to administer a functional screening as part of employability planning. Neither rule, however, requires that the screening tool be properly validated, nor does it require specialized staff training in order to administer the tool. To properly comply with ADA requirements, these elements must be incorporated into the rules.
- b) Despite the fact that many W-2 participants are caretakers of disabled family members, neither the rules nor DWD practice require screening for disabilities of family members. The ADA prohibits discrimination against any person "associated with" a disabled person. 28 C.F.R. §35.130(g). Because the association with a disabled child or other family member often affects a parent's ability to participate in W-2, DWD 12.15(2) must be amended to mandate that W-2 agencies conduct screening with properly validated tools to identify potential disabilities of family members, and to formally assess and accommodate those disabilities.
- c) Many persons who are current W-2 participants have never been screened for potential disabilities.<sup>3</sup> The rule must obligate agencies to immediately offer screening to all current participants and to make any necessary modifications in the employability plans to comply with the results of screening and assessment.
- d) The rule must be modified to incorporate the concept of "informed consent." The proposed rule permits an individual to decline screening, a policy which is appropriate and required by the

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<sup>3</sup>As attached documentation shows, as of 10/17/02 at least 26 W-2 agencies are failing contractual performance standards requiring assessment of W-2 participants. Even many of the agencies meeting the standard have never assessed significant numbers of participants. Therefore, the rules must ensure that these persons are immediately screened, assessed and accommodated.

ADA. However, the OCR Policy Guidance also recognizes the needs for agencies to alert individuals to the importance of voluntarily disclosing a disability. Yet the proposed rule does not require the agency to provide such information or explain the potential benefits of screening, such as the potential for modification of an individual's assigned activities.

### **III. THE COMMITTEE SHOULD OBJECT TO DWD'S RULE RELATING TO EXTENSIONS OF TIME LIMITS.**

Proposed DWD 12.16(4)(c) states, *inter alia*, that the 24 month W-2 Transitions time limit:

may be extended on a case-by-case basis by the department or by the Wisconsin works agency with the approval of the department if the participant has made all appropriate efforts to find unsubsidized employment by participating in all *assigned* activities and significant barriers prevent advancement to a higher W-2 employment position or unsubsidized employment.

(emphasis added). This proposed rule is arbitrary and capricious and imposes an undue hardship on W-2 participants who have not received necessary assistance from W-2 agencies, and we therefore request that the Committee object to it.

DWD and its W-2 agencies should not be permitted to penalize participants by denying extensions when it was the W-2 agency which failed to properly serve those families. The OCR Policy Guidance makes it clear that:

rather than sanctioning TANF beneficiaries who, due to their disabilities, do not comply with work or other program requirements, TANF agencies may make reasonable modifications that facilitate compliance, or grant extensions or temporary exemptions to TANF requirements.

As the OCR complaint and related research emphasize, W-2 agencies have often assigned disabled persons and persons with disabled family members to inappropriate activities for reasons including the failure to screen and assess, the unreasonable imposition of participation requirements, and the failure to obtain necessary verification, among others. By requiring the participant to show she has participated in all "assigned" activities - without requiring the W-2 agency to establish that the assignments were appropriate in light of the individual's capabilities and limitations - DWD's rule ignores these ADA obligations. In addition, by indicating that extensions will not be authorized for persons who might not have participated in the past, regardless of the gravity of their current situation, the rule fails to permit the individualized analysis required by the ADA.

In its response to prior comments, DWD claims that modification of this rule is not necessary because "Increased monitoring and intensive case reviews will identify whether a participant is receiving appropriate services early in the process." The reality is that recent DWD reviewers have

repeatedly failed to ensure that agencies identify or assess disabilities, much less provide appropriate services.<sup>4</sup> Further, *future* monitoring will do nothing to make whole those persons who were not properly served by W-2 agencies and have already used up some or all of their limited W-2 time.

Therefore, the proposed rule must be amended to state that establish that an extension may be granted if a participant has “significant barriers [which] prevent advancement to a higher W-2 employment position or unsubsidized employment” regardless of past participation, or if she was not properly screened or assessed, was not assigned to “*appropriate* activities,” or was not provided supportive services necessary to complete those activities. In addition, the same criteria should be applied to current DWD 12.16(2)(e)2 and 12.16(3)(e)2, which govern the use of extensions in W-2 Trial Job and Community Service Job placements.

#### **IV. DWD MUST MODIFY ITS RULES RELATING TO AGENCY STAFF TRAINING**

The TANF agency's obligation to ensure equal access to TANF programs for individuals with disabilities also includes the obligation to ensure that service providers have the requisite knowledge, experience, and expertise to serve

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<sup>4</sup>Attached are a few of many examples of DWD’s monitoring summaries, which make it clear that DWD staff often ignore agency failures to comply with the ADA and W-2 policy, such as:

\*An “Intensive Case Review” showing the adult participant had a 5<sup>th</sup> grade reading level, 4<sup>th</sup> grade math level and 2<sup>nd</sup> grade English level. Although the participant had been on W-2 for nearly two years, and although the W-2 agency had never assessed the participant for learning disabilities or cognitive limitations, the DWD reviewer’s only recommendation was for the agency to assist the participant in obtaining child support. (Attachment B).

\*An “Intensive Case Review” stating “Case comments don’t indicate any current barriers” but then noting that test scores were “2.5 for reading and 2.9 for math.” Again, the DWD reviewer failed to recommend any evaluation for learning disabilities or cognitive limitations. In addition, although a household member - likely a minor child - received SSI disability benefits, the reviewer made no mention made of this as a potential barrier. (Attachment C.)

\*An “Intensive Case Review” in which computer screens showed that the participant attended 20 hours per week of mental health counseling and had a disabled child. Yet DWD’s reviewer supported the agency decision to deny an extension due to “No Significant Barriers” and recommended closing her W-2 case, without any investigation of the agency’s claim that no barriers existed, without any meeting with an agency representative, without any review of the paper file, and without requiring the agency to perform an assessment (which it had never done). (Attachment D.)

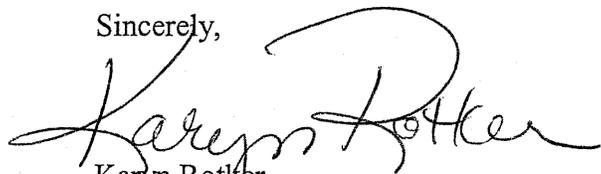
beneficiaries with disabilities. Without such providers, TANF beneficiaries with disabilities may be deprived of equal access to TANF programs while they wait for services, or are diverted to inappropriate services.

OCR Policy Guidance.

Proposed DWD 17.03(2)(a)6.b.,(3)(a)6.b., state that the department's standard curriculum for Financial and Employment Planners (W-2 case managers) and Resource Specialists "may" include "Special needs of the W-2 participant or a family member that affect the W-2 participant's employability, including substance abuse, domestic abuse, and physical or mental disabilities." Clearly, FEPs and Resource Specialists - as well as DWD's own staff - *must* be trained in disability-related issues in order to comply with federal requirements. Therefore, the training rule should be amended to make this training mandatory, not optional.

Thank you for your attention. Please feel free to contact me at the above number, ext. 21, or at [Krotker@aclu-wi.org](mailto:Krotker@aclu-wi.org) should you have questions or require additional information.

Sincerely,



Karyn Rotker  
Staff Attorney

Poverty, Race & Civil Liberties Project

# Assessment Performance Standards

## Draft Contract-to-Date Figures 10/17/02

\*Used WISDOM reports for placements from April 2002 – August 2002

\*Does not include Adjustments approved by the Regional Office

\*Formal assessment may include data from February and March, but those months do not appear on WISDOM

\*Produced for the C & I Performance Standards Sub-Committee by Tom Prete

\*The fields in **black** indicate failure to meet the benchmark

\*The fields in **gray** indicate failure, but with the 1 case credit, would meet the benchmark

\*26 agencies fail at least one part of the measure, even with the 1 case credit.

Agency	Informal June - Aug		Formal April - Aug	
Adams	2/3	66.7%	0/1	0%
Ashland	2/5	40.0%	1/1	100%
Barron	7/9	77.78%	1/3	33.33%
Bayfield	3/3	100%	4/4	100%
Brown	40/50	80%	18/18	100%
Buffalo	3/4	75%	4/4	100%
Burnett	0/1	0%	0/0	100%
Calumet	5/8	62.5%	2/3	66.67%
Chippewa	5/9	55.56%	3/4	75%
Clark	12/16	75%	4/5	80%
WFC Columbia	7/8	87.5%	3/4	75%
Crawford	0/0	100%	0/0	100%
Dane	298/310	96.13%	116/137	84.67%
Dodge	36/36	100%	14/14	100%
Door	5/7	71.43%	0/2	0%
Douglas	22/23	95.65%	10/15	66.67%
Dunn	15/22	68.18%	6/10	60%
Eau Claire	39/46	84.78%	4/10	40%
FSC Florence	3/3	100%	2/2	100%
Fon Du Lac	18/18	100%	22/22	100%
Green Lake	2/3	66.67%	0/0	100%
Iron	0/1	0%	1/1	100%
Jefferson	14/15	93.33%	4/7	57.14%
Kenosha	184/199	92.46%	42/57	73.68%
FSC Kewaunee	3/3	100%	2/2	100%
Lacrosse	23/29	79.31%	12/14	85.71%
Lincoln	3/5	60%	2/3	66.67%
Manitowoc	2/2	100%	0/1	0%

Agency	Informal June - Aug		Formal April - Aug	
Marathon	88/126	69.84%	16/56	28.57%
Marinette	0/1	0%	1/1	100%
Marquette	0/1	0%	0/1	0%
Oconto	0/0	100%	0/1	0%
Outagamie	74/84	88.1%	13/24	54.17%
Ozaukee	0/0	100%	1/2	50%
Pepin	0/1	0%	0/1	0%
Pierce	2/2	100%	0/1	0%
Polk	12/20	60%	3/6	50%
Portage	11/13	84.62%	7/7	100%
Price	1/4	25%	1/1	100%
Racine	51/61	83.61%	49/51	96.08%
Rock	139/155	89.68%	51/63	80.95%
Rusk	5/7	71.43%	1/1	100%
St Croix	3/9	33.33%	1/2	50%
Sauk	6/12	50%	3/7	42.86%
Sawyer	1/1	100%	0/0	100%
Shawano	22/23	95.65%	7/9	77.78%
Sheboygan	28/32	87.50%	9/11	81.82%
Taylor	3/3	100%	0/0	100%
Trempealeau	10/11	90.91%	6/11	54.55%
Vernon	0/0	100%	0/0	100%
Kaiser	31/31	100%	20/23	86.96%
Washburn	3/3	100%	1/1	100%
Washington	6/11	54.55%	0/7	0%
ACS	58/67	86.57%	19/24	79.17%
Waupaca	14/15	93.33%	5/6	83.33%
Winnebago	29/33	87.88%	20/27	74.07%
Wood	55/66	83.33%	23/32	71.88%
Menominee	3/3	100%	2/6	33.33%
Milwaukee Y-Works	1462/1718	85.10%	519/599	86.64%
Milwaukee - UMOS	1316/2394	54.97%	340/746	45.58%
Milwaukee - OICGM	437/1187	36.82%	169/361	46.81%
Milwaukee - Maximus	802/963	83.28%	205/322	63.66%
FSC Northern Consort	24/24	100%	12/14	85.71%
SW Consortium	13/14	92.86%	6/9	66.67%
WFC - Consortium	37/38	97.37%	5/6	83.33%
FSC - Waushara	0/0	100%	0/0	100%
Oneida Tribe	1/7	14.29%	1/3	33.33%

## CASE REVIEW SUMMARY

Case Name: (Name removed).

Agency: 40 - Milwaukee

Case Number: (Number removed).

Region: Milwaukee

PIN: (Number removed).

Reviewer: Linda Diedrich

CARES Review Date: 08/22/2002

On-site Review Date: N/A

Current Placement: W2T

CLOCKS: LIFE 56 JOBS 12 CSJ 24 W2T 18

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### Screens Accessed:

AIWC	ACWI	ANID	CMCC	WPCH	WPES	WPAS	WPJR
WPJS	WPED	WPAW	WPNP	WPBD	WPRU	ANDI	ANIC

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Was an assessment completed: No, per WPED

What type(s) of assessment(s) were completed? Per WPRU, client states GED is needed

When was assessment(s) completed? WPRU was completed on 5/28/02, but this is not an assessment, it is the client's statement. WPRU also states the client is ready for unsubsidized employment.

By Whom? N/A

What Barriers Were Identified? WPBD has not been completed

- GED per WPRU
- Mental Health MAY be an issue because she's in mental health counseling 20 hours/week per WPCH, but this is NOT mentioned elsewhere.

Do the assigned activities address the identified barriers? Yes

List barriers not addressed

- N/A – no GED is the only barrier mentioned.
- She has a disabled son per ANDI, but caring for him does not appear to be an issue per WPJS, WPAW, WPAS, WPJR.

Is the placement appropriate for customer? No

General Comments:

- CMCC from 7/31/02 says the client does not have documentation of barriers to employment and she worked in the 1<sup>st</sup> quarter of 2002. No extension is being requested per AIWE, with reason "NSB" (deny/no significant barriers) listed. Per AQCS, case remains open.

Recommendations/Action Steps:

- Case should be closed.

Was there a meeting with an agency representative to discuss the case review? No

Name & Title of agency representative: N/A

Other Staff present: N/A

## W-2 INTENSIVE CASE REVIEW

Case Name: [removed]

Agency: UMOS – Region 5

Case Number: [removed]

Region: Milwaukee

PIN: [removed]

Reviewer: Paul Gannaway

CARES Review Date: 2/26/02

On-site Review Date: \_\_\_\_\_

### CASE SUMMARY (Demographics, Household Composition, Employment History, Education, etc.)

- Current placement is CSJ with a placement begin date of 9/16/01. There are 24 months remaining on W2T, 5 months for CSJ and a total of 41 on the 60-month clock.
- This case consists of [name removed], a 22-year-old single mother of one child. Her child is [name removed] age 2. Also residing in the household is [name removed] mother of participant.
- Income for [name removed] seems to be W2, food stamps and medical assistance. [name removed] receives \$628.78 in SSI.
- [name removed]'s employment history is limited to Staffworks 8/21/00 to 8/25/00.
- Education includes 10 years and last attended in 1984. ANSE and WPED both match.

### BARRIERS

- WPJR indicates participant doesn't have a valid driver's license. There are no conditions affecting participation according to WPJR.
- WPAW indicate there are no reasons why the participant is unable to work.
- Case comments don't indicate any current barriers. There is no documentation on ANBR, ANDI, WPED, ANIC and ACCC which would suggest any barriers.
- WPED indicate a lack of a GED. TABE scores are below average (2.5 for reading and 2.9 for math).

## **ASSIGNED ACTIVITIES**

- Total number of weekly hours assigned are 40.
- Activities include 10 hours of Job Skills Training, 10 hours of Adult Basic Education, 10 hours of Employment Search and 10 hours of Work Experience.
- WPAW indicate the participant is interested in factory work or enviromental services.
- Participant's long-term goal is self-sufficiency - full time employment and short term goal is to earn a GED and seek full time employment.
- There are activities/steps to achieve her goal.
- It could not be determined if the participant was involved in the decision making of this case.
- WPES indicate the EP was printed.
- The EP goal appears to be consistent with the individuals work history and educational background.
- Participant doesn't have a high school diploma, however she is involved in 10 hours of adult basic education.

## **PARTICIPATION**

- WPNP indicate a total of 342 hours of non-participation which 18 hours had been good caused for the year 2001. There is no non-participation documented for this year.
- AIWS indicate last work program sanction was 9/94.
- IQAF and IQWD have no non-participation for this year.
- CMCC 8/30/01 FEP explained to participant why she was sanctioned for W-2. 2/22/01 non-participation entered for 1 month and 40 hours for employment search for participation period 1/16 to 2/15/01. 1/24/01 non-participation entered for 40 hours ES and 1 month for GE for participation period 12/16/00 to 1/15/01. 1/10/01 participant was a no show for 1/10/01 appointment.
- As of this year non-participation doesn't appear to be a problem.

## **PLANS FOR THE FUTURE (Include Information on Extensions and Time Limits)**

- CMCC 1/22/02 participant was told that the FEP would be completing an extension. Also time/clock discussed.

## **CASE MANAGEMENT ISSUES**

- WPED indicate a 10<sup>th</sup> grade education. TABE scores are below average (2.5 reading and 2.9 for math). St. Charles did an assessment on 3/31/01. Assessor's recommendations are that the participant is capable of employment with restrictions (was experiencing a high-risk pregnancy). It is stated that a medical evaluation be obtained. Also it indicates she is capable of employment but should obtain her high school diploma or GED.
- There is no documentation which would indicate that the participant and case manager have discussed other agencies which might provide services if needed.
- WPJR indicate supportive services needed are OTHR, VOCC and WWTR. WPSS indicate services last provided on 11/1/01.
- TABE scores last administered on 11/00. Another assessment should be done.

## **CARES ISSUES**

- None

## **RECOMMENDATIONS**

- Child Support pursuit.
- Administer another assessment and record the results on WPED.
- Case comments should be done on a regular basis. None have been documented for the month of February.
- Non-participation has been a problem in the past. Participation should be monitored and sanctions applied when appropriate.
- Continue to pursue a GED.

## **REQUIRED ACTIONS**

## W-2 INTENSIVE CASE REVIEW

Case Name: (Name removed) Agency: YW WORKS – Region 4  
Case Number: (Number removed) Region: Milwaukee  
PIN: (Number removed) Reviewer: Paul Gannaway  
CARES Review Date: 3/4/02 On-site Review Date: \_\_\_\_\_

### CASE SUMMARY (Demographics, Household Composition, Employment History, Education, etc.)

- The current placement is a CSJ with a placement begin date of 12/10/01. There are 24 months left on W2T, 4 months on CSJ and a total of 31 remaining on the 60-month clock.
- The case consists of (Name removed) a 45-year-old single mother of four children. The children are (Name removed) (19), (Name removed) (11), (Name removed) (17) and (Name removed) (13). All the children are fulltime students according to CARES information.
- Income for (Name removed) seems to be W2, food stamps and medical assistance. AFWI indicates \$197.80 a month unemployment compensation with a begin date of 11/5/01. Also (Name removed) is receiving a total of \$709.77 in supplemental security income. There is no child support according to CARES.
- (Name removed) employment history indicates Clean Power no begin or end date, Goldmann's Dept. Store 11/1/99 no end date, Goldmann's Dept. Store 9/2/99 no end date, Purple Heart Value Village 9/24/98 no end date, Kelly's Temps 4/12/98 to 4/15/98, McDonald's Restaurant 8/24/95 to 1/4/96, Goldmann's Dept. Store 8/24/95 to 1/4/96 and Promork 7/5/94 to 6/15/95.
- Education includes 10 years according to ANSE and WPED don't match. ANSE indicates 10 years of education and WPED 11 years.

### BARRIERS

- WPJR indicates the participant doesn't have a valid driver's license. It also states there are no conditions affecting participation.

- ANDI indicates **(Name removed)** has been established disabled. ANIC indicates incapacitation onset date is 12/5/95.

## **ASSIGNED ACTIVITIES**

- Total number of weekly hours assigned are 41.
- Activities include 5 hours of Literacy Skills, 15 hours of Job Readiness/Motivation, 20 hours of Work Experience and 1 hour of Job Skills Training.
- Participation is interested in office work or public relations.
- Long-term goal is to obtain a job in business administration and short-term goal is to get her GED.
- There are activities/steps documented which are required to achieve goals.
- It could not be determined if the participant was involved in the decision making of this case.
- WPES indicates the EP was printed.
- The participant doesn't have a high school diploma, however he is involved in 5 hours of Literacy Skills.
- The secondary goal public relations, is not consistent with the individual's work history and educational background. A position in public relations requires education beyond a high school diploma.
- WPCB and WPAS don't match. WPCB indicates 5 hours Literacy Skills, 15 hours Job Readiness/Motivation, 20 hours of Work Experience and 1 hour of Job Skills Training. WPAS indicates 30 hours of Job Skills. Both need to match.

## **PARTICIPATION**

- There was a total of 194 hours of non-participation for 2001. None recorded for the year 2002.
- WPNH, IQAF, IQWD, AIWS and AISA don't indicate any non-participation.
- 10/23/01 non-participation hours from 9/16/01, 10/15/01 for GE was 42 hours, JS 42 hours and ES was 40 hours. 9/25/01 participant was a no show, no call for her mandatory appointment on 9/20/01. Non-participation hours from 8/16/01, 9/15/01 were 54 hours for GE and 20 hours for JS.

## **PLANS FOR THE FUTURE (Include Information on Extensions and Time Limits)**

- Time/Clock discussed 1/15/02.
- 1/15/02 discussed the W2 decision to request an extension request, participant informed she had the right to apply, but there is no guarantee she will receive an extension.
- There is no documentation which would indicate that the case manager and participant have discussed plans should the placement end.

## **CASE MANAGEMENT ISSUES**

- WPED indicates 11 years of education. TABE scores are below average, which include 5.1 in reading, 4.7 in math and 2.8 in English.
- There is no documentation which indicates the case manager and participant have discussed cases which might provide services if needed.
- WPJR indicates services needed are WWTR. Services last offered 2/3/02 (WWTR).
- Total number of hours is 41 according to WPCH. This should not be over 40 hours.

## **CARES ISSUES**

- AFEI and WPEL don't match.
- AILW last updated 9/1/98. Screens need updating.
- WPEL needs updating. There is no begin or end date for Clean Power and no end dates for Goldmann's and Purple Heart Value Village.

## **RECOMMENDATIONS**

- Assist participant in obtaining child support.

## **REQUIRED ACTIONS**

- AFEI and WPEL don't match. Both screens need to be compared. Screens need updating.
- WPEL needs updating. There is no begin or end date for Clean Power. Also no end dates for Goldmann's and Purple Heart Value Village.
- ANSE indicates 10 years of education and WPED 11 years. Which is correct? Both screens need to match.
- WPCH indicates 41 hours of activities. This needs to be 40 or fewer hours.
- AILW was last updated 9/1/98. The Learnfare requirements should have been updated at the most recent opening. All Learnfare age children must meet the Learnfare requirements in order for this case to have been activated.
- AIWE is blank.
- WPAS and WPCH don't match. Screens need to be updated so they both match.

### **AGENCY ON-SITE VISIT**

**Paper Record Reviewed?** Yes \_\_\_ No x not available \_\_\_

**Comments:**

**FOLLOW UP REVIEW (Include dates of any follow-ups and summary of findings)**