

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PY 2013-17 LOCAL PLANS AND BOARD CERTIFICATION
(BIENNIAL AND HIGH PERFORMING)

EXECUTIVE SUMMARY:

Purpose:

This directive includes planning guidance for Local Workforce Investment Boards (local boards) to develop their Local Strategic Workforce Plans (local plans) for Program Years (PY) 2013-17; evaluation criteria to be used for review of local plans, and standards for certification of local boards (biennial and high performing).

Scope:

This directive applies to all local boards.

Effective Date:

This directive is effective on date of issuance.

REFERENCES:

- [Workforce Investment Act \(WIA\)](#) Sections 117, 118, 121, and 136
- Title 20 Code of Federal Regulations Part 661-663
- [California Unemployment Insurance Code \(CUIC\)](#) Sections 14000-18012
- SB 293 (Ducheny), [CUIC](#) Sections 14202, 14206, and 14220-14223
- SB 698 (Lieu), [CUIC](#) Section 14200(c)
- U.S. Department of Labor (DOL) Training and Employment Guidance Letter [\(TEGL\) 21-11](#), Requirements for 2012 State Workforce Plans (March 27, 2012)

- DOL [TEGL 17-05, Change 1](#), Common Measures Policy for the DOL Employment and Training Administration (ETA) Performance Accountability System and Related Performance Issues (August 13, 2007)
- DOL [TEGL 17-05](#), Common Measures Policy for the ETA Performance Accountability System and Related Performance Issues (February 17, 2006)
- [California's Strategic Workforce Development Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act 2013-2017](#)
- Workforce Services (WS) Directive [WSD12-13](#), Temporary Extension of WIA Statewide Waivers and State Plan (March 26, 2013)
- WS Directive [WSD05-6](#), Notification Requirement Relating to Lack of One-Stop MOUs (October 6, 2005)
- WIA Bulletin [WIAB99-2](#), WIA Initial Local Planning Guidance (December 14, 1999)

STATE-IMPOSED REQUIREMENTS:

This directive contains some State-imposed requirements. These requirements are indicated by ***bold, italic*** type.

FILING INSTRUCTIONS:

This directive supersedes Workforce Services Directive WSD10-15, dated May 13, 2011, Workforce Services Directive WSD10-9, dated September 29, 2010, and finalizes Workforce Services Draft Directive WSDD-81, issued for comment on April 12, 2013. The Workforce Services Division received five comments during the draft comment period. This resulted in four changes to the directive which are viewed as highlighted text. The highlighted text will remain on the Internet for 30 days from the issuance date. A summary of the comments is provided as Attachment 15. Retain this directive until further notice.

BACKGROUND:

Local boards submitted their initial strategic five-year local plans pursuant to the requirements in WIA Section 118, instructions in [WIAB99-2](#), dated December 14, 1999, and several issuances of supplemental guidance. These plans were effective July 1, 2000, through June 30, 2005. Due to continued uncertainty regarding WIA reauthorization, the DOL has required modifications or extensions to both the state and local plans. Accordingly, the State granted numerous extensions to existing local plans, with the latest granted for PY 2012-13.

On March 27, 2012, the ETA issued [TEGL 21-11 Requirements for 2012 State Workforce Plans](#) outlining expectations for state strategic plans. In addition, the Governor enacted legislation (SB 698) that requires the California Workforce Investment Board (State Board) to implement standards for certifying high-performing

local boards. The State Board has incorporated these mandates in California's State Plan for PYs 2013-17.

This five-year State Plan serves as a framework for the development of public policy, fiscal investment, and operation of state labor exchange, workforce education, and training programs. The State Plan can be viewed on the [State Board's website](#), which also includes the [Questions and Answers](#) from the eight regional technical assistance planning sessions conducted by the State Board.

POLICY AND PROCEDURES:

On behalf of the Governor, the State Board must concurrently perform three statutorily required activities to ensure effective local boards:

- 1. Approve five-year local plans based on adherence to the *State Strategic Workforce Development Plan*:** Local boards are required by federal law to submit to the State Board a comprehensive five-year local plan that reflects the vision, strategy, and goals of the State Strategic Workforce Development Plan [WIA Section 118(a) and CUIIC 14220].
- 2. Recommend local board recertification to the Governor:** Federal and state law require the State Board to recommend to the Governor recertification of each local board every two years. Consideration is based on meeting minimum federal performance measures and compliance with federal and state law and regulations [WIA Section 117(c)(2) and CUIIC 14200(b)].
- 3. Evaluate local board performance for biennial "high-performance" certification:** In 2011, Governor Brown signed Senate Bill 698 which requires the State Board to implement standards for certifying high-performance local boards. The first high performing local board certification will occur by October 1, 2013 [CUIIC 14200(c)].

In order to maximize efficiency and minimize administrative workload, the State Board has combined the three above activities into a single evaluation process.

Local Plans

Title 20 CFR Part 661.355 states that the Governor must establish procedures for local plan modifications. Accordingly, the State Board and the Employment Development Department (EDD) have established guidelines for submitting local plans that reflect the State Plan. Local boards are to implement those statewide goals in consideration of local and regional priorities.

WIA Section 118 and CUIIC sections 14221-14222 require the local boards to submit a five-year local plan to the State Board that aligns with the State Plan, identifying the local board's strategies to achieve the State Plan goals. ***Accordingly, the local board is required to engage in comprehensive, data-driven planning that ensures that the local plan engages business and education partners in the development of local board strategies and priorities, and identifies steps the local board shall take to accomplish their goals.***

Detailed guidelines for developing the local plans are included in the State Plan as [Appendix H – Local Plan Guidance](#), which is also included as Attachment 2 to this directive. Attachment 2a, [Evaluation Criteria for Local Plans and Local Board Certification](#), includes the evaluation rubric that will be used by the State Board to review local plans. Local boards should pay particular attention to the rubric when developing responses to the local plan guidance. The [Local Plan Scoring Rubric](#) (Attachment 2b) will assist local boards in assuring that their responses meet minimum requirements. A complete list of documents required for local plan approval is listed in the “PYs 2013-17 Local Plan Format” subsection of this directive.

Local Board Recertification

As required by WIA Section 117(c)(2) and CUIIC Section 14200(b), the State Board must recommend to the Governor recertification of each local board every two years. ***The State Board will recommend recertification of a local board if it meets the requirements listed below:***

- 1. The local board passes the four required local plan pass/fail elements and meets the minimum requirements for each of the 16 other criteria listed on Attachment 2b, [Local Plan Scoring Rubric](#).***
- 2. The local board meets the required membership as stated in WIA 117(b) and SB 293.***
- 3. The local area achieves 80 percent or higher on at least eight of the nine locally negotiated common performance measures for PY 2012-13.***

In order for the Governor to determine that local boards are in compliance with the membership requirements of WIA Section 117(b), all local boards are required to complete Attachment 12, [Local Workforce Investment Board Recertification Request](#). Comments are required to explain any vacant positions. The form must be signed by the local board chairperson or officially designated alternate.

Local boards that fail any of the four required pass/fail elements and/or fail to meet the minimum requirements for any of the 16 other criteria may receive a “conditional” certification and will be required to submit a corrective action plan to the State Board within 45 days that addresses those areas that did not meet the minimum requirements.

If a local board does not meet the recertification criteria, the EDD and State Board will work with the local board to improve those deficiencies. The State Board will forward final recommendations regarding recertification to the Governor. The local board will be notified in writing by October 1, 2013, regarding its recertification status.

High-Performance Certification Criteria

High-performance certification, which will provide a local board with increased recognition and credibility for its work, is voluntary. However, to be considered a high-performance board a local board must request high-performance certification at the

time its local plan is submitted to the State Board. There is no other formal written request for High Performing Board certification needed other than the check box on Attachment 1, the [Cover Page](#). Consideration for certification as a High Performing Board will be based upon the materials provided in the local plan. The local plan should not exceed 80 pages.

A local board that exceeds minimum recertification requirements will be considered for status as a high-performance local board. Attachment 2a, [Evaluation Criteria for Local Plans and Local Board Certification](#), includes the evaluation rubric for local board certification. Attachment 2b, [Local Plan Scoring Rubric](#), will assist the local board in assessing whether it meets the criteria for high-performance local board certification. The minimum score for local board recertification under WIA Section 117 is 16 (out of 32 possible); in order to achieve high-performance certification, a local plan must score at least 26 on the rubric. A local board not meeting the high-performance standards will receive further technical assistance from the State Board and the EDD, if desired. The local board will be notified in writing by October 1, 2013, regarding its high-performance local board certification status.

The initial 2013 high-performance certification will be a baseline for a continuous improvement process based on the local board's alignment of their local plan with the State Plan's goals and strategies. In 2015, the State Board will revise the high-performance standards and evaluation criteria to place more emphasis on measurable data related to specific employment and education outcomes.

Public Comment, Signatures, Due Date

The WIA Section 118 requires local boards to make their plan available for public feedback. Local boards must also allow the public, including representatives of business and labor organizations, to submit comments on the proposed local plan no later than the end of the 30-day period beginning on the date on which the proposed plan has been made available. Local boards must include any public comments that represent disagreement with the plan as part of their submittal to the State Board.

Local plans must be submitted to the State Board no later than July 1, 2013. Local boards should submit one electronic version in a Portable Document Format (PDF) format copied to a compact disc, one original, and three copies of their local plan. The plan must include the original signatures of the local board Chair and the Chief Local Elected Official or their designated alternates. The local boards are required to submit one fully executed copy of each Memorandum of Understanding for each partner that is providing services through the local One-Stop Career Centers (per [WIAD05-6](#)).

(Note: Alternates must be formally designated by official action of their respective local board or locally approved policy.)

Some local areas may be unable to obtain the approval of both the local board Chair and the Chief Local Elected Official by the due date (e.g., due to the scheduling of their respective board meetings). If local approval cannot be achieved by the submission deadline, the local board must submit at least one

copy of the unsigned plan by the due date and provide a detailed explanation for the absent signature(s) and the date by which the signed original and copies will be sent. A signed copy must be submitted no later than October 1, 2013. Electronic copies will be accepted and should be sent to CWIBInfo@cwib.ca.gov, Attention: Local Plans.

Local Plan Review

All local plans will be reviewed by a team of readers that may include representatives from the State Board, EDD Regional Advisors, and other state partners. Upon review, the State Board will send each local board a letter by October 1, 2013, advising them of the approval status of the local plan for PYs 2013-17.

Action Dates

Below is a table indicating the timeline and activities related to approval of state and local plans and the certification of local boards.

Action Dates	Activity
January-February 2013	State Board, Employment Training Panel, and EDD Regional Advisors conduct local plan training and technical assistance forums throughout California.
February 14 – March 15, 2013	State Plan and Interim local plan and high-performance criteria are released for a second round of public comment.
June 2013	The ETA approves the State Plan and statewide WIA Common Measure performance targets.
July 1, 2013	Local plans and requests for high-performance certification are submitted to the State Board.
July-September 2013	State review team reviews local plans and determines minimum and high-performance certification using the evaluation rubric in Attachment 2a, Evaluation Criteria for Local Plans and local Board Certification.
July-September 2013	State Board and EDD notify local boards of local plan deficiencies and provide technical assistance.
By October 1, 2013	State Board notifies the Chief Local Elected Official of approved local plan, full or conditional local board recertification, and if requested, high-performance certification.
October 1, 2013	State Board recommends to the Governor the withholding of WIA formula funds to local boards that have not submitted or do not have an approved local

	plan.
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PYs 2013-17 Local Plan Format

Local boards should arrange their completed local plans in the following order:

1. Cover Page
2. State Plan Appendix H - Local Plan Guidance (Excluding Section 8)
(Note: Responses are not to exceed 80 pages)
3. Assurances
4. Title IB Participant Plan Summary
5. Title IB Budget Plan Summary (Adult or Dislocated Worker)
6. Title IB Budget Plan Summary (Youth)
7. Negotiated Levels of Performance (State Plan Appendix H - Local Plan Guidance Section 8)
8. Comprehensive One-Stop Center Partner Listing
9. Memorandums of Understanding (MOU)
10. State of California Local Area Grant Recipient Listing
11. Copy of Local Board Bylaws
12. Local Workforce Investment Board (local board) Recertification Request
(local board Membership and Affiliation)
13. Program Administration Designee and Plan Signatures
14. Public comments received that disagree with the local plan.

The documents listed above are included as attachments to this directive.

ACTION:

Please share this directive with all relevant parties. All local plans should be received by the State Board no later than 5 p.m., on July 1, 2013. All submittals shall be mailed or hand-delivered to:

California Workforce Investment Board
Attn: Local Plan
777 12th Street, Suite 200
Sacramento, CA 95814-0001

INQUIRIES:

If you have any questions, please contact your [Regional Advisor](#) at (916) 654-7799 and/or the State Board at (916) 324-3425.

/S/ MICHAEL EVASHENK, Chief
Workforce Services Division

Attachments are available on the Internet:

1. [Cover Page](#) (DOCX)
2. [State Plan Appendix H - Local Plan Guidance](#) (PDF)
- 2a. [Evaluation Criteria for Local Plans and Local Board Certification](#) (PDF)
- 2b. [Local Plan Scoring Rubric](#) (PDF)
3. [Assurances](#) (DOCX)
4. [Title 1B Participant Plan Summary](#) (XLSX)
5. [Title 1B Budget Plan Summary \(Adult or Dislocated Worker\)](#) (XLS)
6. [Title 1B Budget Plan Summary \(Youth\)](#) (XLS)
7. [Negotiated Levels of Performance](#) (DOCX)
8. [Comprehensive One-Stop Center Partner Listing](#) (DOCX)
9. [Memorandums of Understanding \(MOU\)](#) (DOCX)
10. [State of California Local Area Grant Recipient Listing](#) (DOC)
11. [Copy of Local Board Bylaws \(Cover Page\)](#) (DOCX)
12. [Local Workforce Investment Board Recertification Request](#) (DOC)
13. [Program Administration Designee and Plan Signatures](#) (DOCX)
14. [Public comments received that disagree with the local plan](#) (DOCX)
15. [Summary of Comments](#) (PDF)