

Required Elements for  
Submission of the Unified or  
Combined State Plan and Plan  
Modifications under the  
Workforce Innovation and  
Opportunity Act

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# Required Elements for Submission of the Unified or Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act

## Table of Contents

<b>Overview</b> .....	2
<b>State Plan Contents</b> .....	3
<b><i>I. WIOA State Plan Type</i></b> .....	5
<b><i>II. Strategic Elements</i></b> .....	6
Economic, Workforce, and Workforce Development Activities Analysis.....	6
State Strategic Vision and Goals.....	7
State Strategy.....	7
<b><i>III. Operational Planning Elements</i></b> .....	9
State Strategy Implementation.....	9
State Operating Systems and Policies.....	10
<b><i>IV. Coordination with Combined State Plan Programs</i></b> .....	13
<b><i>V. Common Assurances</i></b> .....	14
<b><i>VI. Program-Specific State Plan Requirements for Core Programs</i></b> .....	16
Adult, Dislocated Worker, and Youth Programs Activities and Assurances.....	16
Wagner-Peyser Act Program and Agricultural Outreach Plan (AOP).....	21
Adult Education and Family Literacy Program Activities and Assurances.....	24
Vocational Rehabilitation Program Activities and Assurances.....	28
Appendix 1: Performance Goals for the Core Programs.....	41
<b><i>VII. Program-Specific Requirements for Combined State Plan Partner Programs</i></b> .....	45

Note: Requirements for Combined State Plan partner programs are available in a separate supplemental document.

## **OVERVIEW**

Under the Workforce Innovation and Opportunity Act (WIOA), the Governor of each State must submit a Unified or Combined State Plan to the Secretary of the U.S. Department of Labor that outlines a four-year strategy for the State's workforce development system. The publicly-funded workforce development system is a national network of Federal, State, regional, and local agencies and organizations that provide a range of employment, education, training, and related services and supports to help all job-seekers secure good jobs while providing businesses with the skilled workers they need to compete in the global economy. States must have approved Unified or Combined State Plans in place to receive funding for core programs. WIOA reforms planning requirements, previously governed by the Workforce Investment Act of 1998 (WIA), to foster better alignment of Federal investments in job training, to integrate service delivery across programs and improve efficiency in service delivery, and to ensure that the workforce system is job-driven and matches employers with skilled individuals. One of WIOA's principal areas of reform is to require States to plan across core programs and include this planning process in the Unified or Combined State Plans. This reform promotes a shared understanding of the workforce needs within each State and fosters development of more comprehensive and integrated approaches, such as career pathways and sector strategies, for addressing the needs of businesses and workers. Successful implementation of many of these approaches called for within WIOA requires robust relationships across programs. WIOA requires States and local areas to enhance coordination and partnerships with local entities and supportive service agencies for strengthened service delivery, including through Unified or Combined State Plans.

### **Options for Submitting a State Plan**

A State has two options for submitting a State Plan— a Unified State Plan or a Combined State Plan. At a minimum, a State must submit a Unified State Plan that meets the requirements described in this document and outlines a four-year strategy for the core programs. The six core programs are—

- o the Adult program (Title I of WIOA),
- o the Dislocated Worker program (Title I),
- o the Youth program (Title I),
- o the Adult Education and Family Literacy Act program (Title II), and
- o the Wagner-Peyser Act Employment Service program (authorized under the Wagner-Peyser Act, as amended by title III),
- o the Vocational Rehabilitation program (authorized under Title I of the Rehabilitation Act of 1973, as amended by Title IV).

Alternatively, a State may submit a Combined State Plan that meets the requirements described in this document and outlines a four-year strategy for WIOA's core programs plus one or more of the Combined State Plan partner programs. When a State includes a Combined State Plan partner program in its Combined State Plan, it need not submit a separate plan or application for that particular program. If included, Combined State Plan partner programs are subject to the "common planning elements" (Sections II-IV of this document) where specified, as well as the program-specific requirements for that program where such planning requirements exist separately for the program. The Combined State Plan partner programs are—

- Career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (20 U.S.C. 2301 et seq.)
- Temporary Assistance for Needy Families program (42 U.S.C. 601 et seq.)
- Employment and Training programs under the Supplemental Nutrition Assistance Program (programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)))
- Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o))
- Trade Adjustment Assistance for Workers programs (Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.))
- Jobs for Veterans State Grants Program (programs authorized under 38, U.S.C. 4100 et seq.)
- Unemployment Insurance programs (programs authorized under State unemployment compensation laws in accordance with applicable Federal law)
- Senior Community Service Employment program (programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.))
- Employment and training activities carried out by the Department of Housing and Urban Development
- Community Services Block Grant (Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.))<sup>1</sup>
- Reintegration of Ex-Offenders program (programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532))

### **How State Plan Requirements Are Organized.**

The major content areas of the Unified or Combined State Plan include strategic and operational planning elements. WIOA separates the strategic and operational elements to facilitate cross-program strategic planning.

- The **Strategic Planning Elements** section includes analyses of the State's economic conditions, workforce characteristics, and workforce development activities. These analyses drive the required vision and goals for the State's workforce development system and alignment strategies for workforce development programs to support economic growth.
- The **Operational Planning Elements** section identifies the State's efforts to support the State's strategic vision and goals as identified in the Strategic Planning Elements section. This section ensures that the State has the necessary infrastructure, policies, and activities to meet its strategic goals, implement its alignment strategy, and support ongoing program development and coordination. Operational planning elements include:
  - State Strategy Implementation,
  - State Operating Systems and Policies,
  - Assurances,

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<sup>1</sup> States that elect to include employment and training activities carried out under the Community Services Block Grant (CSBG) Act (42 U.S.C. 9901 et seq.) under a Combined State Plan would submit all other required elements of a complete CSBG State Plan directly to the Federal agency that administers the program. Similarly, States that elect to include employment and training activities carried out by the Department of Housing and Urban Development that are included would submit all other required elements of a complete State Plan for those programs directly to the Federal agency that administers the program.

- Program-Specific Requirements for the Core Programs, and
- Program-Specific Requirements for the Combined State Plan partner programs. (These requirements are available in a separate supplemental document, *Supplement to the Workforce Innovation and Opportunity Act (WIOA) Unified and Combined State Plan Requirements*. The Departments are not seeking comments on these particular requirements).

When responding to Unified or Combined State Plan requirements, States must identify specific strategies for coordinating programs and services for target populations.<sup>2</sup> States must develop strategies that look beyond strategies for the general population and develop approaches that also address the needs of target populations.

**Paperwork Reduction Act:** The Paperwork Reduction Act of 1995 (PRA) provides that an agency may not conduct, and no person is required to respond to, a collection of information unless it displays a valid OMB control number. Public reporting burden for this information collection is estimated to be 86 hours per state; including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Responding to this collection is required to obtain or retain the Federal grant benefit. In addition, responses to this information collection are public, and the agencies offer no assurances of confidentiality. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Workforce Investment, and reference OMB control number 1205-0522. Note: Please do not return the completed plan to this address.

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<sup>2</sup> Target populations include individuals with barriers to employment, as defined in WIOA Sec. 3, as well as veterans, unemployed workers, and youth.

## **I. WIOA STATE PLAN TYPE and EXECUTIVE SUMMARY**

(a) **Unified or Combined State Plan.** Select whether the State is submitting a Unified or Combined State Plan. At a minimum, a State must submit a Unified State Plan that covers the six core programs.

- Unified State Plan.** This plan includes the Adult, Dislocated Worker, Youth, Wagner-Peyser Act, Adult Education and Family Literacy Act, and Vocational Rehabilitation programs.
- Combined State Plan.** This plan includes the Adult, Dislocated Worker, Youth, Wagner-Peyser Act, Adult Education and Family Literacy Act, and Vocational Rehabilitation programs, as well as one or more of the optional Combined State Plan partner programs identified below. Indicate which Combined State Plan partner program(s) the State is electing to include in the plan.
  - Career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (20 U.S.C. 2301 et seq.)
  - Temporary Assistance for Needy Families program (42 U.S.C. 601 et seq.)
  - Employment and Training programs under the Supplemental Nutrition Assistance Program (programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)))
  - Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o))
  - Trade Adjustment Assistance for Workers programs (activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.))
  - Jobs for Veterans State Grants program (programs authorized under 38, U.S.C. 4100 et. seq.)
  - Unemployment Insurance programs (programs authorized under State unemployment compensation laws in accordance with applicable Federal law)
  - Senior Community Service Employment program (programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.))
  - Employment and training activities carried out by the Department of Housing and Urban Development
  - Community Services Block Grant (Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.))
  - Reintegration of Ex-Offenders program<sup>3</sup> (programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532))

(b) **Plan Introduction or Executive Summary.** The Unified or Combined State Plan may include an introduction or executive summary. This element is optional. \_

<sup>3</sup> The Reentry Employment Opportunities program (REO), formerly the Reintegration of Ex-Offenders Program (RExO), is referred to by its original name (RExO) in this document. This name change is a recent decision that was not incorporated into WIOA.

## **II. STRATEGIC ELEMENTS**

The Unified or Combined State Plan must include a Strategic Planning Elements section that analyzes the State's current economic environment and identifies the State's overall vision for its workforce development system. The required elements in this section allow the State to develop data-driven goals for preparing an educated and skilled workforce and to identify successful strategies for aligning workforce development programs to support economic growth. Unless otherwise noted, all Strategic Planning Elements apply to Combined State Plan partner programs included in the plan as well as to core programs.

- (a) **Economic, Workforce, and Workforce Development Activities Analysis.** The Unified or Combined State Plan must include an analysis of the economic conditions, economic development strategies, and labor market in which the State's workforce system and programs will operate.
- (1) **Economic and Workforce Analysis**
- (A) *Economic Analysis.* The Unified or Combined State Plan must include an analysis of the economic conditions and trends in the State, including sub-State regions and any specific economic areas identified by the State. This must include—
- (i) Existing Demand Industry Sectors and Occupations. Provide an analysis of the industries and occupations for which there is existing demand.
  - (ii) Emerging Demand Industry Sectors and Occupations. Provide an analysis of the industries and occupations for which demand is emerging.
  - (iii) Employers' Employment Needs. With regard to the industry sectors and occupations identified in (A)(i) and (ii), provide an assessment of the employment needs of employers, including a description of the knowledge, skills, and abilities required, including credentials and licenses.
- (B) *Workforce Analysis.* The Unified or Combined State Plan must include an analysis of the current workforce, including individuals with barriers to employment, as defined in section 3 of WIOA<sup>4</sup>. This population must include individuals with disabilities among other groups<sup>5</sup> in the State and across regions identified by the State. This includes—
- (i) Employment and Unemployment. Provide an analysis of current employment and unemployment data, including labor force participation rates, and trends in the State.
  - (ii) Labor Market Trends. Provide an analysis of key labor market trends, including across existing industries and occupations.
  - (iii) Education and Skill Levels of the Workforce. Provide an analysis of the educational and skill levels of the workforce.
  - (iv) Skill Gaps. Describe apparent 'skill gaps'.
- (2) **Workforce Development, Education and Training Activities Analysis.** The Unified or Combined State Plan must include an analysis of the workforce development activities, including education and training in the State, to address the education and skill needs of the

<sup>4</sup> Individuals with barriers to employment include displaced homemakers; low-income individuals; Indians, Alaska Natives, and Native Hawaiians; individuals with disabilities, including youth who are individuals with disabilities; older individuals; ex-offenders; homeless individuals, or homeless children and youths; youth who are in or have aged out of the foster care system; individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers; farmworkers (as defined at section 167(i) of WIOA and Training and Employment Guidance Letter No. 35-14); individuals within 2 years of exhausting lifetime eligibility under the Temporary Assistance for Needy Families program; single parents (including single pregnant women); and long-term unemployed individuals.

<sup>5</sup> Veterans, unemployed workers, and youth, and others that the State may identify.

workforce, as identified in (a)(1)(B)(iii) above, and the employment needs of employers, as identified in (a)(1)(A)(iii) above. This must include an analysis of—

- (A) *The State's Workforce Development Activities*. Provide an analysis of the State's workforce development activities, including education and training activities of the core programs, Combined State Plan partner programs included in this plan, and required<sup>6</sup> and optional one-stop delivery system partners.<sup>7</sup>
- (B) *The Strengths and Weaknesses of Workforce Development Activities*. Provide an analysis of the strengths and weaknesses of the workforce development activities identified in (A), directly above.
- (C) *State Workforce Development Capacity*. Provide an analysis of the capacity of State entities to provide the workforce development activities identified in (A), above.

(b) **State Strategic Vision and Goals**. The Unified or Combined State Plan must include the State's strategic vision and goals for developing its workforce and meeting employer needs in order to support economic growth and economic self-sufficiency. This must include—

- (1) **Vision**. Describe the State's strategic vision for its workforce development system.
- (2) **Goals**. Describe the goals for achieving this vision based on the analysis in (a) above of the State's economic conditions, workforce, and workforce development activities. This must include—
  - (A) Goals for preparing an educated and skilled workforce, including preparing youth and individuals with barriers to employment<sup>8</sup> and other populations.<sup>9</sup>
  - (B) Goals for meeting the skilled workforce needs of employers.
- (3) **Performance Goals**. Using the table provided in Appendix 1, include the State's expected levels of performance relating to the performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A) of WIOA. (This Strategic Planning element only applies to core programs.)
- (4) **Assessment**. Describe how the State will assess the overall effectiveness of the workforce development system in the State in relation to the strategic vision and goals stated above in sections (b)(1), (2), and (3) and how it will use the results of this assessment and other feedback to make continuous or quality improvements.

(c) **State Strategy**. The Unified or Combined State Plan must include the State's strategies to achieve its strategic vision and goals. These strategies must take into account the State's economic, workforce, and workforce development, education and training activities and analysis provided in

<sup>6</sup> Required one-stop partners: In addition to the core programs, the following partner programs are required to provide access through the one-stops: Career and Technical Education (Perkins), Community Services Block Grant, Indian and Native American programs, HUD Employment and Training programs, Job Corps, Local Veterans' Employment Representatives and Disabled Veterans' Outreach Program, National Farmworker Jobs program, Senior Community Service Employment program, Temporary Assistance for Needy Families (TANF) (unless the Governor determines TANF will not be a required partner), Trade Adjustment Assistance programs, Unemployment Compensation programs, and YouthBuild.

<sup>7</sup> Workforce development activities may include a wide variety of programs and partners, including educational institutions, faith- and community-based organizations, and human services.

<sup>8</sup> Individuals with barriers to employment include displaced homemakers; low-income individuals; Indians, Alaska Natives, and Native Hawaiians; individuals with disabilities, including youth who are individuals with disabilities; older individuals; ex-offenders; homeless individuals, or homeless children and youths; youth who are in or have aged out of the foster care system; individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers; eligible migrant and seasonal farmworkers (as defined at section 167(i) of WIOA and Training and Employment Guidance Letter No. 35-14); individuals within 2 years of exhausting lifetime eligibility under the Temporary Assistance for Needy Families Program; single parents (including single pregnant women); and long-term unemployed individuals.

<sup>9</sup> Veterans, unemployed workers, and youth and any other populations identified by the State.



Section (a) above. Include discussion of specific strategies to address the needs of populations provided in Section (a).

- (1) Describe the strategies the State will implement, including industry or sector partnerships related to in-demand industry sectors and occupations and career pathways, as required by WIOA section 101(d)(3)(B), (D). “Career pathway” is defined at WIOA section 3(7) and includes registered apprenticeship. “In-demand industry sector or occupation” is defined at WIOA section 3(23).
- (2) Describe the strategies the State will use to align the core programs, any Combined State Plan partner programs included in this Plan, required and optional one-stop partner programs, and any other resources available to the State to achieve fully integrated customer services consistent with the strategic vision and goals described above. Also describe strategies to strengthen workforce development activities in regard to weaknesses identified in section II(a)(2).

### **III. OPERATIONAL PLANNING ELEMENTS**

The Unified or Combined State Plan must include an Operational Planning Elements section that supports the State's strategy and the system-wide vision described in Section II(c) above. Unless otherwise noted, all Operational Planning Elements apply to Combined State Plan partner programs included in the plan as well as to core programs. This section must include—

- (a) **State Strategy Implementation.** The Unified or Combined State Plan must include—
- (1) **State Board Functions.** Describe how the State board will implement its functions under section 101(d) of WIOA (i.e., provide a description of Board operational structures and decision making processes to ensure such functions are carried out).
  - (2) **Implementation of State Strategy.** Describe how the lead State agency with responsibility for the administration of each core program or a Combined State Plan partner program included in this plan will implement the State's Strategies identified in II(c) above. This must include a description of—
    - (A) *Core Program Activities to Implement the State's Strategy.* Describe the activities the entities carrying out the respective core programs will fund to implement the State's strategies. Also, describe how such activities will be aligned across the core programs and Combined State Plan partner programs included in this plan and among the entities administering the programs, including using co-enrollment and other strategies, as appropriate.
    - (B) *Alignment with Activities outside the Plan.* Describe how the activities identified in (A) will be aligned with programs and activities provided by required one-stop partners and other optional one-stop partners and activities provided under employment, training (including Registered Apprenticeships), education (including career and technical education), human services and other programs not covered by the plan, as appropriate, assuring coordination of, and avoiding duplication among these activities.
    - (C) *Coordination, Alignment and Provision of Services to Individuals.* Describe how the entities carrying out the respective core programs, Combined State Plan partner programs included in this plan, and required and optional one-stop partner programs will coordinate activities and resources to provide comprehensive, high-quality, customer-centered services, including supportive services (e.g. transportation), to individuals, including those populations identified in section II(a)(1)(B), and individuals in remote areas The activities described shall conform to the statutory requirements of each program.
    - (D) *Coordination, Alignment and Provision of Services to Employers.* Describe how the entities carrying out the respective core programs, any Combined State Plan partner program included in this plan, required and optional one-stop partner programs will coordinate activities and resources to provide comprehensive, high-quality services to employers to meet their current and projected workforce needs and to achieve the goals of industry or sector partners in the state. The activities described shall conform to the statutory requirements of each program.
    - (E) *Partner Engagement with Educational Institutions.* Describe how the State's Strategies will engage the State's community colleges and area career and technical

education schools, as partners in the workforce development system to create a job-driven education and training system. WIOA section 102(b)(2)(B)(iv).

- (F) *Partner Engagement with Other Education and Training Providers.* Describe how the State's Strategies will engage the State's other education and training providers, including providers on the state's eligible training provider list, as partners in the workforce development system to create a job-driven education and training system.
- (G) *Leveraging Resources to Increase Educational Access.* Describe how the State's strategies will enable the State to leverage other Federal, State, and local investments that have enhanced access to workforce development programs at the above institutions, described in section (E).
- (H) *Improving Access to Postsecondary Credentials.* Describe how the State's strategies will improve access to activities leading to recognized postsecondary credentials, including Registered Apprenticeship certificates. This includes credentials that are industry-recognized certificates, licenses or certifications, and that are portable and stackable.
- (I) *Coordinating with Economic Development Strategies.* Describe how the activities identified in (A) will be coordinated with economic development entities, strategies, and activities in the State.

(b) **State Operating Systems and Policies.** The Unified or Combined State Plan must include a description of the State operating systems and policies that will support the implementation of the State strategy described in section II **Strategic Elements**. This includes—

- (1) The State operating systems that will support the implementation of the State's strategies. This must include a description of—
  - (A) State operating systems that support coordinated implementation of State strategies (e.g., labor market information systems, data systems, communication systems, case-management systems, job banks, etc.).
  - (B) Data-collection and reporting processes used for all programs and activities, including those present in one-stop centers<sup>10</sup>.
- (2) The State policies that will support the implementation of the State's strategies (e.g., co-enrollment policies and universal intake processes where appropriate). In addition, provide the State's guidelines for State-administered one-stop partner programs' contributions to a one-stop delivery system.
- (3) **State Program and State Board Overview.**
  - (A) *State Agency Organization.* Describe the organization and delivery systems at the State and local levels for the programs covered in the plan, including the organizational structure. Include an organizational chart.
  - (B) *State Board.* Provide a description of the State Board, including-
    - (i) *Membership Roster.* Provide a membership roster for the State Board, including members' organizational affiliations.
    - (ii) *Board Activities.* Provide a description of the activities that will assist State Board members and staff in carrying out State Board functions effectively.
- (4) **Assessment and Evaluation of Programs and One-Stop Program Partners.**

<sup>10</sup> For the PY 2016 state plan, descriptions of data collection and reporting processes need only include currently known indicators.

- (A) *Assessment of Core Programs.* Describe how the core programs will be assessed each year based on State performance accountability measures described in section 116(b) of WIOA. This State assessment must include the quality, effectiveness, and improvement of programs broken down by local area or provider. Such state assessments should take into account local and regional planning goals.
  - (B) *Assessment of One-Stop Program Partner Programs.* Describe how other one-stop delivery system partner program services and Combined State Plan partner programs included in the plan will be assessed each year. Such state assessments should take into account local and regional planning goals.
  - (C) *Previous Assessment Results.* Beginning with the state plan modification in 2018 and for subsequent state plans and state plan modifications, provide the results of assessments of the effectiveness of the core programs and other one-stop partner programs and Combined State Plan partner programs included in the Unified or Combined State plan during the preceding 2-year period (i.e. the 2-year period of the plan modification cycle). Describe how the State is adapting its strategies based on these assessments.
  - (D) *Evaluation.* Describe how the State will conduct evaluations and research projects on activities under WIOA core programs; how such projects will be coordinated with, and designed in conjunction with, State and local boards and with State agencies responsible for the administration of all respective core programs; and, further, how the projects will be coordinated with the evaluations provided for by the Secretary of Labor and the Secretary of Education under WIOA.
- (5) Distribution of Funds for Core Programs. Describe the methods and factors the State will use in distributing funds under the core programs in accordance with the provisions authorizing such distributions.
- (A) *For Title I programs,* provide a description of the written policies that establish the State's methods and factors used to distribute funds to local areas for—
    - (i) Youth activities in accordance with WIOA section 128(b)(2) or (b)(3),
    - (ii) Adult and training activities in accordance with WIOA section 133(b)(2) or (b)(3),
    - (iii) Dislocated worker employment and training activities in accordance with WIOA section 133(b)(2) and based on data and weights assigned.
  - (B) *For Title II:*
    - (i) Describe how the eligible agency will award multi-year grants or contracts on a competitive basis to eligible providers in the State, including how eligible agencies will establish that eligible providers are organizations of demonstrated effectiveness.
    - (ii) Describe how the eligible agency will ensure direct and equitable access to all eligible providers to apply and compete for funds and how the eligible agency will ensure that it is using the same grant or contract announcement and application procedure for all eligible providers.
  - (C) *Vocational Rehabilitation Program:*  
In the case of a State that, under section 101(a)(2)(A)(i) of the Rehabilitation Act designates a State agency to administer the part of the Vocational Rehabilitation (VR) services portion of the Unified or Combined State Plan under which VR

services are provided for individuals who are blind, describe the process and the factors used by the State to determine the distribution of funds among the two VR agencies in the State.

(6) Program Data

- (A) *Data Alignment and Integration.* Describe the plans of the lead State agencies with responsibility for the administration of the core programs, along with the State Board, to align and integrate available workforce and education data systems for the core programs, unemployment insurance programs, and education through postsecondary education, and to the extent possible, the Combined State Plan partner programs included in this plan. The description of the State's plan for integrating data systems should include the State's goals for achieving integration and any progress to date.
- (i) Describe the State's plans to make the management information systems for the core programs interoperable to maximize the efficient exchange of common data elements to support assessment and evaluation.
  - (ii) Describe the State's plans to integrate data systems to facilitate streamlined intake and service delivery to track participation across all programs included in this plan.
  - (iii) Explain how the State board will assist the governor in aligning technology and data systems across required one-stop partner programs (including design and implementation of common intake, data collection, etc.) and how such alignment will improve service delivery to individuals, including unemployed individuals.
  - (iv) Describe the State's plans to develop and produce the reports required under section 116, performance accountability system. (WIOA section 116(d)(2)).

*Planning Note:* States should be aware that Section 116(i)(1) requires the core programs, local boards, and chief elected officials to establish and operate a fiscal and management accountability information system based on guidelines established by the Secretaries of Labor and Education. States should begin laying the groundwork for these fiscal and management accountability requirements, recognizing that adjustments to meet the elements above may provide opportunity or have impact on such a fiscal and management accountability system.

- (B) *Assessment of Participants' Post-Program Success.* Describe how lead State agencies will use the workforce development system to assess the progress of participants who are exiting from core programs in entering, persisting in, and completing postsecondary education, or entering or remaining in employment. States may choose to set additional indicators of performance.
- (C) *Use of Unemployment Insurance (UI) Wage Record Data.* Explain how the State will meet the requirements to utilize quarterly UI wage records for performance accountability, evaluations, and as a source for workforce and labor market information, consistent with Federal and State law. (This Operational Planning element applies to core programs.)
- (D) *Privacy Safeguards.* Describe the privacy safeguards incorporated in the State's workforce development system, including safeguards required by section 444 of the

General Education Provisions Act (20 U.S.C. 1232g) and other applicable Federal laws.

- (7) Priority of Service for Veterans. Describe how the State will implement and monitor the priority of service provisions for veterans in accordance with the requirements of the Jobs for Veterans Act, codified at section 4215 of 38 U.S.C., which applies to all employment and training programs funded in whole or in part by the Department of Labor. States should also describe the referral process for veterans determined to have a significant barrier to employment to receive services from the Jobs for Veterans State Grants (JVSG) program's Disabled Veterans' Outreach Program (DVOP) specialist.
- (8) Addressing the Accessibility of the One-Stop Delivery System for Individuals with Disabilities. Describe how the one-stop delivery system (including one-stop center operators and the one-stop delivery system partners), will comply with section 188 of WIOA (if applicable) and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) with regard to the physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities. This also must include a description of compliance through providing staff training and support for addressing the needs of individuals with disabilities. Describe the State's one-stop center certification policy, particularly the accessibility criteria.
- (9) Addressing the Accessibility of the One-Stop Delivery System for Individuals who are English Language Learners. Describe how the one-stop delivery system (including one-stop center operators and the one-stop delivery system partners) will ensure that each one-stop center is able to meet the needs of English language learners, such as through established procedures, staff training, resources, and other materials.

**IV. COORDINATION WITH STATE PLAN PROGRAMS.** Describe the methods used for joint planning and coordination among the core programs, and with the required one-stop partner programs and other programs and activities included in the Unified or Combined State Plan.

**V. COMMON ASSURANCES (for all core programs)**

<b>The Unified or Combined State Plan must include assurances that:</b>	
1.	The State has established a policy identifying circumstances that may present a conflict of interest for a State Board or local board member, or the entity or class of officials that the member represents, and procedures to resolve such conflicts;
2.	The State has established a policy to provide to the public (including individuals with disabilities) access to meetings of State Boards and local boards, and information regarding activities of State Boards and local boards, such as data on board membership and minutes;
3.	The lead State agencies with optimal policy-making authority and responsibility for the administration of core programs reviewed and commented on the appropriate operational planning elements of the Unified or Combined State Plan, and approved the elements as serving the needs of the populations served by such programs;
4.	<p>(a) The State obtained input into the development of the Unified or Combined State Plan and provided an opportunity for comment on the plan by representatives of local boards and chief elected officials, businesses, labor organizations, institutions of higher education, the entities responsible for planning or administering the core programs, required one-stop partners and the other Combined Plan programs (if included in the State Plan), other primary stakeholders, including other organizations that provide services to individuals with barriers to employment, and the general public, and that the Unified or Combined State Plan is available and accessible to the general public;</p> <p>(b) The State provided an opportunity for review and comment on the plan by the State Board, including State agency official(s) for the Unemployment Insurance Agency if such official(s) is a member of the State Board;</p>
5.	The State has established, in accordance with WIOA section 116(i), fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State through allotments made for the core programs to carry out workforce development activities;
6.	The State has taken appropriate action to secure compliance with uniform administrative requirements in this Act, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the uniform administrative requirements under WIOA section 184(a)(3);
7.	The State has taken the appropriate action to be in compliance with WIOA section 188, Nondiscrimination, as applicable;
8.	The Federal funds received to carry out a core program will not be expended for any purpose other than for activities authorized with respect to such funds under that core program;

9.	The State will pay an appropriate share (as defined by the State board) of the costs of carrying out section 116, from funds made available through each of the core programs;
10.	The State has a one-stop certification policy that ensures the physical and programmatic accessibility of all one-stop centers with the Americans with Disabilities Act of 1990 (ADA);
11.	Service providers have a referral process in place for directing Veterans with Significant Barriers to Employment (SBE) to DVOP services, when appropriate; and
12.	Priority of service for veterans and eligible spouses is provided in accordance with 38 USC 4215 in all workforce preparation, development or delivery of programs or services funded directly, in whole or in part, by the Department of Labor.



## **VI. PROGRAM-SPECIFIC REQUIREMENTS FOR CORE PROGRAMS**

The State must address all program-specific requirements in this section for the WIOA core programs regardless of whether the State submits either a Unified or Combined State Plan.

**Adult, Dislocated Worker, and Youth Activities under Title I-B.** The Unified or Combined State Plan must include the following with respect to activities carried out under subtitle B—

### **(a) General Requirements**

#### **(1) Regions and Local Workforce Development Areas.**

- (A) Identify the regions and the local workforce development areas designated in the State.
- (B) Describe the process used for designating local areas, including procedures for determining whether the local area met the criteria for “performed successfully” and “sustained fiscal integrity” in accordance with 106(b)(2) and (3) of WIOA. Describe the process used for identifying regions and planning regions under section 106(a) of WIOA. This must include a description of how the State consulted with the local boards and chief elected officials in identifying the regions.
- (C) Provide the appeals process referred to in section 106(b)(5) of WIOA relating to designation of local areas.
- (D) Provide the appeals process referred to in section 121(h)(2)(E) of WIOA relating to determinations for infrastructure funding.

#### **(2) Statewide Activities.**

- (A) Provide State policies or guidance for the statewide workforce development system and for use of State funds for workforce investment activities.
- (B) Describe how the State intends to use Governor’s set aside funding. Describe how the State will utilize Rapid Response funds to respond to layoffs and plant closings and coordinate services to quickly aid companies and their affected workers. States also should describe any layoff aversion strategies they have implemented to address at risk companies and workers.
- (C) In addition, describe the State policies and procedures to provide Rapid Responses in cases of natural disasters including coordination with FEMA and other entities.
- (D) Describe how the State provides early intervention (e.g., Rapid Response) to worker groups on whose behalf a Trade Adjustment Assistance (TAA) petition has been filed. (Section 134(a)(2)(A).) This description must include how the State disseminates benefit information to provide trade-affected workers in the groups identified in the TAA petitions with an accurate understanding of the provision of TAA benefits and services in such a way that they are transparent to the trade-affected dislocated worker applying for them (Trade Act Sec. 221(a)(2)(A) and Sec. 225; Governor-Secretary Agreement). Describe how the State will use funds that have been reserved for Rapid Response to provide services for every worker group that files a TAA petition.

### **(b) Adult and Dislocated Worker Program Requirements.**

- (1) **Work-Based Training Models.** If the State is utilizing work-based training models (e.g. on-the-job training, incumbent worker training, transitional jobs, and customized training) as part of its training strategy and these strategies are not already discussed in other sections of the plan, describe the State's strategies for how these models ensure high quality training for both the participant and the employer.
- (2) **Registered Apprenticeship.** Describe how the State will incorporate Registered Apprenticeship into its strategy for service design and delivery (e.g., job center staff taking applications and conducting assessments).
- (3) **Training Provider Eligibility Procedure.** Provide the procedure, eligibility criteria, and information requirements for determining training provider initial and continued eligibility, including Registered Apprenticeship programs (WIOA Section 122).
- (4) Describe how the State will implement and monitor the priority for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient in accordance with the requirements of WIOA sec. 134(c)(3)(E), which applies to individualized career services and training services funded by the Adult Formula program.
- (5) Describe the State's criteria regarding local area transfer of funds between the adult and dislocated worker programs.

**(c) Youth Program Requirements.** With respect to youth workforce investment activities authorized in section 129 of WIOA—

- (1) Identify the State-developed criteria to be used by local boards in awarding grants or contracts for youth workforce investment activities and describe how the local boards will take into consideration the ability of the providers to meet performance accountability measures based on primary indicators of performance for the youth program as described in section 116(b)(2)(A)(ii) of WIOA in awarding such grants or contracts.<sup>11</sup>
- (2) Describe the strategies the State will use to achieve improved outcomes for out-of-school youth as described in 129(a)(1)(B), including how it will leverage and align the core programs, any Combined State Plan partner programs included in this Plan, required and optional one-stop partner programs, and any other resources available.
- (3) Describe how the state will ensure that all 14 program elements described in WIOA section 129(c)(2) are made available and effectively implemented, including quality pre-apprenticeship programs under the work experience program element.<sup>12</sup>
- (4) Provide the language contained in the State policy for “requiring additional assistance to enter or complete an educational program, or to secure and hold employment” criterion for out-of-school youth specified in WIOA section 129(a)(1)(B)(iii)(VIII) and for “requiring additional assistance to complete an education program, or to secure and hold employment” criterion for in-school youth specified in WIOA section 129(a)(1)(C)(iv)(VII). If the state does not have a policy, describe how the state will ensure that local areas will have a policy for these criteria.
- (5) Include the State definition, as defined in law, for not attending school and attending school as specified in WIOA Section 129(a)(1)(B)(i) and Section 129(a)(1)(C)(i). If State law does not define “not attending school” or “attending school,” indicate that is the case and provide the state policy for determining whether a youth is attending or not attending school.

<sup>11</sup> Sec. 102(b)(2)(D)(i)(V)

<sup>12</sup> Sec. 102(b)(2)(D)(i)(I)

- (6) If using the basic skills deficient definition contained in WIOA Section 3(5)(B), include the State definition which must further define how to determine if an individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. If not using the portion of the definition contained in WIOA Section 3(5)(B), indicate that is the case.

**(d) Single-area State requirements.** In States where there is only one local workforce investment area, the governor serves as both the State and local chief elected official. In such cases, the State must submit any information required in the local plan (WIOA section 106(d)(2)). States with a single workforce area must include—

- (1) Any comments from the public comment period that represent disagreement with the Plan. (WIOA section 108(d)(3).)
- (2) The entity responsible for the disbursement of grant funds, as determined by the governor, if different from that for the State. (WIOA section 108(b)(15).)
- (3) A description of the type and availability of WIOA title I Youth activities and successful models, including for youth with disabilities. (WIOA section 108(b)(9).)
- (4) A description of the roles and resource contributions of the one-stop partners.
- (5) The competitive process used to award the subgrants and contracts for title I activities.
- (6) How training services outlined in section 134 will be provided through individual training accounts and/or through contracts, and how such training approaches will be coordinated. Describe how the State will meet informed customer choice requirements regardless of training approach.
- (7) How the State Board, in fulfilling Local Board functions, will coordinate title I activities with those activities under title II. Describe how the State Board will carry out the review of local applications submitted under title II consistent with WIOA secs. 107(d)(11)(A) and (B)(i) and WIOA sec. 232.
- (8) Copies of executed cooperative agreements which define how all local service providers will carry out the requirements for integration of and access to the entire set of services available in the one-stop delivery system, including cooperative agreements with entities administering Rehabilitation Act programs and services.

**(e) Waiver Requests (optional).** States wanting to request waivers as part of their title I-B Operational Plan must include a waiver plan that includes the following information for each waiver requested:

- (1) Identifies the statutory or regulatory requirements for which a waiver is requested and the goals that the State or local area, as appropriate, intends to achieve as a result of the waiver and how those goals relate to the Unified or Combined State Plan;
- (2) Describes the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers;
- (3) Describes the goals of the waiver and the expected programmatic outcomes if the request is granted;
- (4) Describes how the waiver will align with the Department's policy priorities, such as:
  - (A) supporting employer engagement;
  - (B) connecting education and training strategies;
  - (C) supporting work-based learning;
  - (D) improving job and career results, and

- (E) other guidance issued by the Department.
- (5) Describes the individuals affected by the waiver, including how the waiver will impact services for disadvantaged populations or individuals with multiple barriers to employment; and
- (6) Describes the processes used to:
  - (A) Monitor the progress in implementing the waiver;
  - (B) Provide notice to any local board affected by the waiver;
  - (C) Provide any local board affected by the waiver an opportunity to comment on the request;
  - (D) Ensure meaningful public comment, including comment by business and organized labor, on the waiver.
  - (E) Collect and report information about waiver outcomes in the State’s WIOA Annual Report.
- (7) The Secretary may require that States provide the most recent data available about the outcomes of the existing waiver in cases where the State seeks renewal of a previously approved waiver.

**TITLE I-B ASSURANCES**

<b>The State Plan must include assurances that:</b>	
1.	The State has implemented a policy to ensure Adult program funds provide a priority in the delivery of training services and individualized career services to individuals who are low income, public assistance recipients and basic skills deficient;
2.	The State has implemented a policy to ensure local areas have a process in place for referring veterans with significant barriers to employment to career services provided by the JVSG program’s Disabled Veterans’ Outreach Program (DVOP) specialist;
3.	The State has established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members;
4.	The State established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years in accordance with WIOA section 107(c)(2);
5.	Where an alternative entity takes the place of a State Board, the State has written policy and procedures to ensure the alternative entity meets the definition under WIOA section 101(e) and the legal requirements for membership;
6.	The State established a written policy and procedure for how the individuals and entities represented on the State Workforce Development Board help to

	determine the methods and factors of distribution, and how the State consults with chief elected officials in local areas throughout the State in determining the distributions;
7.	The State will not use funds received under WIOA Title I to assist, promote, or deter union organizing in accordance with WIOA section 181(b)(7);
8.	The State distributes adult and youth funds received under WIOA equitably throughout the State, and no local area suffers significant shifts in funding from year-to-year during the period covered by this plan;
9.	If a State Workforce Development Board, department, or agency administers State laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services, Adult and Dislocated Worker programs and Youth Programs under Title I;
10.	The State agrees to report on the impact and outcomes of its approved waivers in its WIOA Annual Report.
11.	The State has taken appropriate action to secure compliance with the Uniform Guidance at 2 CFR 200 and 2 CFR 2900, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the Uniform Guidance under section WIOA 184(a)(3);

**WAGNER-PEYSER ACT PROGRAM (Employment Services)****(a) Employment Service Professional Staff Development.**

- (1) Describe how the State will utilize professional development activities for Employment Service staff to ensure staff is able to provide high quality services to both jobseekers and employers.
- (2) Describe strategies developed to support training and awareness across core programs and the Unemployment Insurance (UI) program and the training provided for Employment Services and WIOA staff on identification of UI eligibility issues and referral to UI staff for adjudication.

**(b) Explain how the State will provide information and meaningful assistance to individuals requesting assistance in filing a claim for unemployment compensation through one-stop centers, as required by WIOA as a career service.****(c) Describe the State's strategy for providing reemployment assistance to UI claimants and other unemployed individuals.****(d) Describe how the State will use W-P funds to support UI claimants, and the communication between W-P and UI, as appropriate including the following:**

- (1) Coordination of and provision of labor exchange services for UI claimants as required by the Wagner-Peyser Act;
- (2) Registration of UI claimants with the State's employment service if required by State law;
- (3) Administration of the work test for the State unemployment compensation system, including making eligibility assessments (for referral to UI adjudication, if needed), and providing job finding and placement services for UI claimants; and
- (4) Provision of referrals to and application assistance for training and education programs and resources.

**(1) Agricultural Outreach Plan (AOP).** Each State agency must develop an AOP every four years as part of the Unified or Combined State Plan required under sections 102 or 103 of WIOA. The AOP must include—Assessment of Need. Provide an assessment of the unique needs of farmworkers in the area based on past and projected agricultural and farmworker activity in the State. Such needs may include but are not limited to: employment, training, and housing.

- (A) An assessment of the agricultural activity in the State means: 1) identifying the top five labor-intensive crops, the months of heavy activity, and the geographic area of prime activity; 2) Summarize the agricultural employers' needs in the State (i.e. are they predominantly hiring local or foreign workers, are they expressing that there is a scarcity in the agricultural workforce); and 3) Identifying any economic, natural, or other factors that are affecting agriculture in the State or any projected factors that will affect agriculture in the State.
- (B) An assessment of the unique needs of farmworkers means summarizing Migrant and Seasonal Farm Worker (MSFW) characteristics (including if they are predominantly from certain countries, what language(s) they speak, the approximate number of MSFWs in the State during peak season and during low season, and whether they tend to be migrant, seasonal, or year-round farmworkers). This information must take into account data supplied by WIOA Section 167 National Farmworker Jobs Program

(NFJP) grantees, other MSFW organizations, employer organizations, and State and/or Federal agency data sources such as the U.S. Department of Agriculture and the U.S. Department of Labor (DOL) Employment and Training Administration.

- (2) Outreach Activities. The local offices outreach activities must be designed to meet the needs of MSFWs in the State and to locate and contact MSFWs who are not being reached through normal intake activities. Describe the State agency's proposed strategies for:
- (A) Contacting farmworkers who are not being reached by the normal intake activities conducted by the employment service offices.
  - (B) Providing technical assistance to outreach workers. Technical assistance must include trainings, conferences, additional resources, and increased collaboration with other organizations on topics such as one-stop center services (i.e. availability of referrals to training, supportive services, and career services, as well as specific employment opportunities), the employment service complaint system, information on the other organizations serving MSFWs in the area, and a basic summary of farmworker rights, including their rights with respect to the terms and conditions of employment.
  - (C) Increasing outreach worker training and awareness across core programs including the Unemployment Insurance (UI) program and the training on identification of UI eligibility issues.
  - (D) Providing State merit staff outreach workers professional development activities to ensure they are able to provide high quality services to both jobseekers and employers.
  - (E) Coordinating outreach efforts with NFJP grantees as well as with public and private community service agencies and MSFW groups.
- (3) Services provided to farmworkers and agricultural employers through the one-stop delivery system. Describe the State agency's proposed strategies for:
- (A) Providing the full range of employment and training services to the agricultural community, both farmworkers and agricultural employers, through the one-stop delivery system. This includes:
    - i. How career and training services required under WIOA Title I will be provided to MSFWs through the one-stop centers;
    - ii. How the State serves agricultural employers and how it intends to improve such services.
  - (B) Marketing the employment service complaint system to farmworkers and other farmworker advocacy groups.
  - (C) Marketing the Agricultural Recruitment System to agricultural employers and how it intends to improve such publicity.
- (4) Other Requirements.
- (A) *Collaboration*. Describe any collaborative agreements the state workforce agency (SWA) has with other MSFW service providers including NFJP grantees and other service providers. Describe how the SWA intends to build upon/increase collaboration with existing partners and in establishing new partners over the next four years (including any approximate timelines for establishing agreements or building upon existing agreements).

- (B) *Review and Public Comment.* In developing the AOP, the SWA must solicit information and suggestions from NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. In addition, at least 45 calendar days before submitting its final AOP, the SWA must provide a proposed plan to NFJP grantees, public agencies, agricultural employer organizations, and other organizations expressing an interest and allow at least 30 days for review and comment. The SWA must: 1) Consider any comments received in formulating its final proposed AOP; 2) Inform all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore; and 3) Transmit the comments and recommendations received and its responses with the submission of the AOP.
  - i. The AOP must include a statement confirming NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations and other interested employer organizations have been given an opportunity to comment on the AOP. Include the list of organizations from which information and suggestions were solicited, any comments received, and responses to those comments.
- (C) *Data Assessment.* Review the previous four years Wagner-Peyser data reports on performance. Note whether the State has been meeting its goals to provide MSFWs quantitatively proportionate services as compared to non-MSFWs. If it has not met these goals, explain why the State believes such goals were not met and how the State intends to improve its provision of services in order to meet such goals.
- (D) *Assessment of progress.* The plan must include an explanation of what was achieved based on the previous AOP, what was not achieved and an explanation as to why the State believes the goals were not achieved, and how the State intends to remedy the gaps of achievement in the coming year.
- (E) *State Monitor Advocate.* The plan must contain a statement confirming the State Monitor Advocate has reviewed and approved the AOP.

**WAGNER-PEYSER ASSURANCES**

<b>The State Plan must include assurances that:</b>	
1.	The Wagner-Peyser Employment Service is co-located with one-stop centers or a plan and timeline has been developed to comply with this requirement within a reasonable amount of time. (sec 121(e)(3));
2.	The State agency is complying with the requirements under 20 CFR 653.111 (State agency staffing requirements) if the State has significant MSFW one-stop centers;
3.	If a State Workforce Development Board, department, or agency administers State laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services, Adult and Dislocated Worker programs and Youth Programs under Title I; and



4.	State agency merit-based public employees provide Wagner-Peyser Act-funded labor exchange activities in accordance with Department of Labor regulations.

## **ADULT EDUCATION AND FAMILY LITERACY ACT PROGRAM**

The Unified or Combined State Plan must include a description of the following as it pertains to adult education and literacy programs and activities under title II of WIOA, the Adult Education and Family Literacy Act (AEFLA).

- (a) **Aligning of Content Standards**. Describe how the eligible agency will align its content standards for adult education with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6311(b)(1)).
- (b) **Local Activities**. Describe how the State will, using the considerations specified in section 231(e) of WIOA, fund each eligible provider to establish or operate programs that provide any of the following adult education and literacy activities identified in section 203 of WIOA, including programs that provide such activities concurrently. The Unified or Combined State Plan must include at a minimum the scope, content, and organization of these local activities.

### **Adult Education and Literacy Activities (Section 203 of WIOA)**

Adult education;

Literacy;

Workplace adult education and literacy activities;

Family literacy activities;

English language acquisition activities;

Integrated English literacy and civics education;

Workforce preparation activities; or

Integrated education and training that—

1. Provides adult education and literacy activities, concurrently and contextually with both, workforce preparation activities, and workforce training for a specific occupation or occupational cluster, and
2. Is for the purpose of educational and career advancement.

**Special Rule.** Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this title for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are under the age of 16 and are enrolled or required to be enrolled in secondary school under State law, except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy activities. In providing family literacy activities under this title, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this title prior to using funds for adult education and literacy activities under this title for activities other than activities for eligible individuals.

- (c) **Corrections Education and other Education of Institutionalized Individuals**. Describe how the State will establish and operate programs under section 225 of WIOA for corrections education and education of other institutionalized individuals, including how it will fund, in accordance with the requirements of title II subtitle C, any of the following academic programs for:
- Adult education and literacy activities;

- Special education, as determined by the eligible agency;
- Secondary school credit;
- Integrated education and training;
- Career pathways;
- Concurrent enrollment;
- Peer tutoring; and
- Transition to re-entry initiatives and other post release services with the goal of reducing recidivism.

Each eligible agency using funds provided under Programs for Corrections Education and Other Institutionalized Individuals to carry out a program for criminal offenders within a correctional institution must give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

- (d) **Integrated English Literacy and Civics Education Program**. Describe how the State will establish and operate Integrated English Literacy and Civics Education programs under Section 243 of WIOA, for English language learners who are adults, including professionals with degrees and credentials in their native countries, including how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be delivered in combination with integrated education and training activities.

Describe how the State will fund, in accordance with the requirements of title II, subtitle C, an Integrated English Literacy and Civics Education program and how the funds will be used for the program.

Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be designed to prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency.

Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be designed to integrate with the local workforce development system and its functions to carry out the activities of the program.

- (e) **State Leadership**. Describe how the State will use the funds to carry out the required State Leadership activities under section 223 of WIOA.

Describe how the State will use the funds to carry out permissible State Leadership Activities under section 223 of WIOA, if applicable.

- (e) **Assessing Quality**. Describe how the eligible agency will assess the quality of providers of adult education and literacy activities under title II and take actions to improve such quality, including providing the activities described in section 223(a)(1)(B) of WIOA.

**ADULT EDUCATION AND FAMILY LITERACY ACT PROGRAM CERTIFICATIONS AND ASSURANCES**

**States must provide written and signed certifications that:**

1.	The plan is submitted by the State agency that is eligible to submit the plan;
2.	The State agency has authority under State law to perform the functions of the State under the program;
3.	The State legally may carry out each provision of the plan;
4.	All provisions of the plan are consistent with State law;
5.	A State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan;
6.	The State officer who is submitting the plan, specified by the title in the certification, has authority to submit the plan;
7.	The agency that is submitting the plan has adopted or otherwise formally approved the plan; and
8.	The plan is the basis for State operation and administration of the program;

**The State Plan must include assurances that:**

1.	The eligible agency will expend funds appropriated to carry out title II of the Workforce Innovation and Opportunity Act (WIOA) only in a manner consistent with fiscal requirements under section 241(a) of WIOA (regarding the supplement-not-supplant requirement);
2.	The eligible agency will ensure that there is at least one eligible provider serving each local area, as defined in section 3(32) of WIOA;
3.	The eligible agency will not use any funds made available under title II of WIOA for the purpose of supporting or providing programs, services, or activities for individuals who are not “eligible individuals” within the meaning of section 203(4) of WIOA, unless it is providing programs, services or activities related to family literacy activities, as defined in section 203(9) of WIOA;
4.	Using funds made available under title II of WIOA to carry out a program for criminal offenders within a correctional institution, the eligible agency will give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program.
5.	The eligible agency agrees that in expending funds made available under Title II of WIOA, the eligible agency will comply with sections 8301 through 8303 of the Buy American Act (41 U.S.C. 8301-8303).

## Section 427 of the General Education Provisions Act (GEPA)

*Instructions: In the text box below, describe the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs provide the information to meet the requirements of Section 427 of the General Education Provisions Act (GEPA), consistent with the following instructions.*

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OMB Control No. 1894-0005 (Exp. 04/30/2020)

### NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about the following provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

#### To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

#### What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

#### What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

OMB Control Number 1205-0522

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

(4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

#### **Estimated Burden Statement for GEPA Requirements**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) and reference the OMB Control Number 1894-0005.

1. [SF424B - Assurances – Non-Construction Programs](http://www2.ed.gov/fund/grant/apply/appforms/appforms.html)  
(<http://www2.ed.gov/fund/grant/apply/appforms/appforms.html>)
2. [Grants.gov - Certification Regarding Lobbying](http://www2.ed.gov/fund/grant/apply/appforms/appforms.html)  
(<http://www2.ed.gov/fund/grant/apply/appforms/appforms.html>)
3. [SF LLL Form – Disclosure of Lobbying Activities \(required, only if applicable\)](http://www2.ed.gov/fund/grant/apply/appforms/appforms.html)  
(<http://www2.ed.gov/fund/grant/apply/appforms/appforms.html>)

## VOCATIONAL REHABILITATION

The Vocational Rehabilitation (VR) Services Portion of the Unified or Combined State Plan <sup>13</sup> must include the following descriptions and estimates, as required by section 101(a) of the Rehabilitation Act of 1973, as amended by title IV of WIOA:

- (a) **Input of State Rehabilitation Council.** All agencies, except for those that are independent consumer-controlled commissions, must describe the following:
- (1) input provided by the State Rehabilitation Council, including input and recommendations on the VR services portion of the Unified or Combined State Plan, recommendations from the Council's report, the review and analysis of consumer satisfaction, and other Council reports that may have been developed as part of the Council's functions;
  - (2) the Designated State unit's response to the Council's input and recommendations; and
  - (3) the designated State unit's explanations for rejecting any of the Council's input or recommendations.
- (b) **Request for Waiver of Statewideness.** When requesting a waiver of the statewideness requirement, the designated State unit must identify the types of services to be provided by the program on a non-statewide basis. The waiver request must also include written assurances that:
- (1) a local public agency will provide the non-Federal share of costs associated with the services to be provided in accordance with the waiver request;
  - (2) the designated State unit will approve each proposed service before it is put into effect; and
  - (3) requirements of the VR services portion of the Unified or Combined State Plan will apply to the services approved under the waiver.
- (c) **Cooperative Agreements with Agencies Not Carrying Out Activities Under the Statewide Workforce Development System.** Describe interagency cooperation with and utilization of the services and facilities of agencies and programs that are not carrying out activities through the statewide workforce development system with respect to:
- (1) Federal, State, and local agencies and programs;
  - (2) State programs carried out under section 4 of the Assistive Technology Act of 1998;
  - (3) Programs carried out by the Under Secretary for Rural Development of the Department of Agriculture;
  - (4) Non-educational agencies serving out-of-school youth; and
  - (5) State use contracting programs.
- (d) **Coordination with Education Officials.** Describe:
- (1) The designated State unit's plans, policies, and procedures for coordination with education officials to facilitate the transition of students with disabilities from school to the receipt of VR services, including pre-employment transition services, as well as procedures for the timely development and approval of individualized plans for employment for the students.
  - (2) Information on the formal interagency agreement with the State educational agency with respect to:

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<sup>13</sup> Sec. 102(b)(2)(D)(iii) of WIOA

- (A) consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including VR services;
  - (B) transition planning by personnel of the designated State agency and educational agency that facilitates the development and implementation of their individualized education programs;
  - (C) roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services;
  - (D) procedures for outreach to and identification of students with disabilities who need transition services.
- (e) **Cooperative Agreements with Private Nonprofit Organizations.** Describe the manner in which the designated State agency establishes cooperative agreements with private non-profit VR service providers.
- (f) **Arrangements and Cooperative Agreements for the Provision of Supported Employment Services.** Describe the designated State agency's efforts to identify and make arrangements, including entering into cooperative agreements, with other State agencies and other appropriate entities in order to provide supported employment services and extended employment services, as applicable, to individuals with the most significant disabilities, including youth with the most significant disabilities.
- (g) **Coordination with Employers.** Describe how the designated State unit will work with employers to identify competitive integrated employment and career exploration opportunities in order to facilitate the provision of:
- (1) VR services; and
  - (2) transition services, including pre-employment transition services, for students and youth with disabilities.
- (h) **Interagency Cooperation.** Describe how the designated State unit will collaborate with the State agency responsible for administering each of the following programs to develop opportunities for competitive integrated employment, to the greatest extent practicable:
- (1) the State Medicaid plan under title XIX of the Social Security Act;
  - (2) the State agency responsible for providing services for individuals with developmental disabilities; and
  - (3) the State agency responsible for providing mental health services.
- (i) **Comprehensive System of Personnel Development; Data System on Personnel and Personnel Development.** Describe the designated State agency's procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified State rehabilitation professional and paraprofessional personnel for the designated State unit, including the following:
- (1) **Data System on Personnel and Personnel Development**



- (A) **Qualified Personnel Needs.** Describe the development and maintenance of a system for collecting and analyzing on an annual basis data on qualified personnel needs with respect to:
- (i) the number of personnel who are employed by the State agency in the provision of VR services in relation to the number of individuals served, broken down by personnel category;
  - (ii) the number of personnel currently needed by the State agency to provide VR services, broken down by personnel category; and
  - (iii) projections of the number of personnel, broken down by personnel category, who will be needed by the State agency to provide VR services in 5 years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.
- (B) **Personnel Development.** Describe the development and maintenance of a system for collecting and analyzing on an annual basis data on personnel development with respect to:
- (i) a list of the institutions of higher education in the State that are preparing VR professionals, by type of program;
  - (ii) the number of students enrolled at each of those institutions, broken down by type of program; and
  - (iii) the number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.
- (2) **Plan for Recruitment, Preparation and Retention of Qualified Personnel.** Describe the development and implementation of a plan to address the current and projected needs for qualified personnel including, the coordination and facilitation of efforts between the designated State unit and institutions of higher education and professional associations to recruit, prepare, and retain personnel who are qualified, including personnel from minority backgrounds and personnel who are individuals with disabilities.
- (3) **Personnel Standards.** Describe the State agency's policies and procedures for the establishment and maintenance of personnel standards consistent with section 101(a)(7)(B) and to ensure that designated State unit professional and paraprofessional personnel are adequately trained and prepared, including:
- (A) standards that are consistent with any national or State-approved or -recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which such personnel are providing VR services; and
  - (B) the establishment and maintenance of education and experience requirements, in accordance with section 101(a)(7)(B)(ii) of the Rehabilitation Act, to ensure that the personnel have a 21st century understanding of the evolving labor force and the needs of individuals with disabilities.
- (4) **Staff Development.** Describe the State agency's policies, procedures, and activities to ensure that, consistent with section 101(a)(7)(C) of the Rehabilitation Act, all personnel employed by the designated State unit receive appropriate and adequate training in terms of:

- (A) a system of staff development for professionals and paraprofessionals within the designated State unit, particularly with respect to assessment, vocational counseling, job placement, and rehabilitation technology, including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998; and
- (B) procedures for the acquisition and dissemination of significant knowledge from research and other sources to designated State unit professionals and paraprofessionals.

- (5) Personnel to Address Individual Communication Needs. Describe how the designated State unit has personnel or obtains the services of other individuals who are able to communicate in appropriate modes of communication with or in the native language of applicants or eligible individuals who have limited English speaking ability.
- (6) Coordination of Personnel Development Under the Individuals with Disabilities Education Act. As appropriate, describe the procedures and activities to coordinate the designated State unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

(j) **Statewide Assessment.**

- (1) Provide an assessment of the rehabilitation needs of individuals with disabilities residing within the State, particularly the VR services needs of those:
  - (A) with the most significant disabilities, including their need for supported employment services;
  - (B) who are minorities;
  - (C) who have been unserved or underserved by the VR program;
  - (D) who have been served through other components of the statewide workforce development system; and
  - (E) who are youth with disabilities and students with disabilities, including, as appropriate, their need for pre-employment transition services or other transition services.
- (2) Identify the need to establish, develop, or improve community rehabilitation programs within the State; and
- (3) Include an assessment of the needs of individuals with disabilities for transition career services and pre-employment transition services, and the extent to which such services are coordinated with transition services provided under the Individuals with Disabilities Education Act .

(k) **Annual Estimates.** Describe:

- (1) The number of individuals in the State who are eligible for services.
- (2) The number of eligible individuals who will receive services under:
  - (A) The VR Program;
  - (B) The Supported Employment Program; and
  - (C) each priority category, if under an order of selection.
- (3) The number of individuals who are eligible for VR services, but are not receiving such services due to an order of selection; and

(4) The cost of services for the number of individuals estimated to be eligible for services. If under an order of selection, identify the cost of services for each priority category.

(l) **State Goals and Priorities.** The designated State unit must:

- (1) Identify if the goals and priorities were jointly developed and agreed to by the State VR agency and the State Rehabilitation Council, if the State has a Council, and jointly agreed to any revisions.
- (2) Identify the goals and priorities in carrying out the VR and Supported Employment programs.
- (3) Ensure that the goals and priorities are based on an analysis of the following areas:
  - (A) the most recent comprehensive statewide assessment, including any updates;
  - (B) the State's performance under the performance accountability measures of section 116 of WIOA; and
  - (C) other available information on the operation and effectiveness of the VR program, including any reports received from the State Rehabilitation Council and findings and recommendations from monitoring activities conducted under section 107.

(m) **Order of Selection.** Describe:

- (1) Whether the designated State unit will implement and order of selection. If so, describe:
  - (A) The order to be followed in selecting eligible individuals to be provided VR services.
  - (B) The justification for the order.
  - (C) The service and outcome goals.
  - (D) The time within which these goals may be achieved for individuals in each priority category within the order.; and
  - (E) How individuals with the most significant disabilities are selected for services before all other individuals with disabilities.
- (2) If the designated State unit has elected to serve eligible individuals, regardless of any established order of selection, who require specific services or equipment to maintain employment.

(n) **Goals and Plans for Distribution of title VI Funds.**

- (1) Specify the State's goals and priorities for funds received under section 603 of the Rehabilitation Act for the provision of supported employment services.
- (2) Describe the activities to be conducted, with funds reserved pursuant to section 603(d), for youth with the most significant disabilities, including :
  - (A) the provision of extended services for a period not to exceed 4 years; and
  - (B) how the State will leverage other public and private funds to increase resources for extended services and expanded supported employment opportunities for youth with the most significant disabilities.

(o) **State's Strategies.** Describe the required strategies and how the agency will use these strategies to achieve its goals and priorities, support innovation and expansion activities, and overcome any barriers to accessing the VR and the Supported Employment programs (See sections 101(a)(15)(D) and (18)(B) of the Rehabilitation Act and section 427 of the General Education Provisions Act (GEPA)):

- (1) The methods to be used to expand and improve services to individuals with disabilities.

- (2) How a broad range of assistive technology services and devices will be provided to individuals with disabilities at each stage of the rehabilitation process and on a statewide basis.
- (3) The outreach procedures that will be used to identify and serve individuals with disabilities who are minorities, including those with the most significant disabilities, as well as those who have been unserved or underserved by the VR program.
- (4) The methods to be used to improve and expand VR services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from school to postsecondary life (including the receipt of VR services, postsecondary education, employment, and pre-employment transition services).
- (5) If applicable, plans for establishing, developing, or improving community rehabilitation programs within the State.
- (6) Strategies to improve the performance of the State with respect to the performance accountability measures under section 116 of WIOA.
- (7) Strategies for assisting other components of the statewide workforce development system in assisting individuals with disabilities.
- (8) How the agency's strategies will be used to:
  - (A) achieve goals and priorities by the State, consistent with the comprehensive needs assessment;
  - (B) support innovation and expansion activities; and
  - (C) overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the State VR Services Program and the State Supported Employment Services Program.

(p) **Evaluation and Reports of Progress: VR and Supported Employment Goals.** Describe:

- (1) An evaluation of the extent to which the VR program goals described in the approved VR services portion of the Unified or Combined State Plan for the most recently completed program year were achieved. The evaluation must:
  - (A) Identify the strategies that contributed to the achievement of the goals.
  - (B) Describe the factors that impeded the achievement of the goals and priorities.
- (2) An evaluation of the extent to which the Supported Employment program goals described in the Supported Employment Supplement for the most recent program year were achieved. The evaluation must:
  - (A) Identify the strategies that contributed to the achievement of the goals.
  - (B) Describe the factors that impeded the achievement of the goals and priorities.
- (3) The VR program's performance on the performance accountability indicators under section 116 of WIOA.
- (4) How the funds reserved for innovation and expansion (I&E) activities were utilized.

(q) **Quality, Scope, and Extent of Supported Employment Services.** Include the following:

- (1) The quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities, including youth with the most significant disabilities.
- (2) The timing of transition to extended services.



**VOCATIONAL REHABILITATION CERTIFICATIONS AND ASSURANCES**

**CERTIFICATIONS**

<b>States must provide written and signed certifications that:</b>	
1.	The (enter the name of designated State agency or designated State unit, as appropriate,) is authorized to submit the VR services portion of the Unified or Combined State Plan under title I of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended by WIOA, <sup>14</sup> and its supplement under title VI of the Rehabilitation Act <sup>15</sup> ;
2.	As a condition for the receipt of Federal funds under title I of the Rehabilitation Act for the provision of VR services, the (enter the name of designated State agency) <sup>16</sup> agrees to operate and administer the State VR Services Program in accordance with the VR services portion of the Unified or Combined State Plan <sup>17</sup> , the Rehabilitation Act, and all applicable regulations <sup>18</sup> , policies, and procedures established by the Secretary of Education. Funds made available under section 111 of the Rehabilitation Act are used solely for the provision of VR services and the administration of the VR services portion of the Unified or Combined State Plan;
3.	As a condition for the receipt of Federal funds under title VI of the Rehabilitation Act for supported employment services, the designated State agency agrees to operate and administer the State Supported Employment Services Program in accordance with the supplement to the VR services portion of the Unified or Combined State Plan <sup>19</sup> , the Rehabilitation Act, and all applicable regulations <sup>20</sup> , policies, and procedures established by the Secretary of Education. Funds made available under title VI are used solely for the provision of supported employment services and the administration of the supplement to the VR services portion of the Unified or Combined State Plan;
4.	The designated State agency and/or the designated State unit has the authority under State law to perform the functions of the State regarding the VR services portion of the Unified or Combined State Plan and its supplement;
5.	The State legally may carry out each provision of the VR services portion of the Unified or Combined State Plan and its supplement.

<sup>14</sup> Public Law 113-128.

<sup>15</sup> Unless otherwise stated, "Rehabilitation Act" means the Rehabilitation Act of 1973, as amended by WIOA, signed into law on July 22, 2014.

<sup>16</sup> All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

<sup>17</sup> No funds under title I of the Rehabilitation Act may be awarded without an approved VR services portion of the Unified or Combined State Plan in accordance with section 101(a) of the Rehabilitation Act.

<sup>18</sup> Applicable regulations, in part, include the Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 76, 77, 79, 81, and 82; 2 CFR part 200 as adopted by 2 CFR part 3474; and the State VR Services program regulations.

<sup>19</sup> No funds under title VI of the Rehabilitation Act may be awarded without an approved supported employment supplement to the VR services portion of the Unified or Combined State Plan in accordance with section 606(a) of the Rehabilitation Act.

<sup>20</sup> Applicable regulations, in part, include the citations in footnote 6.

6.	All provisions of the VR services portion of the Unified or Combined State Plan and its supplement are consistent with State law.
7.	The (enter title of State officer below) has the authority under State law to receive, hold, and disburse Federal funds made available under the VR services portion of the Unified or Combined State Plan and its supplement;
8.	The (enter title of State officer below) has the authority to submit the VR services portion of the Unified or Combined State Plan and the supplement for Supported Employment services;
9.	The agency that submits the VR services portion of the Unified or Combined State Plan and its supplement has adopted or otherwise formally approved the plan and its supplement.

**ASSURANCES**

The designated State agency or designated State unit, as appropriate and identified in the State certifications included with this VR services portion of the Unified or Combined State Plan and its supplement, through signature of the authorized individual, assures the Commissioner of the Rehabilitation Services Administration (RSA), that it will comply with all of the requirements of the VR services portion of the Unified or Combined State Plan and its supplement, as set forth in sections 101(a) and 606 of the Rehabilitation Act. The individual authorized to submit the VR services portion of the Unified or Combined State Plan and its supplement makes the following assurances:

<b>The State Plan must provide assurances that:</b>	
1.	<b>Public Comment on Policies and Procedures:</b> The designated State agency assures it will comply with all statutory and regulatory requirements for public participation in the VR Services Portion of the Unified or Combined State Plan, as required by section 101(a)(16)(A) of the Rehabilitation Act.
2.	<b>Submission of the VR services portion of the Unified or Combined State Plan and Its Supplement:</b> The designated State unit assures it will comply with all requirements pertaining to the submission and revisions of the VR services portion of the Unified or Combined State Plan and its supplement for the State Supported Employment Services program, as required by sections 101(a)(1), (22), (23), and 606(a) of the Rehabilitation Act; section 102 of WIOA in the case of the submission of a unified plan; section 103 of WIOA in the case of a submission of a Combined State Plan; 34 CFR 76.140.
3.	<b>Administration of the VR services portion of the Unified or Combined State Plan:</b> The designated State agency or designated State unit, as appropriate, assures it will comply with the requirements related to: (a) the establishment of the designated State agency and designated State unit, as

- required by section 101(a)(2) of the Rehabilitation Act.
- (b) the establishment of either a State independent commission or State Rehabilitation Council, as required by section 101(a)(21) of the Rehabilitation Act. The designated State agency or designated State unit, as applicable (Option A or B must be selected):
- (A) is an independent State commission.
  - (B) has established a State Rehabilitation Council.
- (c) consultations regarding the administration of the VR services portion of the Unified or Combined State Plan, in accordance with section 101(a)(16)(B) of the Rehabilitation Act.
- (d) the financial participation by the State, or if the State so elects, by the State and local agencies, to provide the amount of the non-Federal share of the cost of carrying out the VR program in accordance with section 101(a)(3).
- (e) the local administration of the VR services portion of the Unified or Combined State Plan, in accordance with section 101(a)(2)(A) of the Rehabilitation Act. Select yes or no, as appropriate, to identify if the designated State agency allows for the local administration of VR funds, (Yes/No)
- (f) the shared funding and administration of joint programs, in accordance with section 101(a)(2)(A)(ii) of the Rehabilitation Act. Select yes or no, as appropriate, to identify if the designated State agency allows for the shared funding and administration of joint programs, (Yes/No)
- (g) statewideness and waivers of statewideness requirements, as set forth in section 101(a)(4) of the Rehabilitation Act. Is the designated State agency requesting or maintaining a waiver of statewideness for one or more services provided under the VR services portion of the Unified or Combined State Plan? (Yes/No) See Section 2 of this VR services portion of the Unified or Combined State Plan.
- (h) the descriptions for cooperation, collaboration, and coordination, as required by sections 101(a)(11) and (24)(B); and 606(b) of the Rehabilitation Act.
- (i) all required methods of administration, as required by section 101(a)(6) of the Rehabilitation Act.
- (j) the requirements for the comprehensive system of personnel development, as set forth in section 101(a)(7) of the Rehabilitation Act.
- (k) the compilation and submission to the Commissioner of statewide assessments, estimates, State goals and priorities, strategies, and progress reports, as appropriate, and as required by sections 101(a)(15), 105(c)(2), and 606(b)(8) of the Rehabilitation Act.
- (l) the reservation and use of a portion of the funds allotted to the State under section 110 of the Rehabilitation Act for the development and implementation of innovative approaches to expand and improve the provision of VR services to individuals with disabilities, particularly individuals with the most significant disabilities.
- (m) the submission of reports as required by section 101(a)(10) of the Rehabilitation Act.



<p>4.</p>	<p><b>Administration of the Provision of VR Services:</b> The designated State agency, or designated State unit, as appropriate, assures that it will:</p> <ul style="list-style-type: none"> <li>(a) comply with all requirements regarding information and referral services in accordance with sections 101(a)(5)(D) and (20) of the Rehabilitation Act.</li> <li>(b) impose no duration of residence requirement as part of determining an individual's eligibility for VR services or that excludes from services under the plan any individual who is present in the State in accordance with section 101(a)(12) of the Rehabilitation Act .</li> <li>(c) provide the full range of services listed in section 103(a) of the Rehabilitation Act as appropriate, to all eligible individuals with disabilities in the State who apply for services in accordance with section 101(a)(5) of the Rehabilitation Act? (Yes/No)</li> <li>(d) determine whether comparable services and benefits are available to the individual in accordance with section 101(a)(8) of the Rehabilitation Act.</li> <li>(e) comply with the requirements for the development of an individualized plan for employment in accordance with section 102(b) of the Rehabilitation Act .</li> <li>(f) comply with requirements regarding the provisions of informed choice for all applicants and eligible individuals in accordance with section 102(d) of the Rehabilitation Act.</li> <li>(g) provide vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State, in accordance with section 101(a)(13) of the Rehabilitation Act.</li> <li>(h) comply with the requirements for the conduct of semiannual or annual reviews, as appropriate, for individuals employed either in an extended employment setting in a community rehabilitation program or any other employment under section 14(c) of the Fair Labor Standards Act of 1938, as required by section 101(a)(14)of the Rehabilitation Act.</li> <li>(i) meet the requirements in sections 101(a)(17) and 103(b)(2) of the Rehabilitation Act if the State elects to construct, under special circumstances, facilities for community rehabilitation programs</li> <li>(j) with respect to students with disabilities, the State,             <ul style="list-style-type: none"> <li>(i) has developed and will implement,                 <ul style="list-style-type: none"> <li>(A) strategies to address the needs identified in the assessments; and</li> <li>(B) strategies to achieve the goals and priorities identified by the State, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis; and</li> </ul> </li> <li>(ii) has developed and will implement strategies to provide pre-employment transition services (sections 101(a)(15) and 101(a)(25)).</li> </ul> </li> </ul>
<p>5.</p>	<p><b>Program Administration for the Supported Employment Title VI Supplement:</b></p>

	<p>(a) The designated State unit assures that it will include in the VR services portion of the Unified or Combined State Plan all information required by section 606 of the Rehabilitation Act.</p> <p>(b) The designated State agency assures that it will submit reports in such form and in accordance with such procedures as the Commissioner may require and collects the information required by section 101(a)(10) of the Rehabilitation Act separately for individuals receiving supported employment services under title I and individuals receiving supported employment services under title VI of the Rehabilitation Act.</p> <p>(c) The designated state unit will coordinate activities with any other State agency that is functioning as an employment network under the Ticket to Work and Self-Sufficiency program under Section 1148 of the Social Security Act.</p>
<p>6.</p>	<p>(a) <b>Financial Administration of the Supported Employment Program:</b> The designated State agency assures that it will expend no more than 2.5 percent of the State's allotment under title VI for administrative costs of carrying out this program; and, the designated State agency or agencies will provide, directly or indirectly through public or private entities, non-Federal contributions in an amount that is not less than 10 percent of the costs of carrying out supported employment services provided to youth with the most significant disabilities with the funds reserved for such purpose under section 603(d) of the Rehabilitation Act, in accordance with section 606(b)(7)(G) and (H) of the Rehabilitation Act.</p> <p>(b) The designated State agency assures that it will use funds made available under title VI of the Rehabilitation Act only to provide supported employment services to individuals with the most significant disabilities, including extended services to youth with the most significant disabilities, who are eligible to receive such services; and, that such funds are used only to supplement and not supplant the funds provided under Title I of the Rehabilitation Act, when providing supported employment services specified in the individualized plan for employment, in accordance with section 606(b)(7)(A) and (D), of the Rehabilitation Act.</p>
<p>7.</p>	<p>(a) <b>Provision of Supported Employment Services:</b> The designated State agency assures that it will provide supported employment services as defined in section 7(39) of the Rehabilitation Act.</p> <p>(b) The designated State agency assures that:</p> <ul style="list-style-type: none"> <li>i. the comprehensive assessment of individuals with significant disabilities conducted under section 102(b)(1) of the Rehabilitation Act and funded under title I of the Rehabilitation Act includes consideration of supported employment as an appropriate employment outcome, in accordance with the requirements of section 606(b)(7)(B) of the Rehabilitation Act</li> <li>ii. an individualized plan for employment that meets the requirements of section 102(b) of the Rehabilitation Act , which is developed and updated</li> </ul>

	with title I funds, in accordance with sections 102(b)(3)(F) and 606(b)(6)(C) and (E) of the Rehabilitation Act.
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**Appendix 1: Performance Goals for the Core Programs**

Include the State's expected levels of performance relating to the performance accountability indicators based on primary indicators of performance described in section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (WIOA).

	<b>Title I - Adult Program</b>			
	<b>Program Year:</b>		<b>Program Year:</b>	
	<b>Expected Level</b>	<b>Negotiated Level</b>	<b>Expected Level</b>	<b>Negotiated Level</b>
<b>Employment (Second Quarter after Exit)</b>				
<b>Employment (Fourth Quarter after Exit)</b>				
<b>Median Earnings (Second Quarter after Exit)</b>				
<b>Credential Attainment Rate</b>				
<b>Measurable Skill Gains</b>				

	<b>Title I - Dislocated Worker Program</b>			
	<b>Program Year:</b>		<b>Program Year:</b>	
	<b>Expected Level</b>	<b>Negotiated Level</b>	<b>Expected Level</b>	<b>Negotiated Level</b>
<b>Employment (Second Quarter after Exit)</b>				
<b>Employment (Fourth Quarter after Exit)</b>				
<b>Median Earnings (Second Quarter after Exit)</b>				
<b>Credential Attainment Rate</b>				
<b>Measurable Skill Gains</b>				

	<b>Title I - Youth Program</b>			
	<b>Program Year:</b>		<b>Program Year:</b>	
	<b>Expected Level</b>	<b>Negotiated Level</b>	<b>Expected Level</b>	<b>Negotiated Level</b>
<b>Employment (Second Quarter after Exit) <sup>21</sup></b>				
<b>Employment (Fourth Quarter after Exit) <sup>21</sup></b>				
<b>Median Earnings (Second Quarter after Exit)</b>				
<b>Credential Attainment Rate</b>				
<b>Measurable Skill Gains</b>				

<sup>21</sup> For Title I Youth programs, employment, education or training.

	<b>Title II – Adult Education and Family Literacy Act Program</b>			
	<b>Program Year:</b>		<b>Program Year:</b>	
	<b>Expected Level</b>	<b>Negotiated Level</b>	<b>Expected Level</b>	<b>Negotiated Level</b>
<b>Employment (Second Quarter after Exit)</b>				
<b>Employment (Fourth Quarter after Exit)</b>				
<b>Median Earnings (Second Quarter after Exit)</b>				
<b>Credential Attainment Rate</b>				
<b>Measurable Skill Gains</b>				

	<b>Wagner-Peyser Act Employment Service Program</b>			
	<b>Program Year:</b>		<b>Program Year:</b>	
	<b>Expected Level</b>	<b>Negotiated Level</b>	<b>Expected Level</b>	<b>Negotiated Level</b>
<b>Employment (Second Quarter after Exit)</b>				
<b>Employment (Fourth Quarter after Exit)</b>				
<b>Median Earnings (Second Quarter after Exit)</b>				
<b>Credential Attainment Rate</b>	Not Applicable	Not Applicable	Not Applicable	Not Applicable
<b>Measurable Skill Gains</b>	Not Applicable	Not Applicable	Not Applicable	Not Applicable



	<b>Vocational Rehabilitation Program</b>			
	<b>Program Year:</b>		<b>Program Year:</b>	
	<b>Expected Level</b>	<b>Negotiated Level</b>	<b>Expected Level</b>	<b>Negotiated Level</b>
<b>Employment (Second Quarter after Exit) <sup>22</sup></b>	Not Applicable	Not Applicable	Not Applicable	Not Applicable
<b>Employment (Fourth Quarter after Exit) <sup>22</sup></b>	Not Applicable	Not Applicable	Not Applicable	Not Applicable
<b>Median Earnings (Second Quarter after Exit) <sup>22</sup></b>	Not Applicable	Not Applicable	Not Applicable	Not Applicable
<b>Credential Attainment Rate <sup>22</sup></b>	Not Applicable	Not Applicable	Not Applicable	Not Applicable
<b>Measurable Skill Gains</b>				

<sup>22</sup> For the VR program, these indicators are Not Applicable for PY 2020 and PY 2021; however, they will be applicable for PY 2022 and PY 2023.

	All WIOA Core Programs			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
<b>Effectiveness in Serving Employers</b>	Not applicable	Not applicable	Not applicable	Not applicable

Additional Indicators of Performance
1.
2.
3.
4.
5.
6.

**Instructions: Performance Goals for the Core Programs**

Each State submitting a Unified or Combined State Plan (Plan) is required to identify expected levels of performance for each of the primary indicators of performance for the first two years covered by the Plan. The State is required to reach agreement with the Secretary of Labor, in conjunction with the Secretary of Education, on State adjusted levels of performance for the indicators for each of the first two years of the Plan.

For Program Year (PY) 2016-2019 Plans, the U.S. Departments of Labor and Education used the transition authority under section 503(a) of WIOA to designate certain primary indicators of performance as “baseline” indicators to ensure an orderly transition from the requirements of the Workforce Investment Act of 1998 to those under WIOA. A “baseline” indicator was one for which States did not propose an expected level of performance and did not come to agreement with the Departments on negotiated levels of performance because sufficient data were not available to establish such performance levels. As a result, “baseline” indicators were not used in the end of the year of performance calculations and were not used to determine failure to achieve adjusted levels of performance for purposes of sanctions. The Departments designated indicators as “baseline” if the State did not have two full years of data on which to make a reasonable determination of an expected level of performance.

For PYs 2020-2023 Plans, Title I programs (Adult, Dislocated Worker, and Youth) and the Title II program (Adult Education and Family Literacy Act) will have two full years of data available to make reasonable determinations of expected levels of performance for the following indicators for PY 2020 and PY 2021:

- Employment (Second Quarter after Exit);
- Employment (Fourth Quarter after Exit);
- Median Earnings (Second Quarter after Exit);
- Credential Attainment Rate; and

- Measurable Skill Gains

The Wagner-Peyser Act Employment Service program, authorized under the Wagner-Peyser Act, as amended by title III of WIOA, will have two full years of data available to make a reasonable determination of expected levels of performance for the following indicators for PY 2020 and PY 2021:

- Employment (Second Quarter after Exit);
- Employment (Fourth Quarter after Exit); and
- Median Earnings (Second Quarter after Exit)

The Credential Attainment Rate and Measurable Skill Gains indicators do not apply to the Wagner-Peyser Act Employment Service program; therefore, this program will not submit expected levels of performance for these indicators.

For the first two years of PYs 2020-2023 Plans, the Vocational Rehabilitation (VR) program, authorized under title I of the Rehabilitation Act of 1973, as amended by title IV of WIOA, will have two full years of data available for the Measurable Skill Gains indicator only. Therefore, the Departments will designate the following indicators as “baseline” for the VR program for PY 2020 and PY 2021:

- Employment (Second Quarter after Exit);
- Employment (Fourth Quarter after Exit);
- Median Earnings (Second Quarter after Exit); and
- Credential Attainment Rate

VR agencies must continue to collect and report on all indicators, including those that have been designated as “baseline, pursuant to section 116(d) of WIOA.” The actual performance data reported by these programs for indicators designated as “baseline” for PY 2020 and PY 2021 will serve as baseline data in future years. The Departments will require VR agencies to submit expected levels of performance for these indicators for PY 2022 and PY 2023.

The Departments determined that the Effectiveness in Serving Employers indicator will be measured as a shared outcome across all six core programs within each State to ensure a holistic approach to serving employers. The Departments will continue piloting approaches for measuring this indicator for the first two years of PY 2020-2023 Plans. Therefore, States are not required to submit an expected level of performance for the Effectiveness in Serving Employers indicator for PY 2020 and PY 2021. However, core programs are expected to collect data and report on this indicator for PY 2020 and PY 2021 as they did for PYs 2016-2019 Plans.

Each core program must submit an expected level of performance for all of the other indicators, as applicable, with the exception of the four indicators designated as “baseline” for the VR program in PY 2020 and PY 2021. The Departments will work with States during the negotiation process to establish negotiated levels of performance for each of the primary indicators for the core programs not listed as “baseline.” Each State must update its Plan to include the agreed-upon negotiated levels of performance before the Departments approve a State’s Plan.

States may identify additional indicators in the Plan, including additional approaches to measuring Effectiveness in Serving Employers, and may establish levels of performance for each of the State indicators. Please identify any such State indicators under *Additional Indicators of Performance*.

#### **VII. PROGRAM-SPECIFIC REQUIREMENTS FOR COMBINED STATE PLAN PARTNER PROGRAM**

States choosing to submit a Combined State Plan must provide information concerning the six core programs—the Adult program, Dislocated Worker program, Youth program, Wagner-Peyser Act program, Adult Education and Family Literacy Act program, and the Vocational Rehabilitation program—and also submit relevant information for any of the eleven partner programs it elects to include in its Combined State Plan. When a State includes a Combined State Plan partner program in its Combined State Plan, it need not submit a separate plan or application for that particular program.<sup>23</sup> If included, Combined State Plan partner programs are subject to the “common planning elements” in Sections II-IV of this document, where specified, as well as the program-specific requirements for that program. The requirements that a State must address for any of the Combined State Plan partner programs it includes in its Combined State Plan are available in a separate supplemental document, *Supplement to the Workforce and Innovation Act (WIOA) Unified and Combined State Plan Requirements*.

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<sup>23</sup> States that elect to include employment and training activities carried out under the Community Services Block Grant (CSBG) Act (42 U.S.C. 9901 et seq.) under a Combined State Plan would submit all other required elements of a complete CSBG State Plan directly to the Federal agency that administers the program. Similarly, States that elect to include employment and training activities carried by the Department of Housing and Urban Development would submit all other required elements of a complete State Plan for those programs directly to the Federal agency that administers the program.