

Performance Negotiation



UNDERSTANDING THE PROCESS

Authority to Negotiate



WIA of 1998 (Public Law 105-220)

- SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

- (B)(3) - Each eligible agency submitting a State plan, shall establish, levels of performance for each of the core indicators of performance...
 - The levels of performance shall:
 - (I) be expressed in an objective, quantifiable, and measurable form; and
 - (II) show the progress of the eligible agency toward continuously improving in performance.

DAEL GOALS



1. Support continuous improvement.
2. Challenge states to establish target levels that set high expectations for local programs.
3. Move states performing in the lowest quartile of performance toward the national average.

See the Ground Rules handout for more information.

Negotiation Steps



- States complete all required NRS tables by 31 Dec.
- Requests to extend reporting deadline must be submitted in writing and approved by OVAE prior to the December 31st deadline.
- Submitted tables are verified by Accountability Team and “locked” to preserve data integrity.
- MAT team members develop data sources including all worksheets and charts and send to State Director.
- State submits performance target proposals to OVAE.
- Discussions occur and an agreement is reached between State Director and Area Coordinator (AC).

Next Steps



- AC presents agreed upon targets to DAEL Director for agreement.
- Upon agreement by Director, targets are presented to the OVAE Assistant Secretary (AS) for **approval**.
- Once the AS approves performance targets, then targets are considered final and included in the State Plan.
- Approved targets are effective for the program year that starts on July 1 following the negotiation.

General Timeline



Date	Activity
Dec 31	States submit reports
Jan 30	Tables are locked by AT
Mid Feb	National Averages, Ranks, and Quartiles are developed
Feb-Apr	ACs negotiate with States
April 1	Revised State Plan for upcoming year is submitted with proposed targets included
May	Proposals presented to DAEL Director for agreement
June	Accepted Proposals Presented to AS
July 1	New grant awards go out to States finalizing targets

Three Standard Approaches for Establishing Performance Standards



1. **Individual Program Improvement:**

Past performance on the measure is the standard for future performance. This is usually used to establish individual program performance levels and recognizes individual differences in local programs. Can also be used to establish state-level performance levels. Works best at local level when there is a high variation between programs on performance levels. Harder to manage because each program could have a different standard for each measure.

2. **Relative Ranking and Averaging:**

All programs are ranked from highest to lowest on each performance measure. The average is the standard. Common method for establishing state performance standards. One drawback to this method is the standard established may be too high for low performing programs. Can also result in an unacceptable low performance, especially if majority of programs in a state are low performers.

3. **External Criteria:**

Performance levels are established without consideration of past performance to meet policy goals. This method does promote state policy on achieving long-term goals. Ignores individual differences among providers and can result in unintended consequences especially for low performing programs.

Sources Used During Negotiation



- State's NRS Tables – 3, 4, 4b, 5, and 6
Others may be used as reference during discussion
- Ranks and Quartiles charts for each Educational Functioning Level and Outcome Measure
- Historical Performance Summary
- One Page Summary
- State's Proposed Targets

Historical Worksheet



- Prepared by Area Coordinator
- Illustrates performance since 2000
- Includes Pre/Post test Rate
- Prepared for all EFLs and outcome measures

	A	B	C	D	E	F	G	
1	State: Anystate							
2	ABE Beginning Literacy							
3	Year	Target History	Actual History	Enrollment	Rank	National Average	Q	
4	2001	17%	23%	1986	34	27%	2	
5	2002	20%	35%	1342	22	29%	3	
6	2003	23%	46%	1329	13	34%	4	
7	2004	25%	40%	1107	27	38%	2	
8	2005	47%	47%	900	16	42%	3	
9	2006	40%	51%	372	11	38%	4	
10	2007	49%	57%	338	7	39%	4	
11	2008	53%	71%	299	3	42%	4	
12	2009	59%	74%	296	2	38%	4	
13	2010	72%	72%	302	3	36%	4	
14	2011	75%	69%	355	5	41%	4	
15	2012	76%						
16	2013	45%						
17								
18	Year	Assessment Instrument			Assessment Policy		Pre/Post Rate	
19	2001	TABE			G	A	W	35
20	2002	TABE			G	A	W	41
21	2003	TABE			G	A	W	44
22	2004	TABE			G	A	W	47
23	2005	TABE			G	A	W	62
24	2006	TABE			G	A	W	65
25	2008	TABE			G	A	W	67
26	2007	TABE			G	A	W	69
27	2008	TABE			G	A	W	80.9
28	2009	TABE			G	A	W	78.4
29	2010	TABE			G	A	W	79

One Page Summary



- Prepared by Area Coordinator
- Provides a comparison for Proposed Targets against actual performance and National Average
- Illustrates the impact of proposed targets on performance
- Proposed targets offered by State Director

	A	B	C	D	E	F	G	H
1	Anystate							
2	MEASURE	National Average	2010-11 PERFORMANCE	2011-12 TARGET	Proposed 2012-13 TARGET	Change from Performance	Final Agreed Upon 2012-13 TARGET	Change from Performance
3	ABE Beginning Literacy	41%	69%	76%	45%	-35%		-100%
4	ABE Beginning	44%	40%	40%	40%	0%		-100%
5	ABE Low Intermediate	45%	40%	43%	43%	7%		-100%
6	ABE High Intermediate	38%	31%	32%	34%	10%		-100%
7	ASE Low	42%	56%	52%	56%	0%		-100%
8	ESL Beginning Literacy	47%	36%	36%	40%	11%		-100%
9	ESL Low Beginning	49%	50%	42%	50%	0%		-100%
10	ESL High Beginning	52%	38%	40%	42%	11%		-100%
11	ESL Low Intermediate	48%	41%	35%	44%	7%		-100%
12	ESL High Intermediate	42%	37%	42%	40%	8%		-100%
13	ESL Advanced	24%	54%	58%	56%	4%		-100%
14	Subtotal on EFLs & SPLs	42.91%	44.73%	45.09%	44.55%	2.11%		-100.00%
15	HS Diploma/GED	60%	48%	89%	82%	71%		-100%
16	Entered Postsecondary Ed / Training	56%	44%	50%	27%	-39%		-100%
17	Entered Employment	48%	65%	56%	35%	-46%		-100%
18	Retained Employment	62%	63%	65%	29%	-54%		-100%
	Subtotal on Follow up							

Points to Consider



- The starting negotiation point is always the actual performance data from the previous year
- Identify any initiative that could have an impact on performance
- Review attendance hour patterns/intensity of instruction/student demographics.
- Be aware of any event that could impact performance

Contacts



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