

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

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## **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—

- o 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.)
- o Temporary Assistance for Needy Families program (42 U.S.C. 601 et seq.)
- o 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)))
- o Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o))
- 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.))
- o Jobs for Veterans State Grants Program (programs authorized under 38, U.S.C. 4100 et. seq.)
  - o Unemployment Insurance programs (programs authorized under State unemployment compensation laws in accordance with applicable Federal law)
- o Senior Community Service Employment program (programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.))
- o Employment and training activities carried out by the Department of Housing and Urban Development
- o 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>

**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.

- o 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.
- o 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,
  - Program-Specific Requirements for the Core Programs, and

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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 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. Use of links to external websites and documents is permitted within the State Plan narrative submission, if such links remain active and adhere to Section 508 accessibility requirements.

**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. \_

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<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. Where requirements identify the term "populations", these must include individuals with barriers to employment as defined at WIOA Section 3. This includes 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. Additional populations include veterans, unemployed workers, and youth, and others that the State may identify.

(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 in the State and within various state regions. Provide key analytical conclusions in aggregate as well as disaggregated among populations to identify potential disparities in employment and educational attainment and understand labor force conditions for items (i)-(iii) below. Populations analyzed must include individuals with barriers to employment described in the first paragraph of Section II. Analysis must include—

- (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) **Comparison of Economic and Workforce Analytical Conclusion.** Describe areas of opportunity for meeting hiring, education, and skills needs identified in the economy compared to the assets available in the labor force in the state.
- (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 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>4</sup> and optional one-stop delivery system partners.<sup>5</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—

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<sup>4</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>5</sup> Workforce development activities may include a wide variety of programs and partners, including educational institutions, faith- and community-based organizations, and human services.

(A) Goals for preparing an educated and skilled workforce, including preparing youth and individuals with barriers to employment<sup>6</sup> and other populations.<sup>7</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, which may include evaluation findings, 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 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).

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<sup>6</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. 3514); 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>7</sup> Veterans, unemployed workers, and youth and any other populations identified by the State.

### **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 and other Education and Training Providers.* Describe how the State's Strategies will engage the State's community colleges, adult education providers, area career and technical education schools, providers on the State's eligible training provider list, and other education and training providers, as partners in the workforce development system to create a job-driven education and training system. WIOA section 102(b)(2)(B)(iv). Include how the State's strategies will enable the State to leverage other Federal, State, and local investments to enhance access to workforce development programs at these institutions.
- (F) *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.
- (G) *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) State operating systems that support coordinated implementation of State strategies (for example labor market information systems, data systems, communication systems, case management systems, job banks, etc.).
- (2) The State policies that will support the implementation of the State's strategies (for example, 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 and any additional guidance for one-stop partner contributions.
- (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 activities that will assist State Board members and staff in carrying out State Board functions effectively. Also, provide a membership roster for the State Board consistent with 20 CFR 679.110-120, including members' organizational affiliations and position titles.
- (4) Assessment and Evaluation of Programs and One-Stop Program Partners.
  - (A) *Assessment of Core and One-Stop Program Partner Programs.* Describe how the core programs will be assessed each year based on State performance accountability measures described in section 116(b) of WIOA. 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. 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) *Previous Assessment Results.* For each four-year state plan and state plan modification, 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), in accordance with methods described in 4(A) Describe how the State is adapting its strategies based on these assessments.
  - (C) *Evaluation.* Describe how the State will conduct evaluations and research projects of activities carried out in the State 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 (WIOA Section 116(e)).
- (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 the methods and factors the eligible agency will use to distribute title II funds.
    - (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. Describe data-collection and reporting processes used for all programs and activities, including the State's process to collect and report data on co-enrollment, and for those present in the one-stop centers.

- (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 data systems and procedures to produce the reports required under section 116, performance accountability system. (WIOA section 116(d)(2)).
- (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.
- (A) Describe how the State will implement the priority of service provisions for covered persons 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.
  - (B) Describe how the State will monitor priority of service provisions for veterans.
  - (C) Describe the triage and referral process for eligible veterans and other populations determined eligible to receive services from the Jobs for Veterans State Grants (JVSG) program's Disabled Veterans' Outreach Program (DVOP) specialist/Consolidated Position.

- (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.) regarding 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. Describe how English language learners will be made aware of the opportunity to enroll and/or co-enroll in all the core programs for which they are eligible.

**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 and policy 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 and policy referred to in section 106(b)(5) of WIOA relating to designation of local areas.
- (D) Provide the appeals process and policy 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 for mandatory and discretionary activities, including how the State will conduct evaluations of Title I Adult, Dislocated Worker, and Youth activities.
- (C) 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.
- (D) Describe the State policies and procedures to provide Rapid Responses in cases of natural disasters including coordination with FEMA and other entities.
- (E) Describe how the State provides early intervention (e.g., Rapid Response) and ensures the provision of appropriate career services to worker groups on whose behalf a Trade Adjustment Assistance (TAA) petition has been filed. (Section 134(a)(2)(A) and TAA Section 221(a)(2)(A) .) This description must include how the State disseminates benefit information to provide 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 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 and how the state will ensure the provision of appropriate career service to workers in the groups identified in the petition (TAA Sec. 221(a)(2)(A)).

(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., outreach to sponsors and prospective sponsors, identifying potential participants and connecting them to apprenticeship opportunities).
- (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 for the Adult Priority of Service requirement in WIOA section 134 (c)(3)(E) that requires American Job Center staff, when using WIOA Adult program funds to provide individualized career services and training services, to give priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners). -
- (5) Describe the State's criteria regarding local area transfer of funds between the adult and dislocated worker programs.
- (6) Describe the State's policy on WIOA and TAA co-enrollment and whether and how often this policy is disseminated to the local workforce development boards and required one-stop partners Trade Act Sec. 239(f), Sec. 235, 20 CFR 618.325, 20 CFR 618.824(a)(3)(i).
- (7) Describe the State's formal strategy to ensure that WIOA and TAA co-enrolled participants receive necessary funded benefits and services. Trade Act Sec. 239(f), Sec. 235, 20 CFR 618.816(c)
- (8) Describe the State's process for familiarizing one-stop staff with the TAA program. 20 CFR 618.804(j), 20 CFR 618.305

(c) **Youth Program Requirements.** With respect to youth workforce investment activities authorized in section 129 of WIOA, States should describe their strategies that will support the implementation of youth activities under WIOA. State's must-

- (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.<sup>8</sup> Further, include a description of how the State assists local areas in determining whether to contract for services or to provide some or all of the program elements directly.

- (2) Explain how the State assists local workforce boards in achieving equitable results for out-of-school and in-school youth. Describe promising practices or partnership models that local areas are implementing and the state's role in supporting and scaling those models within the state for both in-school and out-of-school youth.
- (3) Describe how the State assists local workforce boards in implementing innovative models for delivering youth workforce investment activities, including effective ways local workforce boards can make available the 14 program elements described in WIOA section 129(c)(2); and explain how local areas can ensure work experience, including quality pre-apprenticeship and registered apprenticeship, is prioritized as a key element within a broader career pathways strategy.
- (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.

(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

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<sup>8</sup> Sec. 102(b)(2)(D)(i)(V)

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 most recent data available regarding the results and outcomes observed through implementation 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 Service)**

### **(a) Employment Service Staff**

- (1) Describe how the State will staff the provision of labor exchange services under the Wagner-Peyser Act, such as through State employees, including but not limited to state merit staff employees, staff of a subrecipient, or some combination thereof.
- (2) 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.
- (3) Describe strategies developed to support training and awareness across core programs and the Unemployment Insurance (UI) program and the training provided for Employment Service 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 Wagner-Peyser Act funds to support UI claimants, and the communication between the Employment Service 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.

### **(e) 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 an assessment of need.**

- (1) 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.
- (2) Provide an assessment of the agricultural activity in the State: 1) identify 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) Identify any economic, natural, or other factors that are affecting agriculture in the State or any projected factors that will affect agriculture in the State.

- (3) Provide an assessment of the unique needs of farmworkers by 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 yearround 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.
- (4) 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:
- (1) Contacting farmworkers who are not being reached by the normal intake activities conducted by the employment service offices.
  - (2) Providing technical assistance to outreach staff. 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 and Employment-Related Law Complaint System ("Complaint System" described at 20 CFR 658 Subpart E), 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.
  - (3) Increasing outreach staff training and awareness across core programs including the Unemployment Insurance (UI) program and the training on identification of UI eligibility issues.
  - (4) Providing outreach staff professional development activities to ensure they are able to provide high quality services to both jobseekers and employers.
  - (5) Coordinating outreach efforts with NFJP grantees as well as with public and private community service agencies and MSFW groups.
- (5) 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 Complaint System to farmworkers and other farmworker advocacy groups.
  - (C) Marketing the Agricultural Recruitment System for U.S. Workers (ARS) to agricultural employers and how it intends to improve such publicity.

(6) 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 establish 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 Act 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 Act 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.	If the State has significant MSFW one-stop centers, the State agency is complying with the requirements under 20 CFR 653.111, State Workforce Agency staffing requirements;
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 Act services, Adult and Dislocated Worker programs and Youth Programs under Title I; and
4.	SWA officials: <ol style="list-style-type: none"> <li>1) Initiate the discontinuation of services;</li> <li>2) Make the determination that services need to be discontinued;</li> <li>3) Make the determination to reinstate services after the services have been discontinued;</li> <li>4) Approve corrective action plans;</li> <li>5) Approve the removal of an employer's clearance orders from interstate or intrastate clearance if the employer was granted conditional access to ARS and did not come into compliance within 5 calendar days;</li> <li>6) Enter into agreements with State and Federal enforcement agencies for enforcement-agency staff to conduct field checks on the SWAs' behalf (if the SWA so chooses); and</li> <li>7) Decide whether to consent to the withdrawal of complaints if a party who requested a hearing wishes to withdraw its request for hearing in writing before the hearing.</li> </ol>
5.	The SWA has established and maintains a self-appraisal system for ES operations to determine success in reaching goals and to correct deficiencies in performance (20 CFR 658.601).

## **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 has aligned 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 eligible agency will, using the considerations specified in section 231(e) of WIOA and in accordance with 34 CFR 463 subpart C, 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 eligible agency will, using the considerations specified in section 231(e) of WIOA and in accordance with

34 CFR 463 subpart C, fund eligible providers to establish or operate programs that provide any of the following correctional educational programs identified in section 225 of WIOA:

- 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 eligible agency will, using the considerations specified in section 231(e) of WIOA and in accordance with 34 CFR 463 subpart C, fund eligible providers to establish or operate Integrated English Literacy and Civics Education (IELCE) programs under section 243 of WIOA. Describe how adult English language learners, including professionals with degrees and credentials in their native countries, are served in IELCE programs.

Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be offered in combination with integrated education and training activities found in 34 CFR section 463.36.

Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation.

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.

- (f) **Assessing Quality.** Describe how the eligible agency will assess the quality of providers of adult education and literacy activities under title II. Describe how the eligible agency will take actions to improve such quality, including providing the activities described in section 223(a)(1)(B) of WIOA. Describe how the eligible agency will use evaluations, data analysis, program monitoring, or other methods to improve the quality of adult education activities in the State.

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

<b>States must provide written and signed certifications that:</b>	
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;
<b>The State Plan must include assurances that:</b>	
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. [Click here to enter text.](#)*

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

### NOTICE TO ALL APPLICANTS

*Review the linked document. Where “applicant” is mentioned, that refers to the State eligible agency and “application” refers to the state plan. This element does not apply to local providers for state plan purposes. State eligible agencies are required to maintain local GEPA responses separately from the state plan. The State eligible agency must provide a response to GEPA regarding use of AEFLA State Administration and State Leadership funds in the State Plan.*

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.

(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

### Program-Specific Requirements for State Vocational Rehabilitation Services Program

The Vocational Rehabilitation (VR) Services Portion of the Unified or Combined State Plan must include the following descriptions and estimates, as required by sections 101(a) and 606 of the Rehabilitation Act of 1973, as amended by title IV of WIOA.

**(a) State Rehabilitation Council.** All VR agencies, except for those that have an independent consumer-controlled commission, must have a State Rehabilitation Council (Council or SRC) that meets the criteria in section 105 of the Rehabilitation Act. The designated State agency or designated State unit, as applicable, has (select A or B):  
 (A) is an independent State commission.  
 (B) has established a State Rehabilitation Council.

In accordance with Assurance 3(b), please provide information on the current composition of the Council by representative type, including the term number of the representative, as applicable, and any vacancies, as well as the beginning dates of each representative's term.

<b>Council Representative</b>	<b>Current Term Number/ Vacant</b>	<b>Beginning Date of Term Mo./Yr.</b>
Statewide Independent Living Council (SILC)		
Parent Training and Information Center		
Client Assistance Program		
Qualified Vocational Rehabilitation (VR) Counselor (Ex Officio if Employed by the VR Agency)		
Community Rehabilitation Program Service Provider		
Business, Industry, and Labor		
Disability Advocacy Groups		
Current or Former Applicants for, or Recipients of, VR services		
Section 121 Project Directors in the State (as applicable)		
State Educational Agency Responsible for Students with Disabilities Eligible to Receive Services under Part B of the Individuals with Disabilities Education Act (IDEA)		
State Workforce Development Board		
VR Agency Director (Ex Officio)		

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If the SRC is not meeting the composition requirements in section 105(b) of the Rehabilitation Act and/or is not meeting quarterly as required in section 105(f) of the Rehabilitation Act, provide the steps that the VR agency is taking to ensure it meets those requirements.

[text box]

In accordance with the requirements in section 101(a)(21)(A)(ii)(III) of the Rehabilitation Act, include a summary of the Council's input (including how it was obtained) into the State Plan and any State Plan revisions, including recommendations from the Council's annual reports, the review and analysis of consumer satisfaction and other Council reports.

[text box]

Provide the VR agency's response to the Council's input and recommendations, including an explanation for the rejection of any input and recommendations.

[text box: List each recommendation/input followed by the VR agency response]

**(b) Comprehensive Statewide Needs Assessment (CSNA).** Section 101(a)(15), (17), and (23) of the Rehabilitation Act require VR agencies to provide an assessment of:

(1) The VR services needs of individuals with disabilities residing within the State, including:

(A) Individuals with the most significant disabilities and their need for Supported Employment;

[text box]

(B) Individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the VR program;

[text box]

(C) Individuals with disabilities served through other components of the workforce development system; and

[text box]

(D) Youth with disabilities, including students with disabilities and their need for pre-employment transition services. 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 IDEA.

[text box]

(2) Identify the need to establish, develop, or improve community rehabilitation programs within the State.

[text box]

**(c) Goals, Priorities, and Strategies.** Section 101(a)(15) and (23) of the Rehabilitation Act require VR agencies to describe the goals and priorities of the State in carrying out the VR and Supported Employment programs. The goals and priorities are based on (1) the most recent CSNA, including any updates; (2) the State's performance under the

performance accountability measures of section 116 of WIOA; and (3) other available information on the operation and effectiveness of the VR program, including any reports received from the SRC and findings and recommendations from monitoring activities conducted under section 107 of the Rehabilitation Act. VR agencies must—

- (1) Describe how the SRC and the VR agency jointly developed and agreed to the goals and priorities and any revisions; and  
[text box]
- (2) Identify measurable goals and priorities in carrying out the VR and Supported Employment programs and the basis for selecting the goals and priorities (e.g., CSNA, performance accountability measures, SRC recommendations, monitoring, other information). As required in section 101(a)(15)(D), (18), and (23), describe under each goal or priority, the strategies or methods used to achieve the goal or priority, including as applicable, description of strategies or methods that—
  - (A) Support innovation and expansion activities;
  - (B) Overcome barriers to accessing VR and supported employment services;
  - (C) 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, post secondary education, employment, and pre-employment transition services); and
  - (D) Improve the performance of the VR and Supported Employment programs in assisting individuals with disabilities to achieve quality employment outcomes.[text box: List and number each goal/priority, noting the basis, and under each goal/priority, list and number the strategies to achieve the goal/priority]

**(d) Evaluation and Reports of Progress: VR and Supported Employment Goals.** For the most recently completed program year, provide an evaluation and report of progress for the goals or priorities, including progress on the strategies under each goal or priority, applicable to that program year. Sections 101(a)(15) and 101(a)(23) of the Rehabilitation Act require VR agencies to describe—

- (1) Progress in achieving the goals and priorities identified for the VR and Supported Employment Programs;  
[text box: List the goals/priorities and discuss the progress or completion of each goal/priority and related strategies]
- (2) Performance on the performance accountability indicators under section 116 of WIOA for the most recently completed program year, reflecting actual and negotiated levels of performance. Explain any discrepancies in the actual and negotiated levels; and  
[text box]
- (3) The use of funds reserved for innovation and expansion activities (sections 101(a)(18) and 101(a)(23) of the Rehabilitation Act) (e.g., SRC, SILC).  
[text box]

**(e) Supported Employment Services, Distribution of Title VI Funds, and Arrangements and Cooperative Agreements for the Provision of Supported Employment Services.**

- (1) Acceptance of title VI funds:
  - (A) [check box] VR agency requests to receive title VI funds.
  - (B) [check box] VR agency does NOT elect to receive title VI funds and understands that supported employment services must still be provided under title I.
  
- (2) If the VR agency has elected to receive title VI funds, Section 606(b)(3) of the Rehabilitation Act requires VR agencies to include specific goals and priorities with respect to the distribution of title VI funds received under section 603 of the Rehabilitation Act for the provision of supported employment services. Describe the use of title VI funds and how they will be used in meeting the goals and priorities of the Supported Employment program.  
[text box]
  
- (3) Supported employment services may be provided with title 1 or title VI funds following placement of individuals with the most significant disabilities in employment. In accordance with section 101(a)(22) and section 606(b)(3) of the Rehabilitation Act, describe 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; and the timing of transition to extended services.  
[text box]
  
- (4) Sections 101(a)(22) and 606(b)(4) of the Rehabilitation Act require the VR agency to describe efforts to identify and arrange, including entering into cooperative agreements, with other State agencies and other appropriate entities in order to provide supported employment services. The description must include extended services, as applicable, to individuals with the most significant disabilities, including the provision of extended services to youth with the most significant disabilities in accordance with 34 CFR 363.4(a) and 34 CFR 361.5(c)(19)(v).  
[text box]

**(f) Annual Estimates.** Sections 101(a)(15) and 101(a)(23) of the Rehabilitation Act require all VR agencies to annually conduct a full assessment of their resources and ability to serve all eligible individuals before the start of the Federal fiscal year. In accordance with 34 CFR § 361.29(b), annual estimates must include the following projections:

(1) Estimates for next Federal fiscal year—

(A) VR Program; and

Priority Category (if applicable)	No. of Individuals Eligible for Services	No. of Eligible Individuals Expected to Receive Services under VR Program	Costs of Services using Title I Funds	No. of Eligible Individuals Not Receiving Services (if applicable)


(B) Supported Employment Program.

Priority Category (if applicable)	No. of Individuals Eligible for Services	No. of Eligible Individuals Expected to Receive Services under Supported Employment Program	Costs of Services using Title I and Title VI Funds	No. of Eligible Individuals Not Receiving Services (if applicable)

**(g) Order of Selection.**

[check box] The VR agency is **not** implementing an order of selection and all eligible individuals will be served.

[check box] The VR agency is implementing an order of selection with one or more categories closed.

\* VR agencies may maintain an order of selection policy and priority of eligible individuals without implementing or continuing to implement an order of selection.

Pursuant to section 101(a)(5) of the Rehabilitation Act, this description must be amended when the VR agency determines, based on the annual estimates described in description (f), that VR services cannot be provided to all eligible individuals with disabilities in the State who apply for and are determined eligible for services.

(1) For VR agencies that have defined priority categories describe—

(A) The justification for the order;  
[text box]

(B) The order (priority categories) to be followed in selecting eligible individuals to be provided VR services ensuring that individuals with the most significant disabilities are selected for services before all other individuals with disabilities; and  
[text box]

(C) The VR agency’s goals for serving individuals in each priority category, including how the agency will assist eligible individuals assigned to closed priority categories with information and referral, the method in which the VR agency will manage waiting lists, and the projected timelines for opening priority categories. NOTE: Priority categories are considered open when all individuals in the priority category may be served.  
[text box]

(2) Has the VR agency elected to serve eligible individuals outside of the order of selection who require specific services or equipment to maintain employment?

[check box] Yes

[check box] No

**(h) Waiver of Statewideness.** The State plan shall be in effect in all political subdivisions of the State, however, the Commissioner of the Rehabilitation Services Administration (Commissioner) may waive compliance with this requirement in accordance with section 101(a)(4) of the Rehabilitation Act and the implementing regulations in 34 CFR 361.26. If the VR agency is requesting a waiver of statewideness or has a previously approved waiver of statewideness, describe the types of services and the local entities providing such services under the waiver of statewideness and how the agency has complied with the requirements in 34 CFR 361.26. If the VR agency is not requesting or does not have an approved waiver of statewideness, please indicate “not applicable.”

[text box]

**(i) Comprehensive System of Personnel Development.** In accordance with the requirements in section 101(a)(7) of the Rehabilitation Act, the VR agency must develop and maintain annually a description (consistent with the purposes of the Rehabilitation Act) of the VR agency’s comprehensive system of personnel development, which shall include a description of the procedures and activities the VR agency will undertake to ensure it has an adequate supply of qualified State rehabilitation professionals and paraprofessionals that provides the following:

(1) Analysis of current personnel and projected personnel needs including—

- (A) The number and type of personnel that are employed by the VR agency in the provision of vocational rehabilitation services, including ratios of qualified vocational rehabilitation counselors to clients;
- (B) The number of personnel currently needed by the VR agency to provide VR services, broken down by personnel category; and
- (C) Projections of the number of personnel, broken down by personnel category, who will be needed by the VR 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.

Personnel Category	No. of Personnel Employed	No. of Personnel Currently Needed	Projected No. of Personnel Needed in 5 Years

- (D) Ratio of qualified VR counselors to clients: [text box]
- (E) Projected number of individuals to be served in 5 years: [text box]

(2) Data and information on personnel preparation and development, recruitment and retention, and staff development, including the following:

(A) A list of the institutions of higher education in the State that are preparing VR professionals, by type of program; the number of students enrolled at each of those institutions, broken down by type of program; and 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.

Institute of Higher Education	Type of Program	No. of Students Enrolled	No. of Prior Year Graduates

(B) The VR agency’s plan for recruitment, preparation and retention of qualified personnel, which addresses the current and projected needs for qualified personnel; and the coordination and facilitation of efforts between the VR agency 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.

[text box]

(C) Description of staff development policies, procedures, and activities that ensure all personnel employed by the VR agency receive appropriate and adequate training and continuing education for professionals and paraprofessionals:

- i. 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
- ii. Procedures for the acquisition and dissemination of significant knowledge from research and other sources to VR agency professionals and paraprofessionals and for providing training regarding the amendments to the Rehabilitation Act made by the Workforce Innovation and Opportunity Act.

[text box]

(3) Description of VR agency policies and procedures for the establishment and maintenance of personnel standards consistent with section 101(a)(7)(B) to ensure that VR agency 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.  
[text box]

(4) Method(s) the VR agency uses to ensure that personnel 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.  
[text box]

(5) 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.  
[text box]

**COOPERATION, COLLABORATION, AND COORDINATION (Section 101(a)(11) of the Rehabilitation Act)**

**(j) Coordination with Education Officials.** In accordance with the requirements in section 101(a)(11)(D) of the Rehabilitation Act—

- (1) Describe plans, policies, and procedures for coordination between the designated State agency and education officials responsible for the public education of students with disabilities, that are designed to facilitate the transition of the students with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services, including pre-employment transition services.  
[text box]
- (2) Describe the current status and scope of the formal interagency agreement between the VR agency and the State educational agency. Consistent with the requirements of the formal interagency agreement pursuant to 34 CFR 361.22(b), provide, at a minimum, the following information about the agreement:
  - (A) Consultation and technical assistance, which may be provided using alternative means for meeting participation (such as video conferences and conference calls), to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including pre-employment transition services and other vocational rehabilitation services;
  - (B) Transition planning by personnel of the designated State agency and educational agency personnel for students with disabilities that facilitates the development and implementation of their individualized education programs (IEPs) under section 614(d) of the Individuals with Disabilities Education Act;

- (C) The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services and pre-employment transition services;
  - (D) Procedures for outreach to and identification of students with disabilities who need transition services and pre-employment transition services. Outreach to these students should occur as early as possible during the transition planning process and must include, at a minimum, a description of the purpose of the vocational rehabilitation program, eligibility requirements, application procedures, and scope of services that may be provided to eligible individuals;
  - (E) Coordination necessary to satisfy documentation requirements set forth in 34 CFR part 397 regarding students and youth with disabilities who are seeking subminimum wage employment; and
  - (F) Assurance that, in accordance with 34 CFR 397.31, neither the SEA nor the local educational agency will enter into a contract or other arrangement with an entity, as defined in 34 CFR 397.5(d), for the purpose of operating a program under which youth with a disability is engaged in work compensated at a subminimum wage.
- [text box]

**(k) Coordination with Employers.** In accordance with the requirements in section 101(a)(11)(E) of the Rehabilitation Act, describe how the VR agency will work with employers to identify competitive integrated employment and career exploration opportunities in order to facilitate the provision of VR services; and transition services for youth and students with disabilities, including pre-employment transition services for students with disabilities.

[text box]

**(l) Interagency Cooperation with Other Agencies.** In accordance with the requirements in section 101(a)(11)(C) and (K), 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 to develop opportunities for community-based employment in integrated settings, to the greatest extent practicable for the following:

- (1) State programs (designate lead agency(ies) and implementing entity(ies)) carried out under section 4 of the Assistive Technology Act of 1998;  
[text box]
- (2) Programs carried out by the Under Secretary for Rural Development of the Department of Agriculture;  
[text box]
- (3) Non-educational agencies serving out-of-school youth;  
[text box]
- (4) State use contracting programs;  
[text box]
- (5) State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);  
[text box]

- (6) State agency responsible for providing services for individuals with developmental disabilities;  
[text box]
- (7) State agency responsible for providing mental health services;  
[text box]
- (8) Other Federal, State, and local agencies and programs outside the workforce development system; and  
[text box]
- (9) Other private nonprofit organizations.  
[text box]

## 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 title IV of WIOA, <sup>9</sup> and its State Plan supplement under title VI of the Rehabilitation Act;
2.	In the event the designated State agency is not primarily concerned with vocational and other rehabilitation of individuals with disabilities, the designated State agency must include a designated State unit for the VR program (Section 101(a)(2)(B)(ii) of the Rehabilitation Act). 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 or the designated State unit when the designated State agency has a designated State unit) <sup>10</sup> agrees to operate and is responsible for the administration of the State VR Services Program in accordance with the VR services portion of the Unified or Combined State Plan <sup>11</sup> , the Rehabilitation Act, 34 CFR 361.13(b) and (c), and all applicable regulations <sup>12</sup> , policies, and procedures established by the Secretary of Education. Funds made available to States under section 111(a) 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 or the designated State unit when the designated State agency has a designated State unit, agrees to operate and is responsible for the administration of the State Supported Employment Services Program in accordance with the supplement to the VR services portion of the Unified or Combined State Plan <sup>13</sup> , the Rehabilitation Act, and all applicable regulations <sup>14</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;

<sup>9</sup> Public Law 113-128.

<sup>10</sup> All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

<sup>11</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>12</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 at 34 CFR part 361.

<sup>13</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>14</sup> Applicable regulations, in part, include the citations in footnote 4, as well as Supported Employment program regulations at 34 CFR part 363.

<b>States must provide written and signed certifications that:</b>	
4.	The designated State unit, or if not applicable, the designated State agency 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, and is responsible for the administration of the VR program in accordance with 34 CFR 361.13(b) and (c);
5.	The State legally may carry out each provision of the VR services portion of the Unified or Combined State Plan and its supplement.
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, 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),

<b>The State Plan must provide assurances that:</b>	
	(22), (23), and 606(a) of the Rehabilitation Act; section 102 of WIOA in the case of the submission of a Unified State plan; section 103 of WIOA in the case of a submission of a Combined State Plan; 34 C.F.R. 76.140.
3.	<p><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:</p> <ul style="list-style-type: none"> <li>(a) the establishment of the designated State agency and designated State unit, as required by section 101(a)(2) of the Rehabilitation Act.</li> <li>(b) either a State independent commission or State Rehabilitation Council, as required by section 101(a)(21) of the Rehabilitation Act.</li> <li>(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.</li> <li>(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).</li> <li>(e) as applicable, 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.</li> <li>(f) as applicable, the shared funding and administration of joint programs, in accordance with section 101(a)(2)(A)(ii) of the Rehabilitation Act.</li> <li>(g) statewideness and waivers of statewideness requirements, as set forth in section 101(a)(4) of the Rehabilitation Act.</li> <li>(h) the requirements for cooperation, collaboration, and coordination, as required by sections 101(a)(11) and (24)(B); and 606(b) of the Rehabilitation Act.</li> <li>(i) all required methods of administration, as required by section 101(a)(6) of the Rehabilitation Act.</li> <li>(j) the requirements for the comprehensive system of personnel development, as set forth in section 101(a)(7) of the Rehabilitation Act.</li> <li>(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.</li> <li>(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 as set forth in section 101(a)(18)(A).</li> </ul>

<b>The State Plan must provide assurances that:</b>	
	(m) the submission of reports as required by section 101(a)(10) of the Rehabilitation Act.
4.	<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)(E) 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 or, if implementing an order of selection, in accordance with criteria established by the State for the order of selection as set out in section 101(a)(5) of the Rehabilitation Act.</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 sections 101(a)(14) and 511 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</li> </ul> </li> </ul>

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

	<p>services (sections 101(a)(15),101(a)(25), and 113).                  (iii) shall reserve not less than 15 percent of the allocated funds for the provision of pre-employment transition services; such funds shall not be used to pay for the administrative costs of providing pre-employment transition services.</p>
5.	<p><b>Program Administration for the Supported Employment Title VI Supplement to the State plan:</b>                  (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.                  (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>
6.	<p><b>Financial Administration of the Supported Employment Program (Title VI):</b>                  (a) 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)(H) and (I) of the Rehabilitation Act.                  (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>
7.	<p><b>Provision of Supported Employment Services:</b>                  (a) The designated State agency assures that it will provide supported employment services as defined in section 7(39) of the Rehabilitation Act.                  (b) The designated State agency assures that                    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</p>

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

accordance with the requirements of section 606(b)(7)(B) of the Rehabilitation Act an individualized plan for employment that meets the requirements of section 102(b) of the Rehabilitation Act , which is developed and updated with title I funds, in accordance with sections 102(b)(3)(F) and 606(b)(7)(C) and (E) of the Rehabilitation Act.

**Appendix 1: Performance Goals for the Core Programs**

Each state submitting a Unified or Combined State 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-negotiated levels of performance for the indicators for each of the first two years of the plan.

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).

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

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

	Title I – Youth Program			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit) <sup>15</sup>				
Employment (Fourth Quarter after Exit) <sup>16</sup>				
Median Earnings (Second Quarter after Exit)				
Credential Attainment Rate				
Measurable Skill Gains				

	Title II – Adult Education and Family Literacy Act Program
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<sup>15</sup> For Title I Youth programs, employment, education or training.

<sup>16</sup> For Title I Youth programs, employment, education or training.

	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit)				
Employment (Fourth Quarter after Exit)				
Median Earnings (Second Quarter after Exit)				
Credential Attainment Rate				
Measurable Skill Gains				

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

	Vocational Rehabilitation Program			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit) <sup>22</sup>				
Employment (Fourth Quarter after Exit) <sup>22</sup>				
Median Earnings (Second Quarter after Exit) <sup>17</sup>				
Credential Attainment Rate				
Measurable Skill Gains				

	All WIOA Core Programs			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Effectiveness in Serving Employers				

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

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<sup>17</sup>