



APPROVED ETLWDB CHAIR:

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**SUBJECT: DELIVERING REENTRY SERVICES TO JUSTICE-INVOLVED INDIVIDUALS**

**POLICY STATEMENT:** The East Tennessee Local Workforce Development Area shall develop and implement eligibility and enrollment policies that follow WIOA Section 3, 134(c)(3)(E) and TEGL 3-15—protocol for priority of service for WIOA Title I adult programs.

**Introduction:** Employment is widely seen by practitioners, researchers, and policymakers as crucial to successful reentry by reducing the risk of recidivism. Meaningful employment can help individuals succeed in the community after release from incarceration because it refocuses the time and effort of JII on pro-social activities. Approximately one in three adults in the U.S. has a criminal record, and men with criminal records account for about 34% of all nonworking men ages 25 to 54. Nationally, there is a total estimated loss to the economy of \$78 to \$87 billion every year as a result of people with criminal records being unemployed or underemployed. Policymakers across the political spectrum recognize the scope and importance of this issue, and employment has been identified as a key reentry issue that must be addressed to reduce recidivism and improve public safety.

**Purpose:** To provide guidance and to ensure that justice involved individuals are given the opportunity for receipt of basic and individualized career services and training services funded by WIOA Title I, II, and III programs.

**Eligible WIOA Customer:** adult, dislocated worker, and youth

**Process:** The East Tennessee Local Workforce Board, through its American Job Center service delivery network, shall utilize the State Enterprise approach to partner and to leverage resources with all applicable State agencies when developing reentry workforce development programs and activities.

**I. GUIDING PRINCIPLES OF REENTRY SERVICE DELIVERY**

**1) Team-based Case Management:** Participants will jointly develop a reentry plan with all program partners that include pre-release vocational training and AJC services during incarceration and transition. These "hand-off" services are carried out through partnerships with TDOC, probation and parole, and AJCs.

**2) Empowerment and Ownership:** Peer-to-peer learning models, entrepreneurial development, career coaching, and data informed assessments provide workforce services the tools, resources, and support for a successful reentry process driven by the JII.

**3) Targeted Job Development:** Job development must focus on employers willing to hire the formerly incarcerated and should be focused on prerelease services that will turn into post-release jobs.

**4) Work Release Programs:** During incarceration approved incarcerated individuals are allowed to return to the community to pursue gainful employment or learn new, job-specific skills while working.

**5) Established AJC Access Points:** Where available, local jails and state correction facilities- which are equipped with computers with internet access - will allow incarcerated individuals without barriers to use Jobs4TN to browse jobs, post a resume, or make informed decisions on career options by accessing labor market information.

**6) Education:** Many jails and state correction facilities have developed partnerships with WIOA Title II providers to provide on-site training and administration of the HiSET examination to those lacking a high school diploma. In the East

Tennessee Local Workforce Development Area, partnerships with Tennessee Colleges of Applied Technology (TCAT) have also provided on-site training to obtain industry-recognized certifications.

**7) Programs Carried out for Individuals with Disabilities;** including programs carried out by State agencies relating to: intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under *Section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d)*, programs funded under *Part B of Chapter 1 of Title VII of such Act (29 U.S.C. 796e et seq.)*, and activities carried out by centers for independent living, as defined in *Section 702 of such Act (29 U.S.C.796a)*.

**8) Mental Health and Substance Abuse:** 20 CFR 681.510 states that comprehensive guidance and counseling provides individualized counseling to participants. This includes drug and alcohol abuse counseling, mental health counseling, and referral to partner programs, as appropriate. When referring participants to necessary counseling that cannot be provided by the local program or its service providers, the local program must coordinate with the organization it refers to in order to ensure continuity of service. When resources exist within the local program or its service providers, it is allowable to provide counseling services directly to participants rather than refer JII to partner programs. Jail-based programs should incorporate a mental health and substance abuse component. LWDBs should partner with appropriate State agencies (Tennessee Department of Health, etc.) to supply services to JII who need assistance with mental health or substance abuse issues.

## II. SERVICE DELIVERY MODEL FOR JAIL- AND PRISON-BASED PROGRAMS

**Local Jails:** The East Tennessee Local Workforce Development Board shall support county governments to deliver reentry programs that provide services to individuals who are currently or were formerly incarcerated. Key county justice partners include the county jail staff; sheriff administrative staff; drug, veteran, juvenile, and child support courts; and the probation department. The partnership between the county justice system and the ETLWDB provides an opportunity to connect workforce development services to the justice involved population. Based on a review of best practices of existing jail based programs across the nation, the county justice system assists local workforce boards with reentry programs by providing in-reach opportunities, logistics, and coordination assistance with providing space, assigning inmates to programs, and providing resources to align and assist with on-site programs and services.

**Tennessee Department of Correction Prisons:** The East Tennessee Local Workforce Development Board shall join forces with the Tennessee Department of Correction to deliver reentry programs that provide services to individuals who are currently or formerly incarcerated. Key partners include the Tennessee Department of Corrections Commissioner, the Office of Offender Development and Rehabilitation and Office of Probation and Parole; TRICOR; the warden of the Morgan County Correction Complex (MCCX); and the Community Day Reporting Center Knoxville. The ETLWDB looks to the Department of Correction to provide identical best practices noted in the paragraph immediately above.

**Mobile AJC Units** - The One-Stop-Operator for the ETLWDA shall utilize and coordinate with the Mobile AJC units to assist in providing reentry services at jails, facilities, court houses, etc.

The reentry program design includes tiered levels of services:

### Basic Career Services:

This program is designed to provide universal job seeker services, including but not limited to:

- **Orientation:** All referred participants will receive an overview of program services;
- **Intake/Eligibility:** All participants must meet eligibility requirements, as described in *WIOA Section 134(c)(3)(AJ(i))*, and the General Program Application;
- **Assessment:** All participants are eligible to complete a work-readiness pre and post assessment;
- **Access:** To computer resource lab for job searching and resume posting, when this access is permitted;
- **Workshops:** Facilitated group services such as resume building, interview skills, mock interview, and other job readiness activities including soft skills workshops; and
- Other services as appropriate to meeting program outcomes and outputs.

### Intensive Career Services:

In addition to receiving the basic career services, intensive career services will target eligible participants before release and will provide a more individualized and intensive set of career services. Post-release services will also be coordinated with the AJC network and probation partners. AJC services to eligible participants include, but are not limited to:

- **Enrollment:** Upon determination of eligibility, eligible participants will be enrolled into intensive career services;
- **Case Management:** All participants receiving intensive career services will be assigned a case manager;
- **Individual Employment Plans (IEPs):** Participants receiving intensive career services will complete an IEP, jointly with an assigned case manager, describing desired goals from program services;
- **Referrals:** Provision of information and referrals to, including coordination of, activities with other programs and services (including those within the AJC system and other workforce development programs);
- **Employer Engagement:** On-site facility employment seminars, job fairs, and recruitments will be accessible to eligible participants;
- **Job Placement:** Participants will have targeted job placement in sustained employment;
- **Supportive Services:** Supportive services will be available to participants receiving intensive career services on an as-needed basis determined by AJC Case Manager;
- **Follow Up and Retention Services:** All participants receiving intensive career services will require quarterly follow up for one (1) year following program exit.
- **Work Release Programs:** allow a prisoner who is sufficiently trusted, or can be sufficiently monitored, to leave confinement to work at their current place of employment. Prisoners return to the facility when their shift is complete.
- **Training Programs:** Local TCATs, Community Colleges, or labor unions can be contacted to provide training services inside jails which will result in industry recognized certifications for inmates while incarcerated.

**VI. Recovery Courts:** The One Stop Operator shall coordinate appropriate AJC partners, when applicable, with Recovery Court in order to develop a multidisciplinary team of individuals serving to address the needs of nonviolent offenders who are veterans, have issues concerning substance abuse, and/or have co-occurring mental health issues.

**1) Drug Treatment Courts:**

A criminal history is often a prohibitive barrier to employment or promotion. Drug Treatment Courts offer alternative sentencing programs that provide intensive counseling to reduce both incarceration and recidivism rates by targeting local issues of concern. When applicable, the One Stop Operator, in conjunction with WIOA Title I career services provider(s), shall partner with Drug Treatment Courts to provide services that include but are not limited to:

- Case management
- Training opportunities
- Supportive services
- Referrals to appropriate local service providers

**2) Veteran Courts:**

The One Stop Operator shall not only establish partnerships with all Veterans Courts in the ETLWDA in support of the Veteran's Court mission of offering an alternative solution to traditional criminal justice punishment, but also coordinate with the Tennessee Department of Labor and Workforce Development Veterans Employment and Training Service (VETS) Office to provide

- Case management
- Training
- Assistance with the recruiting of potential employers for Veterans Treatment Court appearances

**VII. Priority of Service:**

**38 U.S.C. 4215** requires grantees to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the US Department of Labor (US DOL). The regulations implementing this priority of service can be found at **20 CFR 1010**. In circumstances where a grant recipient must choose between two qualified candidates for a service - one of whom is a veteran or eligible spouse - the veterans' priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service a veteran or spouse must meet the program's eligibility requirements. Grantees must comply with DOL guidance on veterans' priority. **38 U.S.C 4215** provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by the US DOL. See

**VIII. High School Equivalency and Technical School (Adult Education):**

The ETLWDB directs the One-Stop Operator to work with WIOA Title II management and staff to provide referrals to Adult Education staff concerning customers who lack a high school diploma or its equivalence. WIOA Title II shall maintain a presence within the area's jails and prisons to provide classes in preparation for the High School Equivalency Test (HiSET) and shall be responsible for administering the exam. The purpose of allowing incarcerated individuals to obtain the equivalent to a high school diploma is to eliminate a strong barrier to successful, long-term employment. The alignment of education and workforce development is the essence of what WIOA aims to accomplish; this credential will lead to a more stable, better trained labor force. In some instances, incarcerated individuals may also have access to instruction provided by a Tennessee College of Applied Technology (TCAT). Classes prepare incarcerated individuals to earn industry-recognized certification in a wide variety of courses including, but not limited to, computer repair and IT infrastructure, welding, and industrial maintenance. Access to higher education leads to positive life outcomes by providing the skills to obtain higher paying work in middle-skills occupations and long-term employment following release from the prison system.

#### **IX. Outreach to Out-of-School Youth:**

The increase in youth directly enrolling in higher education upon completion of high school has created a reduction in the number of eligible out-of-school (OSY) youth participants. Per **TEGL 08-15** and the TDLWD Youth Eligibility Policy, LWDB's must utilize at least seventy-five percent (75%) of their youth funds on OSY. In order to reach OSY, and simultaneously address a significant population of the justice system, the ETLWDB and its service providers shall conduct outreach activities and workforce development programs in the local county jails targeting the OSY population. Services to OSY who are incarcerated or participating in community supervision programs with TDOC may include but are not limited to:

- Tutoring, study skills, and instruction
- Leadership development opportunities
- Supportive services
- Adult mentoring (must be at least twelve [12] months) that includes:
  - Structured activities where mentors offer guidance, support, and encouragement to develop the competence and character of the mentee;
  - Follow-up services;
  - Financial literacy education;
  - Comprehensive guidance and counseling including drug and alcohol abuse, trauma counseling, etc.; and
  - Work experience (paid, unpaid, on-the-job training, and apprenticeships).

In order to support the attainment of a secondary school diploma or its recognized equivalent, or entry into post-secondary education and career readiness for participants, WIOA Title I contractors shall provide, or partner with entities that provide, services mirroring the fourteen program elements outlined in **WIOA 129(c)(2)**.

#### **X. Performance and Reporting:**

AJC staff and service providers must utilize the Jobs4TN data management system. This includes the entry of individual participant data such as eligibility determination, demographics, activities, case notes and outcomes, and follow-up data. Staff can produce a report which provides data on justice involved individuals registered on Jobs4TN, and the resulting list can be used as an outreach tool to contact justice involved individuals and offer services. Timely data entry is required and must be entered within three (3) business days after the date of any individual activity. Outcomes such as enrollment, participation, and completion will also be entered into Jobs4TN to reflect the population of justice involved individuals being served. All required Jobs4TN guidance and policies, along with information provided in Jobs4TN training sessions, shall be followed. ETLWDB staff will conduct on-going monitoring to evaluate the use of data system(s). Failure to comply with the required use will result in corrective action delineated in the ETLWDB *Sanctions and Remedies* policy. Staff providing services must have access to Jobs4TN in order to assign activities provided to participants at the on-site One-Stop.

#### **XI. Co-Enrollment:**

The One-Stop Operator shall ensure that AJC partners are making every reasonable effort to refer and co-enroll participants post-release into the workforce service delivery network. **Workforce Services Co-Enrollment Policy TN-WIOA (17-7)** standardizes the procedures for co-enrolling customers into two (2) or more WIOA programs, including

special grant funded programs. Adherence to this policy expands the resources available to assist customers in reaching their career goals. Co-enrollment will allow customers to access a wider array of services that might otherwise be unavailable.

## **XII. Additional Services:**

**1) Funds allocated to the ETLWDB for adults and dislocated workers under *WIOA Section 133(b)(2)(8)*, may be used to provide supportive services to justice involved adults and dislocated workers, which may include but are not limited to the following (**20 CFR 680.900**):**

- a) Linkages to community services;
- b) Assistance with transportation;
- c) Assistance with child care and dependent care;
- d) Assistance with housing;
- e) Needs-related payments, as described at 20 CFR 680.930, 680.940, 680.950, 680.960, and 680.970;
- f) Assistance with educational testing;
- g) Reasonable accommodations for individuals with disabilities;
- h) Legal aid services;
- i) Referrals to health care;
- j) Assistance with uniforms or other appropriate work attire and work related tools, including such items as eyeglasses and protective eye gear;
- k) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
- l) Payments and fees for employment and training-related applications, tests, and certifications.

**2) Provide follow-up services including crisis intervention, continued support, and career advancement guidance. Once a participant enters employment or is referred to another agency, AJCs should maintain a professional relationship with the participant. For example:**

- a) If a participant enrolls in community college then the public workforce system will be there to assist in finding employment after graduation.
- b) If a participant finds a suitable job then the public workforce system will be there if the participant decides to launch a career.

**3) Further collaborations with WIOA partners centered on reentry:**

- a) WOTC
- b) Federal Bonding
- c) Pre-release One-Stops

**4) Form collaborations with outside agencies in support of successful workforce development:**

- a) Tennessee Colleges of Applied Technology
- b) Tennessee Prison Outreach Ministry
- c) Child Support Noncustodial Employment Demonstration Grant ((SPED)
- d) Faith-based organizations
- e) Community-based non-profits
- f) County Governments

## **XIII. Federal Bonding and Work Opportunity Tax Credits**

*Federal Bonding* is a program offered to employers who are hesitant to hire applicants based upon involvement in the criminal justice system. The bond insures businesses against employee theft and dishonesty - up to an amount of \$5,000 - from the date of hire through the first six (6) months of employment. The Federal Bonding program is at no cost to companies and covers any employer, in any state, for any job position. *Work Opportunity Tax Credits (WOTC)* provides employers significant federal income tax credits when they hire individuals with felony and other criminal background issues. LWDBs and their operators should utilize TDLWD's online WOTC portal to assist both job seekers and employers with pre-screening eligibility and registration for WOTC.

The One-Stop Operator, in conjunction with the Business Services Team, shall ensure appropriate AJC employees and partners work to implement the Federal Bonding and Work Opportunity Tax Credits programs

**XIV. Distressed Rural Communities:**

The ETLWDB shall ensure that contractors reach out to establish partnerships with local sheriffs in the eight (8) ETLWDA counties labeled distressed and at-risk. Barriers to employment faced by rural offenders are often more challenging because, in a large part, of the unavailability of support services and the unique features of rural life. There is a significant gap in reentry services and organizational capacity for justice involved individuals in rural Tennessee.