

DEPARTMENT OF LABOR**Employment and Training
Administration**

[Billing Code: 4510-30-P]

**Workforce Investment Act; Proposed
Unified Plan Guidance (Developed by
the Departments of Labor, Education,
Health and Human Services,
Agriculture, and Housing and Urban
Development); Proposed Information
Collection Request Submitted for
Public Comment and
Recommendations****ACTION:** Notice.

SUMMARY: The Departments of Labor, Education, Health and Human Services, Agriculture, and Housing and Urban Development, as part of continuing efforts to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed. This notice by the Employment and Training Administration (on behalf of all the aforementioned agencies) is to solicit comments concerning proposed guidance for States to submit a Unified Plan under Section 501 of the Workforce Investment Act of 1998. A copy of this proposed guidance is provided at the end of this notice. The proposed guidance is published for the purpose of obtaining comment on its information collection requirements from the public.

DATES: Written comments must be submitted to the office listed in the addressee's section below on or before December 6, 1999.

ADDRESSES: Comments may be submitted to: Dolores Hall-Beran, Coordinator of the State Unified Plan Review Process, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-5513, Washington, D.C. 20210. The Coordinator can be reached by telephone at (202) 219-0316, ext. 146, or by e-mail at dberan@doleta.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Eric Johnson, Workforce Investment Implementation Task Force Office, U.S. Department of Labor, 200 Constitution Ave, NW, Room S-5513, Washington,

DC 20210. Telephone: (202) 219-0316 (voice) (This is not a toll-free number), or 1-800-326-2577 (TDD). Information may also be found at the website—<http://usworkforce.org>.

SUPPLEMENTARY INFORMATION:**I. Background**

President Clinton signed the Workforce Investment Act of 1998 (WIA) and the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III) into law on August 7, 1998, and October 31, 1998, respectively. These Acts will have a major impact on the nation's education, training and workforce development systems. Successful implementation requires collaboration at the Federal, State, and local levels to ensure creation of a comprehensive, customer-focused workforce investment system as well as the creation of a seamless system of service delivery. The purpose of this proposed document is to provide guidance to facilitate States' development and submission of a State Unified Plan authorized by Title V, Section 501 of the Workforce Investment Act of 1998 (WIA). Please note that this document provides a model the State may choose to follow in developing its unified plan, but does not represent a required format for submission. For a more detailed description of the purpose and role of this proposed guidance, please see the copy of the proposed guidance published herein.

II. Review Focus

The Departments of Labor, Education, Health and Human Services, Agriculture, and Housing and Urban Development are particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agencies, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and

- Evaluate whether the proposed guidance will facilitate States' development of comprehensive unified plans.

III. Current Actions

This is a request for OMB approval (under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)) to approve a new collection of information.

Type of Review: New Collection.

Agency: Employment and Training Administration, on behalf of the Departments of Labor, Education, Health and Human Services, Agriculture, and Housing and Urban Development.

Title: Proposed State Unified Plan Planning Guidance for State Unified Plans Submitted Under Section 501 of the Workforce Investment Act of 1998.

Frequency: Annually.

Affected Public: Individuals; businesses; other for-profit/not-for-profit institutions; Federal, State, Local, or Tribal Governments.

Number of Respondents: 57.

Burden and Cost Estimates: Assuming a respondents opts to include all 16 programs in the Unified Plan, the following burden estimates would apply. [Note: Estimates were derived by analyzing the current burden estimates for current State plan requirements for the individual programs included in Section 501. Using burden estimated from each of the existing planning requirements, it takes an average of 84 minutes (or 1.4 hours) to complete each narrative question. There are approximately 230 narrative questions in the unified plan guidance. Using previous burden estimates as a guide, approximately 13 hours were allowed for the completion of the assurances and certifications. Finally, a \$25 per hour rate was used for staff completing the State planning requirements.]

Estimated Time Per Response: 335 hours. [(1.4 hours * 230 narratives) + 13 hours].

Total Estimated Cost for Respondents: \$477,375.

Total Burden Hours: 19,095 hours. [335 hours * 57 respondents] Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: September 29, 1999.

Raymond J. Uhalde,
Deputy Assistant Secretary, Employment and Training Administration.

BILLING CODE 4510-30-P

Proposed

State Unified Plan

Planning Guidance

for State Unified Plans

Submitted Under Section 501

of the

Workforce Investment Act of 1998

State/Commonwealth of

for the period of

State Unified Plan Planning Guidance**A. Statement of Purpose**

The purpose of this document is to provide guidance to States which submit a State Unified Plan authorized by Title V, Section 501 of the Workforce Investment Act of 1998 (WIA). The State Unified Plan Planning Guidance facilitates the development and submission of such a plan, which addresses two or more of the programs or activities specified at Section 501(b)(2). Please note that this document provides a model the State may choose to follow, but is not required to follow, in developing unified plans. However, following this model application will reduce burden on the State and ensure that the State has sufficiently met the information collection requirements in lieu of completing the individual program state planning requirements.¹

B. Background

President Clinton signed the Workforce Investment Act of 1998 (WIA) and the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III) into law on August 7, 1998, and October 31, 1998, respectively. These Acts will have a major impact on the nation's education and workforce investment systems. Implementation requires collaboration at the Federal, State, and local levels to create a more comprehensive, customer-focused workforce investment system.

C. Section 501 Programs and Activities

Below is a listing of the programs and activities covered in Section 501 of WIA, along with the commonly used name. In this document, we generally refer to the activities and programs by their commonly used names. Should State staff need information on the programs listed, a staff contact is provided here also.

- Secondary Vocational Education Programs (Perkins III/Secondary)

Note that inclusion of this program in the unified plan requires prior approval of State legislature.

Administered by Department of Education, Office of Vocational and Adult Education.

Staff Contact: Jon Weintraub: 202-205-5602 (phone); 202-260-9183 (fax) (E-mail: jon_weintraub@ed.gov).

- Postsecondary Vocational Education Programs (Perkins III/Postsecondary)

Administered by Department of Education, Office of Vocational and Adult Education.

Staff Contact: Jon Weintraub: 202-205-5602 (phone); 202-260-9183 (fax) (E-mail: jon_weintraub@ed.gov).

- Tech-Prep Education (Title II of Perkins III)

Administered by Department of Education, Office of Vocational and Adult Education.

Staff Contact: Jon Weintraub: 202-205-5602 (phone); 202-260-9183 (fax) (E-mail: jon_weintraub@ed.gov).

- Activities Authorized Under Title I, Workforce Investment Systems (Employment and Training Activities for Adults, Dislocated Workers and Youth, or WIA Title I)

Administered by Department of Labor, Employment and Training Administration.

Staff Contact: Eric Johnson: 202-219-0316 (phone); 202-219-0323 (fax) (E-mail: ejohnson@doleta.gov).

- Activities Authorized Under Title II of WIA, Adult Education and Family Literacy (Adult Education and Family Literacy Programs)

Administered by Department of Education, Office of Vocational and Adult Education.

Staff Contact: Jon Weintraub: 202-205-5602 (phone); 202-205-260-9183 (fax) (E-mail: jon_weintraub@ed.gov).

- Food Stamp Employment and Training Program, or FSET

Administered by USDA, Food and Nutrition Service.

Staff Contact: Michael Atwell: 703-305-2449 #2062 (phone); 703-305-2486 (fax) (E-mail: Michael_Atwell@FNS.USDA.GOV).

- Work Programs Authorized Under § 6(o) of the Food Stamp Act of 1977 (Food Stamp Work Programs)

Administered by USDA, Food and Nutrition Service.

Staff Contact: Michael Atwell: 703-305-2449 (phone); 703-305-2486 (fax) (E-mail: Michael_Atwell@FNS.USDA.GOV).

- Activities Authorized Under Chapter 2 of Title II of the Trade Act of 1974 (Trade Act Programs)

Administered by Department of Labor, Employment and Training Administration.

Staff Contact: Curtis Kooser: 202-219-4845 (phone); 202-219-5753 (fax) (E-mail: ckooser@doleta.gov).

- Programs Authorized Under the Wagner-Peyser Act (Employment Service)

Administered by Department of Labor, Employment and Training Administration.

Staff Contact: Alison Pasternak: 202-219-9092 (phone); 202-219-6643 (fax) (E-mail: apasternak@doleta.gov).

- Programs Authorized Under Part B of Title I of the Rehabilitation Act of 1973, Other Than § 112 of Such Act (Vocational Rehabilitation)

Administered by Department of Education, Rehabilitation Services Administration.

Staff Contact: Jerry Abbott: 202-205-5443 (phone); 202-205-9340 (fax) (E-mail: jerry_abbott@ed.gov).

- Programs Authorized Under Chapters 41 and 42 of Title 38, U.S.C., and 20 CFR 1001 and 1005 (Veterans Programs, Including Veterans Employment, Disabled Veterans' Outreach Program, and Local Veterans' Employment Representative Program)

Administered by DOL, Veterans' Employment and Training Service.

Staff Contact: Effie Baldwin: 202-693-4742 (phone); 202-693-4755 (fax) (E-mail: Baldwin-Effie@dol.gov).

- Programs Authorized Under State Unemployment Compensation Laws (Unemployment Insurance)

Administered by Department of Labor, Employment and Training Administration.

Staff Contact: William Coyne: 202-219-5223 #142 (phone); 202-219-8506 (E-mail: wcoyne@doleta.gov).

- Programs Authorized Under Part A of Title IV of the Social Security Act (Temporary Assistance for Needy Families (TANF), and Welfare-to-Work (WtW))

TANF administered by Health and Human Services, Administration for Children and Families.

Staff Contact: Robert Shelbourne: 202-401-5150 (phone); 202-205-5887 (fax) (E-mail: rmshelbourne@acf.dhhs.gov).

WtW administered by Department of Labor, Employment and Training Administration.

Staff Contact: Stephanie Curtis: 202-219-0024 (phone); 202-219-0312 (fax) (E-mail: scurtis@doleta.gov).

¹ Please note that the Departments of Education and Labor may issue additional guidance to assist States in fulfilling the performance accountability requirements of for WIA Title I, the Adult Education and Family Literacy Act, and Perkins III, including, for example, the requirements to renegotiate performance levels at statutorily defined points in the 5-year unified plan cycle.

- Programs Authorized Under Title V of the Older Americans Act of 1965 (Senior Community Service Employment Program, or SCSEP)

Administered by Department of Labor, Employment and Training Administration.

Staff Contact: Robert Lunz: 202-219-8502 (phone); 202-219-6338 (fax) (E-mail: rlunz@doleta.gov).

- Training Activities Carried Out by the Department of Housing and Urban Development (Community Development Block Grants, or CDBG, and Public Housing Plans)

Staff Contact: Deborah Greenstein: 202-708-1520 #5923 (phone); 202-708-0573 (fax) (E-mail: Deborah_Greenstein@hud.gov).

- Programs Authorized Under the Community Services Block Grant Act (Community Services Block Grant, or CSBG)

Administered by Health and Human Services, Administration for Children and Families.

Staff Contact: Margaret Washnitzer: 202-401-2333 (phone); 202-401-5718 (fax) (E-mail: mwashnitzer@acf.dhhs.gov).

D. Questions and Answers

1. What Is a State Unified Plan?

One of the most innovative reforms introduced by WIA is the State unified plan, which creates a new opportunity to maximize joint planning and coordination among programs and activities. States have the option of submitting a single plan for up to 16 Federal education and training programs. This unified plan may include the programs and activities set forth in Title V of WIA at Section 501(b)(2). The Departments of Agriculture (USDA), Education (DEd), Health and Human Services (DHHS), Housing and Urban Development (HUD), and Labor (DOL) are responsible for administering these programs and activities.

The five titles of the Workforce Investment Act reform Federal employment, adult education, and vocational rehabilitation programs and create a new, comprehensive workforce development system which is customer focused. Some of WIA's key principles are streamlining services, empowering individuals, increased access, increased accountability, integrated and coordinated services, State and local flexibility, and improved youth programs. WIA helps Americans access the tools they need to manage their careers through information and high

quality services, and helps U.S. companies find skilled workers. Title I authorizes a variety of employment and training programs superseding the Job Training Partnership Act; Title II contains the Adult Education and Family Literacy Act; Title III amends the Wagner-Peyser Act to require that Employment Service/Job Service activities become part of the "One-Stop" system and Title IV includes the Rehabilitation Act Amendments of 1998. Title V contains the authority for the State unified plan and other general provisions. States may also include Perkins III in a unified plan. Perkins III supports reforms and improvement activities in vocational and technical education to improve student achievement and preparation for postsecondary education, further learning, and careers.

2. What Is the Purpose of the State Unified Plan Option?

Building on the requirements in WIA Titles I and II that States develop five-year plans, this option encourages States toward program coordination through a unified planning process. A number of States across the country have been pioneers in coordinating the multitude of Federally-funded programs to maximize the resources available to their citizens. As reinvention efforts proceed in governmental organizations, creativity is needed at all levels—local, State, and Federal. In order to effectively implement WIA, a collaboration clearly focused on customer service, cutting red tape, and performance partnership must be built and maintained.

The Federal partners recognize that the development of State unified plans presents a unique challenge: while coordinating planning activities across department and agency lines, States are not relieved of meeting the Federal statutory requirements for each of the programs and activities they include in the unified plan. This planning guidance and the accompanying instructions were developed to enhance the quality of that planning process and make it less burdensome. We have attempted to reduce the burden by eliminating duplicative requirements and finding common elements among the planning guidance for each of the programs and activities included in Section 501. This document reflects the efforts of the Federal agencies to identify areas of overlap. States may use this guidance as an alternative to the individual plan guidance developed by Federal agencies for each of the Federal programs that may be included in a unified plan.

3. How Is This Guidance Related to State Planning Guidance Documents Which the Federal Agencies Have Already Published for the Programs and Activities Listed Above?

The Departments of Agriculture, Education, Health and Human Services, Housing and Urban Development, and Labor, and the Office of Management and Budget, jointly developed this planning document. For States submitting a unified plan, this document is an alternative to previously issued planning guidance for programs and activities included in the plan. Please note that this document provides a model the State may choose to follow, but is not required to follow, in developing unified plans. However, following this model application will reduce burden on the State and ensure that the State has sufficiently met the information collection requirements in lieu of completing the individual program State planning requirements.

Materials related to funding, such as jointly executed funding instruments, grant agreements, or Governor/Secretary Agreements, items such as negotiated corrective action plans and program specific amendments are not considered planning materials for purposes of WIA § 501(c)(2). WIA's State unified plan provisions do not allow any specific statutory requirements to be superseded. For example, if a program has a statutory requirement for an annual plan, inclusion in a unified plan would not change that program's plan to a five-year plan nor would inclusion in the unified plan change the requirement to negotiate new performance levels and amend the unified plan to reflect these as required by such programs as Perkins III, AEFLA, and Title I of WIA.

This document also provides the "Unified Planning Guidance" cited in DOL's State Planning Guidance for submission of the strategic five-year State plan for Title I of WIA and the Wagner-Peyser Act under option four. Section 661.240 of WIA interim final regulations, published on April 15, 1999, addresses the State unified plan provisions as they apply to DOL programs. This document does not address any requirements for submission of a Workforce Flexibility plan provided under section 192 of WIA or for submission of a General Waiver Plan under WIA § 189(i). These waiver plans are not considered planning materials for purposes of WIA § 501(c)(2).

4. What Is Planning in the State Unified Plan Context?

Submission of a unified plan signals the State's determination to use Federal resources efficiently by looking across programs to identify coordination opportunities. For instance, given a mix of performance measures and programs, the State would decide what resources from each program can best respond to a given performance measure.

The unified planning process also balances the desire for States to achieve WIA's strategic planning objectives with the need to demonstrate compliance with the statutory and regulatory requirements for each of the programs in the unified plan. The Federal partners recognize that joint planning is a time-consuming and difficult endeavor. The unified plan option may accrue several benefits to States:

- *Improved customer service*, based on a holistic approach to serving customers which facilitates non-duplication of services and reaches new client groups
- *Improved strategic planning*, reflecting the sharing of knowledge at the State level concerning a wide range of programs and resources
- *Increased computer and information technology (IT) system networking*, providing the opportunity to learn about other and new IT systems and to promote the integrated use of technology
- *Burden reduction*, achieved through non-duplication of efforts and the need for less paper as opportunities for boilerplate language and certifications are identified
- *Increased coordination at the local level*, as the State fosters seamless services, through the coordination of education, training and employment resources and the provision of critical ancillary services
- *Improved use of State and Federal resources*, leading to greater effectiveness and efficiency

5. What Is a Consolidated Education Plan?

Another significant Federal initiative which encourages States toward integrated planning is the Department of Education's option for Consolidated Education Plans. Section 14302 of the Elementary and Secondary Education Act (ESEA), as reauthorized by Title I of the Improving America's Schools Act, allows State Education Agencies (SEAs) to apply for funding for Perkins III and a number of Federal elementary and secondary education formula grant programs through a single, simplified consolidated plan, rather than through

separate funding applications or plans. An SEA may consolidate administrative funds under the specified programs, but may not commingle program funds. States that are interested in pursuing the option of submitting a consolidated plan for Perkins III funding should contact the Division for Vocational and Technical Education at the U.S. Department of Education.

6. What Does WIA Require for the State Unified Plan?

Programs Included: According to Title V of WIA, the State may develop and submit a State unified plan for two or more of the activities and programs listed at Section 501. Your State unified plan must include at least one program from (a) through (d). These programs are listed below.

Section 501(b)(1) requires all State unified plans to cover one or more of the following programs and activities:

- (a) Perkins III/Secondary (**Note:** secondary vocational education programs may only be included with prior approval of the State legislature.)
 - (b) Perkins III/Postsecondary (**Note:** for the purposes of what the State unified plans cover, Perkins III/Secondary and Perkins III/Postsecondary count as one program.)
 - (c) Employment and Training Activities for Adults, Dislocated Workers and Youth, or WIA Title I and Wagner-Peyser Act. (**Note:** if the unified plan covers programs authorized under WIA Title I, then it must also cover programs authorized under the Wagner-Peyser Act.)
 - (d) Adult Education and Family Literacy Programs.
- The State unified plan may cover one or more of the following activities:
- (e) Food Stamp Employment & Training Program (FSET)
 - (f) Work programs authorized under § 6(o) of the Food Stamp Act of 1977
 - (g) Trade Act Programs
 - (h) Vocational Rehabilitation
 - (i) Veterans Programs, including Veterans Employment, Disabled Veterans' Outreach Program, and Local Veterans' Employment Representative Program
 - (j) Unemployment Insurance
 - (k) Temporary Assistance for Needy Families (TANF)
 - (l) Welfare-to-Work
 - (m) Senior Community Service Employment Program (SCSEP)
 - (n) Training activities carried out by the Department of Housing and Urban Development (Note: Programs for CDBG and Public Housing can only be included in your State unified plan if the State is the funds recipient.)
 - (o) Community Services Block Grant (CSBG)

In addition, you may submit your application for funding under the Tech-Prep program authorized by Title II of Perkins III as part of the unified plan.

Coordination: A State unified plan must include: (1) a description of the methods used for joint planning and coordination of the programs and activities included in the unified plan, and (2) an assurance that the methods included an opportunity for the entities responsible for planning or administering such programs and activities to review and comment on all portions of the unified plan.

Jurisdiction: The appropriate Secretary has the authority to approve the portion of the State unified plan relating to the activity or program over which the appropriate Secretary exercises administrative authority. Once the appropriate Secretary approves the portion of the plan relating to the activity or program, that portion shall be implemented by the State under the applicable portion of the State unified plan. A State that submits a unified plan covering an activity or program that is approved is not required to submit any other plan or application as a condition to receive funds under that Federal statute. However, as noted above, inclusion of a particular program in the State unified plan does not remove the statutory requirement for certain programs, such as Perkins III, to amend a plan to reflect newly negotiated performances levels.

Approval by the Appropriate Secretaries: (The term "appropriate Secretary" means the head of the Federal agency who exercises administrative authority over an activity or program.)

In General: A portion of the State unified plan covering an activity or program described in Section 501 that is submitted to the appropriate Secretary under this section is considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the appropriate Secretary receives the portion, unless the Secretary makes a written determination, during the 90-day period that: (1) The portion is not consistent with the requirements of the Federal statute authorizing the activity or program including the criteria for approval of a plan or application, if any, under such statute, or (2) The plan is not consistent with the coordination requirements listed above regarding joint planning and the opportunity for each entity to review and comment on all portions of the unified plan.

Criteria for approval of the State unified plan, relating to activities carried out under title I or II of WIA or

under the Carl D. Perkins Vocational and Technical Education Act, includes a requirement for agreement between the State and the appropriate Secretary regarding State performance measures, including levels of performance.

7. How Can Local Input Improve the Unified Planning Process?

While WIA only requires the involvement of State Board and Local Boards in the planning and coordination of the programs and activities authorized under Title I, the intent of the unified plan approach is to enable all the relevant parties in an area, if they so choose, to come together more readily to coordinate their activities in the best interests of the population to be served. However if coordination is achieved, nothing in the unified plan or in WIA itself permits a Board or any other entity to alter the decisions made by another program grantee in accord with that grantee's statutes.

Local stakeholders can play an important role in informing the State unified planning process, customizing the system to respond to local labor market needs. Chief elected officials, local boards, local education agencies, institutions of higher education, the business community, community-based organizations, representatives of special populations, service providers, and other stakeholders can assist State planners in identifying needs, objectives and appropriate collaborative strategies for attaining them. Consulting these stakeholders during the development of the unified plan would help ensure that the State's plan is broad enough to encompass different State and local approaches, yet specific enough to reflect local visions, needs, and economic development strategies.

E. Submission Options for State Unified Plans

1. Submission of the Unified Plan

States have the option of submitting a unified plan under Section 501 of the Workforce Investment Act of 1998 either in an electronic or hard-copy format. Incorporated in these options are new options for States to submit their unified plan to a single contact point. Several submission options are discussed in this notice. We strongly urge each State to submit its unified plan in electronic format so as to reduce burden and to ensure the timely receipt and review of the plan by the Federal agencies whose programs are included in the plan.

2. Submission Options

We are offering States four streamlined options for submitting their

unified plans; three for electronic submission and one for hard-copy submission. These options are in addition to the option for a State to submit a hard copy of the unified plan to each Federal agency whose programs are included in the unified plan.

(a) Electronic Submission Options

A State can submit its unified plan electronically either by: (1) Posting it on an Internet web site which then can be accessed by the Federal agencies whose programs are included in the unified plan; (2) transmitting it by electronic mail to the Department of Labor, which, as the State Unified Plan Review Process Coordinator (Coordinator), will be responsible for distributing the electronic plan to each Federal agency affected; or (3) transmitting it by electronic mail directly to the Federal Departments whose programs are included in the plan. Information regarding the use of each of these three electronic options is provided in this notice.

(b) Streamlined Paper Submission Option

A State can choose to submit its unified plan in hard-copy by mailing one copy to the Coordinator, rather than mailing one copy to each program(s) included in the unified plan.

3. Processes for Electronic Submission

If a State chooses to submit its unified plan by transmitting documents via electronic mail, we request that the submission be in either WordPerfect or Microsoft Word (PC format, or an ASCII text file) to accommodate the technological capabilities of the various Federal agencies that will be recipients of the unified plan. If a State chooses to use a software program other than WordPerfect or Microsoft Word for the entire unified plan or for portions of the unified plan, it will be necessary for the State to submit those components of the unified plan in hard-copy using the instructions provided later in this notice for hard-copy submissions. In this instance, the agency's 90-day period for the review of the plan will not start until all components of the plan have been integrated and received by the affected Federal agencies.

We believe that each of the options for electronic submission will significantly reduce the burden on the States and ensure the timely start of the plan review and approval process. State plan certifications with electronic signatures will be acceptable. If a State does not have the capacity to produce electronic signatures, then the signature page must be submitted in hard-copy. Information

on where to submit the signature page can be found in the section of this notice that describes the option for the submission of plans in a hard-copy format. The Office of Management and Budget or individual agencies may issue additional guidance concerning the acceptable format and mode of transmission for electronic signatures.

We encourage each State to include a table of contents at the beginning of its State unified plan so as to facilitate access to its various components. Within 48 hours of the receipt of the plan on a work day the Coordinator will confirm to the State receipt of the unified plan and indicate the date for the start of the 90-day review period. The electronic mail address for the Coordinator (Dolores H. Beran) is dberan@doleta.gov. The Coordinator may be contacted by phone at 202-219-0316, ext 146.

Electronic Option 1: Posting Plans on an Internet Web Site

We believe that this approach offers the best opportunity to dramatically reduce both process and paperwork burden on the States and to ensure the timely review of the unified plan. Under this option, a State need only post its unified plan on an Internet web site; inform, through electronic mail, the Coordinator of the documents location on the web site; provide contact information in the event of problems with accessing the web site; and certify that no changes will be made to the version of the plan posted on the web site after it is submitted, unless the changes have been approved by the reviewing agency. It is the responsibility of the designated agency to circulate the modifications among the other agencies that may be affected by the changes. The Coordinator will provide the web site location information to all the other Federal agencies whose programs are included in the unified plan so that they can access the unified plan for review.

Electronic Option 2: Submitting Plans to the Coordinator of the State Unified Plan Review Process

A second option is to send the entire unified plan by electronic mail directly to the Coordinator, who will ensure that the other Federal agencies whose programs are included in the unified plan receive the electronic version of the unified plan. Again, this approach will significantly reduce burden on the States and contribute to the timely start of the 90-day period for the review of the unified plan.

Electronic Option 3: Submitting Plans to the Federal Agencies Whose Programs Are Included in the Plan

A third option is for a State to submit its unified plan by electronic mail directly to each Federal Department whose programs are included in the unified plan. To reduce burden on the States, the unified plan need be sent only to the designated Federal Departmental State Unified Plan Contact (hereafter, Departmental Contact). The Departmental Contact will be responsible for ensuring that affected agencies and appropriate Regional Offices in that Department receive electronic versions of the unified plan. For example, if a unified plan contains plans for both the Vocational Rehabilitation and the Postsecondary Vocational Education programs, both of which are administered by different agencies within the United States Department of Education, the State need only submit the plan to the US Department of Education once. Electronic mail addresses for the Departmental Contacts are as follows:

Department of Labor: dberan@doleta.gov
 Department of Education: Jerry_Abbott@ed.gov
 Department of Health and Human Services: rmshelbourne@acf.dhhs.gov
 Department of Agriculture: Michael_Atwell@fns.usda.gov
 Department of Housing and Urban Development: Deborah_Greenstein@hud.gov

Within 24 hours of notification of receipt of the plan by all of the affected Federal agencies, the Coordinator will notify the State and the agencies to the start of the 90-day period for the review of the unified plan.

4. Hard Copy Submission

If a State is unable or chooses not to submit its unified plan electronically, the State can submit one copy of the unified plan to the Coordinator or submit the unified plan in the traditional manner separately to the designated contact for each activity or program included in the unified plan. We encourage States to submit unbound plans so as to facilitate their duplication.

Submitting the plan in hard-copy to the Coordinator rather than to each activity or program included will entail additional steps before the affected Federal agencies whose programs are included in the unified plan receive the unified plan for review. These additional steps could delay the start of an agency's 90-day period for the review of the unified plan. Based on our experiences to date with respect to

unified plans submitted in hard-copy, a State can anticipate a delay of up to 7 to 10 working days in the start of the 90-day review period so as to accommodate the receipt, cataloging, duplication and distribution of the unified plan to the affected Federal agencies, some of which review the plan in the Regional Offices. Each State is thus encouraged to submit its unified plans in an electronic format to facilitate timely reviews.

For States that choose to submit a hard copy to the Coordinator, the Coordinator will notify the State within 10 working days of receipt of the unified plan as to the start of the 90-day period for the review of the unified plan. The mailing address for the Coordinator is: Dolores Beran, Coordinator of the State Unified Plan Review Process, United States Department of Labor, 200 Constitution Avenue, NW, Room S-5513, Washington, DC 20210. The Coordinator can be reached by telephone at (202) 219-0316, ext. 146, or by e-mail at dberan@doleta.gov.

F. How To Use "Attachment A: Instructions"

1. Forms for State Use

At the beginning of Attachment A: Instructions, you will find four forms for use in submitting your State Unified Plan. These forms are available for electronic download, along with this entire guidance, at <http://www.usworkforce.org>.

- **Unified Plan Activities and Programs Checklist:** Please provide a list of the section 501 programs and activities you have included in your Plan. Use of this specific format is optional.

- **Contact Information:** Please provide the contact information requested for each of the section 501 programs and activities that you have included in your plan. Programs and activities may be combined on one form if they have the same contact information. Use of this specific format is optional.

- **Plan Signature(s):** Please provide the required signatures as appropriate for the programs and activities you have included in your State Unified Plan. Use of this specific format is optional, but the wording on your signature page must be identical to that provided here.

2. Program Descriptions

Please respond fully to the general questions in the program descriptions section, as well as the additional questions that relate to the programs and activities that are included in your State's unified plan.

3. Certifications and Assurances

By signing the signature page(s), you are assuring or certifying those items in the Certifications and Assurances section that apply to the programs and activities you have included in your State's unified plan.

G. Modifications

Plan modifications must be submitted to the appropriate Federal agency, in accordance with the procedures of the affected agency. It is the responsibility of the designated agency to circulate the modifications among the other agencies that may be affected by the changes. As noted above, inclusion of a particular program in the State unified plan does not remove the statutory requirement for certain programs to annually review the plan and submit amendments as needed or to amend a State plan to reflect newly negotiated performance levels.

H. Inquiries

General inquiries about the State unified plan process may be directed to the Coordinator of the State Unified Plan Review Process. The electronic mail address for the Coordinator (Dolores H. Beran) is dberan@doleta.gov. The Coordinator may be contacted by phone at 202-219-0316, ext 146. Inquiries related to specific activities and programs can be directed to the staff contacts listed above Question 3.

I. Submission Date

States may submit unified plans at any time up until April 1, 2000.²

J. Timing of Plan Approval

Section 501(d)(2) of WIA states that a portion of a State unified plan covering an activity or program is to be considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the appropriate Secretary receives the portion unless the appropriate Secretary makes a written determination, during the 90-day period, that the portion is not consistent with the requirements of the Federal statute authorizing the activity or program or section 501(c)(3) of WIA. Written determinations would include, for example, a written request from a representative of that agency for more information or documentation related to the requirements of WIA or the particular activity or program.

² Please note that for programs administered by OVAE, the unified plan will not go into effect for any particular program until a new grant is awarded under that program.

Attachment A**A. Unified Plan Activities and Programs Checklist**

Under Section 501 of the Workforce Investment Act, the following activities or programs may be included in a State's unified plan. From the list below, please place a check beside the programs and activities your State or Commonwealth is including in this Unified Plan.

The State unified plan shall cover one or more of the following programs and activities:

- ☐ Secondary vocational education programs (Perkins III/Secondary)
Note that inclusion of this program requires prior approval of State legislature.
(Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 *et seq.*))
- ☐ Postsecondary vocational education programs (Perkins III/Postsecondary)
Note that for the purposes of what the State unified plan shall cover, Perkins III/Secondary and Perkins III/Postsecondary count as one program.
(Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 *et seq.*))
- ☐ Activities authorized under Title I, Workforce Investment Systems (Employment and Training Activities for Adults, Dislocated Workers and Youth, or WIA Title I, including the Wagner-Peyser Plan) (Workforce Investment Act of 1998 (29 U.S.C. 2801 *et seq.*))
- ☐ Activities authorized under Title II, Adult Education and Family Literacy (Adult Education and Family Literacy Programs) (Workforce Investment Act of 1998 (20 U.S.C. 9201 *et seq.*))

The State unified plan may cover one or more of the following programs and activities:

- ☐ Programs authorized under § 6(d) of the Food Stamp Act of 1977 (Food Stamp Employment and Training Program, or FSET) (7 U.S.C. 2015(d))
- ☐ Food Stamp Employment and Training Program, or FSET (7 U.S.C. 2015(o))
- ☐ Activities authorized under chapter 2 of title II of the Trade Act of 1974 (Trade Act Programs) (19 U.S.C. 2271 *et seq.*)
- ☐ Programs authorized under Part B of title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 *et seq.*), other than § 112 of such Act (29 U.S.C. 732) (Vocational Rehabilitation)

- ☐ Activities authorized under chapters 41 & 42 of Title 38, USC, and 20 CFR 1001 and 1005 (Veterans Programs, including Veterans Employment, Disabled Veterans' Outreach Program, and Local Veterans' Employment Representative Program)
- ☐ Programs authorized under State unemployment compensation laws (Unemployment Insurance) (in accordance with applicable Federal law which is authorized under Title III, Title IX and Title XII of the Social Security Act and the Federal Unemployment Tax Act)
- ☐ Programs authorized under part A of title IV of the Social Security Act (Temporary Assistance for Needy Families (TANF) and Welfare-to-Work (WtW)) (42 U.S.C. 601 *et seq.*)
- ☐ Temporary Assistance for Needy Families
- ☐ Welfare-to-Work
- ☐ Programs authorized under title V of the Older Americans Act of 1965 (Senior Community Service Employment Program (SCSEP)) (42 U.S.C. 3056 *et seq.*)
- ☐ Training activities carried out by the Department of Housing and Urban Development (Community Development Block Grants (CDBG) and Public Housing)
- ☐ Note that programs for CDBG and Public Housing can only be included in your State unified plan if the State is the funds recipient.
- ☐ Community Development Block Grants
- ☐ Public Housing
- ☐ Programs authorized under the Community Services Block Grant Act (Community Services Block Grant, or CSBG) (42 U.S.C. 9901 *et seq.*)

B. Contact Information

Please complete one copy for EACH of the separate activities and programs included in your State unified plan.
Program:

State Name for Program/Activity:

Name of Grant Recipient Agency for Program/Activity:

Address:

Telephone Number:

Facsimile Number:

E-mail Address:

Name of State Administrative Agency (if different from the Grant Recipient):

Address:

Telephone Number:

Facsimile Number:

E-mail Address:

Name of Signatory Official:

Address:

Telephone Number:

Facsimile Number:

E-mail Address:

Name of Liaison:

Address:

Telephone Number:

Facsimile Number:

E-mail Address:

C. Plan Signature(s)

Governor (If Applicable)

As the Governor, I certify that for the State/Commonwealth of _____, for those activities and programs included in this plan that are under my jurisdiction, the agencies and officials designated above under "Contact Information" have been duly designated to represent the State/Commonwealth in the capacities indicated for the programs and activities indicated. Subsequent changes in the designation of officials will be provided to the designated program or activity contact as such changes occur.

I further certify that, for those activities and programs included in this plan that are under my jurisdiction, we will operate the workforce development programs included in this Unified Plan in accordance with this Unified Plan and the assurances described in Section III of this Unified Plan.

Typed Name and Signature of Governor
Date

Responsible State Official for Eligible Agency for Vocational Education (If Applicable)

I certify that for the State/Commonwealth of _____, for those activities and programs included in this plan that are under my jurisdiction, the agencies and officials designated above under "Contact Information" have been duly designated to represent the State/Commonwealth in the capacities indicated for the programs and activities indicated. Subsequent changes in the designation of officials will be provided to the designated program or activity contact as such changes occur.

I further certify that, for those activities and programs included in this plan that are under my jurisdiction, we will operate the programs included in this Unified Plan in accordance with this Unified Plan and the applicable

assurances described in Section III of this Unified Plan.

Typed Name, Title, and Agency of
Responsible State Official for Vocational
Education

Signature Date

Responsible State Official for Eligible
Agency for Vocational Rehabilitation (If
Applicable)

I certify that for the State/
Commonwealth of _____, for those
activities and programs included in this
plan that are under my jurisdiction, the
agencies and officials designated above
under "Contact Information" have been
duly designated to represent the State/
Commonwealth in the capacities
indicated for the programs and activities
indicated. Subsequent changes in the
designation of officials will be provided
to the designated program or activity
contact as such changes occur.

I further certify that we will operate
those activities and programs included
in this Unified Plan that are under my
jurisdiction in accordance with this
Unified Plan and the assurances
described in Section III of this Unified
Plan.

Typed Name, Title, and Agency of
Responsible State Official for Vocational
Rehabilitation

Signature Date

Responsible State Official for Eligible
Agency for Adult Education (If
Applicable)

I certify that for the State/
Commonwealth of _____, for those
activities and programs included in this
plan that are under my jurisdiction, the
agencies and officials designated above
under "Contact Information" have been
duly designated to represent the State/
Commonwealth in the capacities
indicated for the programs and activities
indicated. Subsequent changes in the
designation of officials will be provided
to the designated program or activity
contact as such changes occur.

I further certify that, for those
activities and programs included in this
plan that are under my jurisdiction, we
will operate the programs included in
this Unified Plan in accordance with
this Unified Plan and the applicable
assurances described in Section III of
this Unified Plan.

Typed Name, Title, and Agency of
Responsible State Official for Adult
Education

Signature Date

II. Unified Planning Instructions and Questions

Note: *The statutes cited in parentheses refer to the authorizing legislation for each respective program. This unified planning guidance only relates to planning requirements; it does not affect the statutory and regulatory requirements relating to other aspects of programs included in the plan.*

A. Vision and Goals

1. Provide the State's comprehensive vision of a workforce investment system, including broad economic, education, training, workforce development and related goals. Describe any challenges to achieving your vision, including any economic development, legislative or reorganization initiatives anticipated that could impact on the performance and effectiveness of your State's workforce investment system. Describe how each of the programs included in the plan will contribute to achieving these goals.

In answering the above question, if your unified plan includes:

(a) *Vocational Rehabilitation:*

(i) In accordance with sections 101(a)(15)(C) and (D), identify the goals and priorities of the State in carrying out the program and identify the strategies to address the State's needs and achieve the State's goals and priorities (Sec. 101 (a)(15)(C) and (D));

(ii) Specify the goals and plans of the State with respect to the distribution of funds received under section 622 (§ 625(b)(3)).

(b) *Unemployment Insurance*, provide a concise summary of the SESA's key direction and strategies for the plan, identifying the goal/main objective of each focus area.

B. One-Stop Delivery System

1. Describe the State's comprehensive vision of an integrated service delivery system, including the role each program incorporated in the unified plan, in delivery services through that system.

In answering this question, if your unified plan includes:

(a) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs:*

(i) Describe major State policies and requirements that have been established to direct and support the development of a statewide workforce investment system not described elsewhere in this Plan. These policies may include, but are not limited to:

- State guidelines for the selection of One-Stop operators by local Boards
- The State's process to work with local boards and local Chief Elected Officials to certify existing One-Stop operators

- Procedures to resolve impasse situations at the local level in developing MOUs to ensure full participation of all required partners in the One-Stop delivery system

(ii) Describe the existing local One-Stop delivery systems and how the services provided by each of the required and optional One-Stop partners will be coordinated and made available through the One-Stop system. Be sure to address statewide requirements, how technical assistance will be provided, and availability of state funding for One-Stop development. (§ 112(b)(14))

C. Plan Development and Implementation

1. Describe the methods used for joint planning and coordination of the programs and activities included in the unified plan. (WIA § 501(c)(3)(A))

State Consultation with Locals in Development of Plan: The authorizing statutes for many of the programs that may be included in a unified plan require that the State plan be developed in consultation with various public and private entities, as well as members of the general public. Some statutes also require formal public hearings. Depending upon the programs that a State chooses to include in its unified plan, it may be possible for the State to satisfy many of these consultation requirements through a single set of processes. For example, both WIA Title I and Perkins III require that the business community be involved in the development of the State plans for these programs. The State may satisfy both of these requirements by involving the business community in the development of a unified plan that includes the two programs. Separate consultations are not necessary.

2. Describe the process used by the State to provide an opportunity for public comment and participation for each of the programs covered in the unified plan.

In addition, if your unified plan includes:

(a) *Perkins III*, you must hold public hearings and include a summary of the recommendations made by all segments of the public and interested organizations and groups and the eligible agency's response to the recommendations in the State plan. (§ 122(a)(3))

(b) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs*, describe the process used by the State, consistent with section 111(g) of WIA, to provide an opportunity for public comment, including comment by representatives of business and representatives of labor organizations, and input into

development of the plan, prior to submission of the plan.

(c) *Adult Education and Family Literacy*, describe the process that will be used for public participation and comment with respect to the AEFLA portion of the unified plan. (§ 224(b)(9))

(d) *TANF*, the State shall make available to the public a summary of any plan or plan amendment submitted by the State under this section. (§ 402(c))

(e) *CDBG*, provide a summary of any public or citizens' comments or views not accepted and the reasons therefore. (§ 91.115(b)(5))

(f) *CSBG*, provide evidence that the public participation requirements were met, including documents which confirms that a legislative public hearing on the State plan was conducted as required by subsection 675(b) and that the plan was also made available for public inspection and review as required by 675(d)(2).

4. Provide summaries of the consultations with appropriate agencies, groups and individuals in the evaluation, development and implementation of activities included in the plan. This section should describe the types of activities and outcomes that were conducted to meet this requirement. Demonstrate how comments were considered in the plan development process including specific information on how the various WIA agency and program partners were involved in developing the unified State plan.

The following agencies, groups or individuals should be consulted, if your unified plan includes:

(a) *Perkins III*: (§ 122(a)(3), (b)(1), (c)(3), (e)(3))

- Parents
- Teachers
- Students
- Eligible Recipients
- Representatives of special populations in the State
- Representatives of business and industry in the State, including small- and medium-sized local businesses
- Representatives of labor organizations in the State
- Interested community members
- Governor of the State

In addition, you must consult with the State agency responsible for secondary education and the State agency responsible for supervision of community colleges, technical institutes, or other 2-year post secondary institutions primarily engaged in providing postsecondary vocational and technical education concerning the amount and uses of

funds proposed to be reserved for adult vocational and technical education, postsecondary vocational and technical education, tech-prep education, and secondary vocational technical education. Include any objections filed by either agencies in the plan and your response(s). (§ 122(e)(3))

(b) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs*: (§ 112(b)(1), 112(b)(9))

- The Governor of the State and State Board
- Local elected officials
- Local boards and youth councils
- Business community
- Labor organizations
- Educators
- Vocational rehabilitation agencies
- Service providers
- Welfare agencies
- Community based organizations
- State Employment Security Agency

In addition, describe the role of the State Board and Local Boards in planning and coordination in the unified plan (§ 501(c)(3)). [NOTE: While WIA only requires the involvement of State Board and Local Boards in the planning and coordination of the programs and activities authorized under Title I, the intent of the unified plan approach is to enable all the relevant parties in an area, if they so choose, to come together more readily to coordinate their activities in the best interests of the population to be served. However coordination is achieved, nothing in the unified plan or in WIA itself permits a Board or any other entity to alter the decisions made by another program grantee in accord with that grantee's statutes."]

(c) *Adult Education and Family Literacy*:

- Governor of the State (any comments made by the Governor must be included in the plan) (§ 224(d))

(d) *Vocational Rehabilitation*:

- State Rehabilitation Council (include the response of the designated State unit to such input and recommendations) (§ 101(a)(21)(A)(ii)(III))

(e) *Welfare-to-Work*:

- Public, private and non-profit organizations
- PICs or Local Boards
- Local TANF and administrative agency

(f) *CDBG*:

- Social service agencies (§ 91.300(b))

(g) *CSBG*:

- Low-income individuals
- Community organizations
- Religious organizations

- Representatives of low-income individuals

D. Needs Assessment

1. Describe the educational and job-training needs of individuals in the overall State population and of relevant subgroups of all the programs included in the unified plan.

Many of the programs that may be included in a unified plan require a needs assessment. State agencies should fulfill these assessment responsibilities collaboratively or, at a minimum, create a planning process that promotes the sharing of needs assessment information among all agencies involved in preparing the unified plan. Sharing of assessment data can create a framework for the coordinated and integrated services that are to be provided through the One-Stop delivery system. The State may organize the presentation of assessment data in its unified plan in a manner it deems most appropriate and useful for planning, such as on a program-by-program basis, by geographic region, or by special population.

In answering the above question, if your unified plan includes:

(a) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs*, identify the types and availability of workforce investment activities currently in the State. (WIA § 112(b)(4)(D))

(b) *Adult Education and Family Literacy*, objectively assess the adult education and literacy needs of individuals including an assessment of those most in need and hardest to serve including low income students, individuals with disabilities, single parents, displaced homemakers, and individuals with multiple barriers to educational enhancement (including individuals with limited English proficiency, criminal offenders in correctional institutions and other institutionalized individuals.) (§ 224(b)(10), § 225)

(c) *Food Stamp Employment & Training*, provide an answer and explain the method used to:

- (i) Estimate the number and characteristics of the expected pool of work registrants during the fiscal year.
- (ii) Estimate the number of work registrants the State agency intends to exempt from E&T, along with a discussion of the proposed exemption criteria.

(iii) Estimate the number of placements into E&T components during the fiscal year.

(iv) Estimate the number of ABAWDs (able-bodied adult without dependents) in the State during the fiscal year.

(v) Estimate the number of ABAWDs in both waived and unwaived area of the State during the fiscal year.

(vi) Estimate the average monthly number of ABAWDs included in the State's 15 percent exemption allowance, along with a discussion of how the State intends to apply the exemption.

(vii) Estimate the number of qualifying education/training and workfare opportunities for ABAWDs the State will create during the fiscal year.

(d) Vocational Rehabilitation:

(i) Assess the needs of individuals with disabilities in the State, particularly the vocational rehabilitation needs of individuals with the most significant disabilities (including their need for supported employment services), individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program, and individuals with disabilities served through other components of the statewide workforce investment system. (§ 101(a)(15)(A)(i)(I-III) and § 625(b)(2))

(ii) Include State estimates of the number of individuals in the State who are eligible for services under title I of the Rehabilitation Act, the number of such individuals who will receive services provided with funds provided under part B of title I and under part B of title VI (including, if the designated State agency uses an order of selection, estimates of the number of individuals to be served under each priority category within the order), and the costs of the services provided (including, if the designated State agency uses an order of selection, the service costs for each priority category within the order.) (§ 101(a)(15)(B))

(iii) Provide an assessment of the need to establish, develop, or improve community rehabilitation programs within the State. (§ 101(a)(15)(A)(ii))

(e) CDBG:

(i) Describe the State's estimated housing needs projected for the ensuing five-year period. (§ 91.305(a))

(ii) Estimate the number and type of families in need of housing assistance for extremely low income, low-income, moderate-income, and middle-income families, for persons with HIV/AIDS and their families, and for persons with disabilities. Include a discussion of the cost burden and severe cost burden, overcrowding, and substandard housing conditions being experienced by the renters and owners compared to the State as a whole. (§ 91.305(b)(1) and § 91.205(d)(2))

(iii) Estimate the needs of any racial or ethnic group in the above mentioned income categories, if they have are disproportionately in greater need.

(Disproportionately greater need exists when the percentage of persons in a category of need is at least 10 percentage points higher than the percentage of persons in the category as a whole.) (§ 91.305(b)(2))

(iv) Describe the nature and extent of homelessness within the State, including a narrative description of the nature and extent homelessness by racial and ethnic group, as well as the need for facilities and services for the homeless (§ 91.305(c))

(v) Estimate the number of housing units within the State that are occupied by low-income families or moderate-income families that contain lead-based paint hazards, as defined in part 91.1. (§ 91.305(e))

(vi) Describe the State's priority non-housing community development needs that affect more than one unit of general local government and involve activities typically funded by the State under the CDBG program. (§ 91.315(e)(1))

(vii) Describe the significant characteristics of the State's housing markets. (§ 91.310(a))

(viii) Provide a brief inventory of facilities and services that meet the needs for emergency shelter and transitional housing needs of homeless persons within the State. (§ 91.310(b))

(f) Public Housing:

(i) Assess the housing needs of low income and very low income families in the jurisdiction of the public housing agency during the five fiscal years immediately following the date on which the plan is submitted. (§ 5A(a)(1), (d)(1))

(ii) Describe the need for measures to ensure the safety of public housing residents and for crime prevention measures. (§ 5A(d)(13)(C))

2. Describe the key trends that are expected to shape the economic environment of the State during the next five years. Which industries are expected to grow? Which will contract? What are the workforce and economic development needs of the State? Identify the implications of these trends in terms of overall availability of current and projected employment opportunities by occupation, and for each of your customer segments, the job skills necessary in key occupations. Also describe how the program services provided relate to State and regional occupational opportunities. (WIA § 112(b)(4) and Perkins § 122(c)(15))

E. State and Local Governance

1. What is the organization, structure and role/function of each State and local entity that will govern the activities of the unified plan?

In answering the above question, if your unified plan includes:

(a) *Perkins III*, describe the procedures in place to develop the memoranda of understanding outlined in § 121(c) of the Workforce Investment Act of 1998 concerning the provision of services only for postsecondary students and school dropouts. (§ 122(c)(21))

(b) *WIA Title and Wagner-Peyser Act and/or Veterans Programs:*

(i) Describe the State Workforce Investment Board, or the authorized alternative entity including a description of the manner in which the Board collaborated on the State plan. (WIA § 112(b)(1) and § 111(e))

(ii) Describe the State-imposed requirements for the statewide workforce investment system. (§ 112(b)(2))

(iii) Identify the local areas designated in the State and include a description of the process used for the designation of such areas. (§ 112(b)(5))

(iv) Describe the appeals process referred to in § 116(a)(5). (§ 112(b)(15))

(v) Identify the criteria the State has established to be used by the chief elected officials in the local areas for the appointment of local Board members and establishment of youth councils based on the requirements of § 117. (WIA § 112(b)(6))

(vi) Identify the circumstances which constitute a conflict of interest for any State or State Board and Local Boards member, including voting on any matter regarding the provision of service by that member or the entity that s/he represents, and any matter that would provide a financial benefit to that member or his or her immediate family. (§ 112(b)(13))

(vii) Describe the procedures the local boards will use to identify eligible providers of training services for the Adult and Dislocated worker programs (other than on-the-job training or customized training) (§ 112(b)(17)(A)(iii))

(viii) Describe how the locally operated ITA system will be managed in the State to maximize usage, select services providers, and improve the performance information on training providers. (§ 112(b)(14), 112(b)(17)(A)(iii))

(ix) Identify the criteria to be used by local boards in awarding grants for youth activities, including criteria that the Governor and local boards will use to identify effective and ineffective youth activities and providers of such activities. (§ 112(b)(18)(B))

(x) Describe the competitive and non-competitive processes that will be used at the State level to award grants and contracts for activities under Title I of

WIA, including how potential bidders are being made aware of the availability of grants and contracts. (§ 112(b)(16))

(xi) Include a description of the process by which these entities were created.

(c) *Vocational Rehabilitation*, designate a State agency as the sole State agency to administer the plan, or to supervise the administration of the plan by a local agency, in accordance with § 101(a)(2)(A). (§ 101(a)(2)(A))

(d) *TANF*, describe the objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the State will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process. (§ 402(a)(1)(B)(iii))

(e) *Welfare-to-Work*, provide a description of the implementation of this program by PICs (or Local Boards) across the State, including the roles and responsibilities of the State WtW Administrative Agency and the TANF agency; a list of the substate areas and the local entities responsible for program administration; and the program's implementation target dates.

(f) *CDBG*:

(i) Describe the State's procedures for handling complaints from citizens related to the plan, amendments and performance report. (§ 91.115(h))

(ii) Explain whether the cost of housing or the incentives to develop, maintain, or improve affordable housing in the State are affected by its policies, including tax policies, affecting land and other property, land use controls, zoning ordinance, building codes, fees and charges, growth limits, and policies that affect the return on residential investment. (§ 91.310(d))

(iii) Describe the State's strategy to remove its policies that serve as barriers to affordable housing. (§ 91.315(f))

(iv) Explain the institutional structure, including private industry, non-profit organizations, and public institutions, through which the State will carry out its housing and community development plan, assessing the strengths and gaps in that delivery system. (§ 91.315(i))

(g) *Public Housing*:

(i) Provide a statement of the grievance procedures of the public housing agency. (§ 5A(d)(6))

(ii) Provide a statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, and rehabilitation,

modernization, disposition, and other needs for such inventory. (§ 5A(d)(17))

(iii) Provide a statement of the rules, standards, and policies, of the public housing agency, governing maintenance and management of housing owned, assisted, or operated, by the public housing agency and management of the public housing agency and programs of the public housing agency. (§ 5A(d)(5))

(iv) Provide the requirements of the agency relating to pet ownership in public housing. (§ 5A(d)(14))

F. Funding

1. What criteria will the State use, consistent with each program's authorizing law, to allocate funds for each of the programs included in the unified plan? Describe how the State will use funds the State receives to leverage other Federal, State, local, and private resources, in order to maximize the effectiveness of such resources, and to expand the participation of business, employees, and individuals in the statewide workforce investment system. (WIA § 112(b)(10))

In answering the above question, if your unified plan includes:

(a) *Perkins III*:

(i) describe the criteria that you will use in approving applications by eligible recipients for funds under Perkins III. (§ 122(c)(1)(B))

(ii) Describe how funds received through the allotment made under section 111 will be allocated among secondary school vocational and technical education, or postsecondary and adult vocational and technical education, or both, including the rationale for such allocation. (§ 122(c)(4)(A))

(iii) Describe how funds received through the allotment made under section 111 will be allocated among consortia which will be formed among secondary schools and eligible institutions, and how funds will be allocated among the members of the consortia, including the rationale for such allocation. (§ 122(c)(4)(B))

(iv) If you decide to develop an alternative allocation formula under the authority of sections 131(c) and/or 132(b), submit the proposed formula and supporting documentation to the Secretary of Education for approval prior to the submission of your State plan or as a part of the State unified plan. (§ 131(c) and § 132(b))

(b) *Tech-Prep*, describe how you will award tech-prep funds in accordance with the requirements of § 204(a) and § 205 of Perkins III, including whether grants will be awarded on a competitive basis or on the basis of a formula determined by the State.

(c) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs*:

(i) Describe the methods and factors the State will use in distributing funds to local areas for youth activities and adult employment and training activities under sections 128(b)(3)(B) and 133(b)(3)(B) including a description of how the individuals and entities represented on the State board were involved in determining such methods and factors of distribution and how the State consulted with chief elected officials in local areas throughout the State in determining such distributions. (§ 112(b)(12)(A))

(ii) Describe the assistance available to employers and dislocated workers, particularly how your state determines what assistance is required based on the type of lay-off, and the early intervention strategies undertaken to ensure that dislocated workers who need intensive or training services (including those individuals with multiple barriers to employment and training) are identified and receive needed services as early as possible.

(iii) Identify the State dislocated worker unit which will be responsible for carrying out rapid response activities and how the State will provide such assistance in collaboration with the local Board and chief elected officials, economic development agencies, etc.

(iv) Describe the formula prescribed by the Governor for the allocation of funds to local areas for dislocated workers in Employment and Training activities. (§ 112(b)(12)(C))

(v) Describe, in detail, the plans required under Section 8 of the Wagner-Peyser Act which will be carried out by the State. (§ 112(7))

(vi) Describe the guidelines, if any, the State has established for Local Boards regarding priority when adult funds have been determined to be limited. (§ 112(b)(17)(A)(iv) and 134(d)(4)(E))

(d) *Adult Education and Family Literacy*:

(i) Describe how the eligible agency will fund local activities in accordance with the considerations described in § 231(e) and the other requirements of Title II of WIA. (§ 224(b))

(ii) Describe the process to show that public notice was given of the availability of Federal funds to eligible recipients and the procedures for submitting applications to the State, including approximate time frames for the notice and receipt of applications. (§ 231(c))

(iii) Describe how the eligible agency will use funds made available under Section 222(a)(2) for State leadership activities. (§ 223(a))

(iv) Describe the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c). (§ 224(b)(12))

(e) *Food Stamp Employment & Training:*

(i) Estimate the total cost of the State's E&T program and identify the source of funds according to the format for Table 5, Planned Fiscal Year Costs, contained in the most current release of "The Handbook on Preparing State Plans for Food Stamp Employment and Training Programs."

(ii) Acknowledge that the State will spend at least 80 percent of its total 100 percent Federal E&T grant to create qualifying work opportunities to permit ABAWDs to remain eligible for food stamps.

(iii) Indicate, if applicable, whether the State agency intends to spend at least as much as it spent of its own funds in FY 96 for E&T and optional workfare administration to receive the additional 100 percent Federal allocations provided for in the Balanced Budget Act of 1997.

(iv) Describe both the expected sources and the status of State agency funding for participant reimbursement.

(f) *Welfare-to-Work*, describe the State's plans for the expenditure, uses and goals of the 15% funds.

(g) *TANF*, indicate the name, address, and EIN number of the TANF administering agency and estimate for each quarter of the fiscal year by percentage the amount of TANF grant that it wishes to receive.

(h) *Vocational Rehabilitation:*

(i) Describe how the State will utilize funds reserved for the development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under the State plan, particularly individuals with the most significant disabilities. (§ 101(a)(18)(B))

(ii) Describe the quality, scope, and extent of supported employment services authorized under the Act to be provided to individuals who are eligible under the Act to receive the services. (§ 625(b)(3))

(iii) In the event that vocational rehabilitation services cannot be provided to all eligible individuals with disabilities in the State who apply for services, indicate the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services and provide the justification for the order. (§ 101(a)(5)(A)-(B))

(i) *CDBG:*

(i) Indicate the general priorities for allocating investment and direct

assistance geographically within the State and among priority needs during the ensuing program year.

(§ 91.315(a)(1) and § 91.320(d))

(ii) Indicate how the characteristics of the housing market will influence the use of funds made available for rental assistance, production of new units, rehabilitation of old units or acquisition of existing units. (§ 91.315(b)(2))

(iii) Describe the Federal resources expected to be available to address the priority needs and specific objectives identified in the strategic plan, in accordance with § 91.315.

(§ 91.320(b)(1))

(iv) Indicate the resources from private and non-Federal public sources that are reasonably expected to be made available to address the needs in the plan, including how Federal funds will leverage those additional resources such as how matching requirements of the HUD programs will be satisfied.

(§ 91.320(b)(2))

(v) Describe the State's method for selecting and distributing funds to local governments and nonprofit organizations to carry out activities including the relative importance of the criteria and how all CDBG resources will be allocated among all funding categories and the threshold factors and grant size limits that are to be applied.

(§ 91.320(g)(1), (c))

(j) *Public Housing:*

(i) Provide a statement of financial resources available to the agency. (§ 5A(d)(2))

(ii) Provide the results of the most recent fiscal year audit of the Public Housing Authority under section 5(h)(2) (H.R. 4194). (§ 5A(d)(16))

(k) *CSBG*, describe how the State intends to use discretionary funds made available from the remainder of the grant or allotment described in § 675C(b), including a description of how the local entity will use the funds to support innovative community and neighborhood-based initiatives.

G. Activities To Be Funded

1. For each of the programs in your unified plan, provide a general description of the activities the State will pursue using the relevant funding.

In answering the above question, if your unified plan includes:

(a) *Perkins III:*

(i) Describe the vocational and technical education activities to be assisted that are designed to meet or exceed the State adjusted levels of performance. (§ 122(c)(1))

(ii) Describe the secondary and postsecondary vocational and technical education programs to be carried out, including programs that will be carried

out by the eligible agency to develop, improve, and expand access to quality, state-of-the-art technology in vocational and technical education programs.

(§ 122(c)(1)(A))

(iii) Describe how funds will be used to improve or develop new vocational and technical education courses and effectively link secondary and postsecondary education. (§ 122(c)(1)(D) and § 122(c)(19))

(iv) Describe how you will improve the academic and technical skills of students participating in vocational and technical education programs, including strengthening the academic, and vocational and technical, components of vocational and technical education programs through the integration of academics with vocational and technical education to (1) Ensure learning in the core academic, vocational and technical subjects; (2) Provide students with strong experience in, and understanding of, all aspects of an industry; and (3) Prepare students for opportunities in post-secondary education or entry into high skill and high wage jobs in current and emerging occupations. (§ 122(c)(1)(C) and (5)(A))

(v) Describe how you will ensure that students who participate in such vocational and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students.

(§ 122(c)(5)(B))

(b) *Tech-Prep*, describe how funds will be used in accordance with the requirements of § 204(c).

(c) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs:*

(i) Describe how Wagner-Peyser Act funds will provide a statewide capacity for a three-tiered labor exchange service strategy that includes: (1) Self-service; (2) Facilitated self-help service; and (3) Staff-assisted service.

(ii) Describe your State's strategies to ensure that Wagner-Peyser Act-funded services will be delivered by public merit staff employees including identification of the State agency responsible for Wagner-Peyser Act funds and their distribution, and identification of the public merit-staff agency responsible for the delivery of services in each workforce investment area.

(iii) Describe how your State will ensure that veterans receive priority in the One-Stop system for labor exchange services.

(iv) Describe the types of employment and training activities that will be carried out with the adult and dislocated worker funds received by the State through the allotments under Section 132. How will the State

maximize customer choice in the selection of training activities? (§ 112(b)(17)(A)(i))

(v) Define the sixth youth eligibility criterion at § 101(13)(C)(vi), if this responsibility was not delegated to local Boards. (§ 112(b)(18)(A))

(vi) Describe the assistance available to employers and dislocated workers, particularly how your State determines what assistance is required based on the type of lay-off, and the early intervention strategies to ensure that dislocated workers who need intensive or training services (including those individuals with multiple barriers to employment and training) are identified as early as possible. Additionally, identify the State dislocated worker unit which will be responsible for carrying out the rapid response activities. (§ 112(b)(17)(A)(ii))

(vii) Describe your State's strategy for providing comprehensive services to eligible youth, including any coordination with foster care, education, welfare and other relevant resources. (§ 112(b)(18))

(viii) Describe the strategies to assist youth who have special needs or significant barriers to employment, including those who are deficient in basic literacy skills, school drop-outs, offenders, pregnant, parenting, homeless, foster children, runaways or have disabilities. (§ 112(b)(18))

(ix) Describe how coordination with Job Corps, youth opportunity grants, and other youth programs will occur. (§ 112(b)(18))

(d) *Adult Education and Family Literacy*, describe the Adult Education and Family Literacy activities the State will provide within the following categories: (§ 224(b)(2), § 231(b))

- Adult Education and Literacy services, including workplace literacy services
- Family literacy services
- English literacy programs

(e) *Food Stamp Employment & Training*:

(i) Describe the components of the State's E&T program.

(ii) Discuss the weekly/monthly hours of participation required of each program component.

(iii) Describe planned combinations of components to meet the statutory requirement of 20 hours of participation per week to qualify as a work program for ABAWDS.

(f) *TANF*, outline how the State intends to:

(i) Conduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to

needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient. (§ 402(a)(1)(A)(i))

(ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive,) whichever is earlier, consistent with section 407(e)(2). (§ 402(a)(1)(A)(ii))

(iii) Ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407. (§ 402(a)(1)(A)(iii))

(iv) Take such reasonable steps as deemed necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal government. (§ 402(a)(1)(A)(iv))

(g) *Welfare-to-Work*, describe State and local strategies regarding:

(i) The employment activities that are planned under this grant.

(ii) The utilization of contracts with public and private providers of job readiness, placement and post-employment services; job vouchers for placement, readiness, and post-employment services; job retention, or support services, if not otherwise available to the individual participants receiving WtW services, that are planned under this grant.

(h) *SCSEP*, provide a description of each project function or activity and how the applicant will implement the project. The following activities should be discussed separately: (§ 3(A))

- Recruitment and selection of enrollees
- Continued eligibility for enrollment in the SCSEP
- Physical examinations
- Orientations
- Assessment
- Individual development plan (IDP)
- Placement into subsidized employment
- Training during community service employment and for other employment
- Supportive services
- Enrollee transportation
- Placement into unsubsidized employment
- Maximum duration of enrollment
- IDP related terminations
- Enrollee complaint resolution
- Over-enrollment

(i) *CDBG*:

(i) Describe the basis for assigning the priority given to each category of priority needs. The basis for assigning relative priority to each category of priority need shall state how the analysis of the housing market and the severity of housing problems and needs of extremely low-income, low-income, and moderate-income renters and owners. (§ 91.315(a)(2) and (b)(1))

(ii) Describe the State's strategy for the following:

- Helping low-income families avoid becoming homeless (§ 91.315(c))
 - Reaching out to homeless persons and assessing their individual needs
 - Addressing the emergency shelter and transitional housing needs of homeless persons
 - Helping homeless persons make the transition to permanent housing and independent living
 - Addressing obstacles to meeting underserved needs (§ 91.320(f))
 - Fostering and maintaining affordable housing
 - Removing barriers to affordable housing
 - Evaluating and reducing lead-based paint hazards
 - Reducing the number of poverty level families
 - Developing institutional structure
 - Enhancing coordination between public and private housing and social service agencies
 - Fostering public housing resident initiatives
 - Encouraging public housing residents to become more involved in management and participate in homeownership. (§ 91.315(l))
- (iii) *HOME* (§ 92.320(g)(2):
- Describe other forms of investment that are not described in § 92.205(b) of the subtitle.
 - If the State intends to use HOME funds for homebuyers or to refinance existing debt secured by multifamily housing that is being rehabilitated, it must state the guidelines for resale or recapture as required in § 92.254 of the subtitle or it must state its refinancing guidelines required under 24 CFR 92.206(b).
 - State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
 - Specify the required period of affordability, whether it is the minimum 15 years or longer.
 - Specify whether the invest of HOME funds may be jurisdiction-wide or limited to a specific geographic area
 - State the process for awarding grants to State recipients and a description of how the State intends to make its

allocation available to units of local government and nonprofit organizations.

(j) Public Housing:

(i) Describe the policies governing eligibility, selection, admissions (including any preferences,) before assignment and occupancy of families with respect to public housing dwelling units and housing assistance under section 8(o), including the procedures for maintaining waiting lists for admissions to public housing projects and the admissions policy under section 16(a)(3)(B) for deconcentration of lower-income families. (§ 5A(d)(3)(A–B))

(ii) Provide a statement of the policies of the public housing agency governing rents charged for public housing dwelling units and rental contributions of families assisted under section 8(o). (§ 5A(d)(4))

(iii) Describe any housing for which the PHA will apply for demolition of disposition under section 18 (H.R. 4194) and a timetable for the demolition or disposition. (§ 5A(d)(8))

(iv) Describe the building that the PHA will convert to tenant-based assistance under section 33 or section 22. (§ 5A(d)(10))

(v) Describe any homeownership programs of the agency under section 8(y) or section 32. (§ 5A(d)(11))

(vi) describe any activities conducted to ensure the safety of public housing residents and for crime prevention measures (§ 5A(d)(13)(C))

(vii) In terms of Community Service and Self Sufficiency, describe

—Any programs relating to services and amenities provided or offered to assisted families;

—Any policies or programs of the public housing agency for the enhancement of the economic and social self sufficiency of assisted families;

—How the public housing agency will comply with the requirements of subsections (c) and (d) of Section 12 (relating to community service and treatment of income changes resulting from welfare program requirements). (§ 5A(d)(12))

(k) CSBG, explain how the activities funded will:

(i) Remove obstacles and solve problems that block the achievement of self-sufficiency, including those families and individuals who are attempting to transition off a State program carried out under part A of Title IV of the Social Security Act.

(ii) Secure and retain meaningful employment.

(iii) Attain an adequate education, with particular attention toward

improving literacy skills of the low-income families in the communities involved, which may include carrying out family literacy initiatives.

(iv) Make better use of available income.

(v) Obtain and maintain adequate housing and a suitable living environment.

(vi) Obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs.

(vii) Achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundation, and other public and private partners.

(viii) Create youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime.

(ix) Provide supplies, services, nutritious foods, and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals.

H. Coordination and Non-Duplication

1. Describe how your State will coordinate and integrate the services provided through all of the programs identified in the unified plan in order to meet the needs of its customers, ensure there is no overlap or duplication among the programs, and ensure collaboration with key partners and continuous improvement of the workforce investment system. (States are encouraged to address several coordination requirements in a single narrative, if possible.)

In answering the above question, if your unified plan includes:

(a) Perkins III, describe coordination with the following agencies or programs:

- Programs listed in section 112(b)(8)(A) of the Workforce Investment Act of 1998 (§ 122(c)(21))
- Other Federal education programs, including any methods proposed for joint planning (§ 122(c)(16))

(b) WIA Title I and Wagner-Peyser Act and/or Veterans Programs:

(i) Describe the strategies of the State to assure coordination, avoid

duplication and improve operational collaboration of the workforce investment activities among programs outlined in Section 112(b)(8)(A) and Section 112(b)(18)(C)&(D) of WIA 1998, at both the state and local levels (e.g., joint activities, MOUs, planned mergers, coordinated policies, non-discrimination obligations, etc.).

(ii) Describe how the State Board and Agencies will eliminate any existing state-level barriers to coordination. (§ 112(b)(8)(A))

(c) Adult Education and Family Literacy, describe how the Adult Education and Family Literacy activities that will be carried out with any funds received under AEFLA will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency. (§ 224(b)(11))

(d) Vocational Rehabilitation:

(i) Describe the State agency's plans policies, and procedures for coordination with the following agencies or programs:

- Federal, State and local agencies and programs, including programs carried out by the Under Secretary for Rural Development of the Department of Agriculture and State use contracting programs to the extent that such agencies and programs are not carrying out activities through the statewide workforce investment system. (§ 101(a)(11)(C))

- Education officials responsible for the public education of students with disabilities, including a formal interagency agreement with the State educational agency. (§ 101(a)(11)(D))

- Private, non-profit vocational rehabilitation service providers through the establishment of cooperative agreements. (§ 101(a)(24)(B))

- Other State agencies and appropriate entities to assist in the provision of supported employment services. (§ 625(b)(4))

- Other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services. (§ 625(b)(5))

(e) Unemployment Insurance, summarize requests for any Federal partner assistance (primarily non-financial) that would help the SESA attain its goal.

(f) Welfare-to-Work, describe the strategies of the State and PICs (or State Board and Local Boards) to prevent duplication of services and promote coordination among the following agencies or programs:

- TANF

- JTPA/WIA
- One-Stop centers/employment services
- Other employment and training systems throughout the State
- State Department of Transportation
- Metropolitan planning organizations
- Transit operators
- Other transportation providers
- State Housing Finance Agencies
- Public and assisted housing providers and agencies and other community-based organizations
- Public and private health, mental health and service agencies
- Vocational rehabilitation and related agencies

(g) *SCSEP*, describe the cooperative relationships and working linkages that have been established or will be established with the following employment related programs and agencies:

- JTPA/WIA (§ 3(a)(11))
- One-Stop Delivery Centers
- Vocational Rehabilitation
- Job Corps
- State employment security agencies
- Agencies administering Titles III, IV and VI of the Older Americans Act

(h) *CSBG*, describe how the State and eligible entities will coordinate programs to serve low-income residents with other organizations, including:

- Religious organizations
- Charitable groups
- Community organizations

(i) *CDBG*:

(i) Describe how the actions taken to reduce lead-based paint hazards will be integrated into housing policies and programs. (§ 91.315(g))

(ii) Describe coordination between (§ 91.315(j)) and

- Public and assisted housing providers
- Private and governmental health, mental health and service agencies
- Low-income Housing Tax Credit and the development of affordable housing (§ 91.315(k))

(j) *Public Housing*, describe coordination with the applicable comprehensive housing affordability strategy (or any consolidated plan incorporating such strategy) for the jurisdiction in which the public housing agency is located. (§ 5A(c)(2)(B))

I. Special Populations and Other Groups

1. Describe how your State will develop program strategies, to target and serve special populations. States may present information about their service strategies for those special populations that are identified by multiple Federal programs as they deem most appropriate and useful for planning purposes,

including by special population or on a program by program basis.

In providing this description, if your unified plan includes any of the programs listed below, please address the following specific relevant populations:

(a) *Perkins III*:

- Each category of special populations defined in § 3(23) of the Act. (§ 122(c)(12))
- Students in alternative education programs, if appropriate (§ 122(c)(13))
- Individuals in State correctional institutions (§ 122(c)(18))

(i) Describe how funds will be used to promote preparation for nontraditional training and employment. (§ 122(c)(17))

(ii) Describe how individuals who are members of special populations will not be discriminated against on the basis of their status as members of special populations. (§ 122(c)(8)(B))

(b) *WIA Title I and Wagner-Peyser Act and/or Veterans Programs*: (§ 112(b)(17)(A)(iv) and § 112(b)(17)(B))

- Dislocated workers, including displaced homemakers
- Low-income individuals, including recipients of public assistance
- Individuals training for non-traditional employment
- Individuals with multiple barriers to employment (including older individuals, people with limited English-speaking ability, and people with disabilities)
- Veterans, including veterans' preferences under 38 U.S.C. Chapters 41 and 42.
- The agricultural community that serves the migrant and seasonal farmworker population
- UI claimants who are identified under Worker Profiling and Reemployment Services

(c) *Adult Education and Family Literacy*:

- Low income students (§ 224(b)(10)(A))
- Individuals with disabilities (§ 224(b)(10)(B))
- Single parents and displaced homemakers (§ 224(b)(10)(C))
- Individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency (§ 224(b)(10)(D))
- Criminal offenders in correctional institutions and other institutionalized individuals (§ 225)

(d) *TAA and NAFTA-TAA*, describe how rapid response and basic readjustment services authorized under other Federal laws will be provided to trade-impacted workers.

(e) *Vocational Rehabilitation*:

- Minorities with most significant disabilities (§ 21(c))

(f) *TANF*, indicate whether the State intends to:

- Treat families moving into the State from another State differently than other families under the program, and if so, how the State intends to treat such families under the program.
- Provide assistance under the program to individuals who are not citizens of the United States, and if so, shall include an overview of such assistance. (§ 402(a)(1)(B)(i) and (ii))

(i) Outline how the State intends to conduct a program designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men. (§ 401(a)(1)(A)(vi))

(g) *SCSEP*: (§ 3(a)(1))

- Minority groups
- Individuals with the greatest economic need
- Individuals with poor employment prospects

(h) *CDBG*:

- (i) Estimate the number of persons who are not homeless but require supportive housing including: (§ 91205(d)(1))
- The elderly
- The frail elderly
- Persons with disabilities
- Persons with alcohol or other drug addiction
- Persons with HIV/AIDS and their families

(vii) Describe the facilities and services that assist persons who are not homeless but who require supportive housing, and programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing. (§ 91.310(b))

(i) *CSBG*:

- Low-income families
- Families and individuals receiving assistance under part A of Title IV of the Social Security Act (42 U.S.C. 601 *et seq.*)
- Homeless families and individuals
- Migrant or seasonal farmworkers
- Elderly low-income individuals and families
- Youth in low-income communities

(j) *Public Housing*:

(i) Describe coordination with the applicable comprehensive housing affordability strategy (or any

consolidated plan incorporating such strategy) for the jurisdiction in which the public housing agency is located. (§ 5A(c)(2)(B))

(ii) Describe any projects (with respect to public housing projects owned, assisted, or operated by the public housing agency) that the public housing agency has designated or will apply for designation for occupancy by elderly and disabled families. (§ 5A(d)(9))

2. Identify the methods of collecting data and reporting progress on the special populations described in Question 1 of this section.

3. If your plan includes *Perkins III*, *Tech-Prep*, *Adult Education and Family Literacy* or *Vocational Rehabilitation*, describe the steps the eligible agency will take to ensure equitable access to, and equitable participation in, projects or activities carried out with the respective funds by addressing the special needs of student, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age. (§ 427(b) General Education Provisions Act.)

J. Professional Development and System Improvement

1. How will your State develop personnel to achieve the performance indicators for the programs included in your plan?

In answering the above question, if your unified plan includes:

(a) Perkins III:

(i) Describe how comprehensive professional development (including initial teacher preparation) for vocational and technical, academic, guidance, and administrative personnel will be provided. (§ 122(c)(2))

(ii) Describe how you will provide local educational agencies, area vocational and technical education schools, and eligible institutions in the State with technical assistance. (§ 122(c)(14))

(b) WIA Title I and Wagner-Peyser Act and/or Veterans Programs, explain how the local and State Boards will use data collected and the review process to reinforce the strategic direction and continuous improvement of the workforce investment system.

(c) Vocational Rehabilitation, describe the designated State agency's policies, procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified State rehabilitation professional and paraprofessional personnel for the designated State unit pursuant to § 101(a)(7) of the Act. (§ 101(a)(7))

2. If *Public Housing* is part of your unified plan, describe the capital improvements necessary to ensure long-term physical and social viability of the projects. (§ 5A(d)(7))

K. Performance Accountability

Nothing in this guidance shall relieve a State of its responsibilities to comply with the accountability requirements of WIA Title I and II and the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III), including, for example, the requirements to renegotiate performance levels at statutorily defined points in the 5-year unified plan cycle. The appropriate Secretary will negotiate adjusted levels of performance with the State for these programs prior to approving the State plan.

1. What are the State's performance indicators and goals in measurable, quantifiable terms for each program included in the unified plan and how will each program contribute to achieving these performance goals? (Performance indicators are generally set out by each program's statute.)

In answering the above question, if your unified plan includes:

(a) Perkins III and Tech-Prep:

(i) Identify and describe the core indicators (§ 113(b)(2)(A)(i-iv)), a State level of performance for each core indicator of performance for the first two program years covered by the State plan (§ 113(b)(3)(A)(ii)), any additional indicators identified by the eligible agency (§ 113(b)(1)(B)), and a State level of performance for each additional indicator (§ 113(b)(3)(B)).

(ii) Describe how the effectiveness of vocational and technical education programs will be evaluated annually. (§ 122(c)(6))

(iii) Describe how individuals who are member of special populations will be provided with programs designed to enable the special populations to meet or exceed State adjusted levels of performance, and how it will prepare special populations for further learning and for high skill, high wage careers. (§ 122(c)(8)(C))

(iv) describe what steps the eligible agency will take to involve representatives of eligible recipients in the development of the State adjusted levels of performance. (§ 122(c)(9))

(b) WIA Title I and Wagner-Peyser Act and/or Veterans Programs:

(i) Describe the State performance accountability system developed for the workforce investment activities to be carried out through the statewide workforce investment system. Include expected levels of performance for each of the core indicators of performance

and the customer satisfaction indicator of performance for the first three program years covered by the unified plan. (Sections 112(b)(3) and 136(b)(3)(A)(ii))

(ii) Compare the State level of the performance goals with the State adjusted levels of performance established for other States (if available), taking into account differences in economic conditions, the characteristics of participants when they entered the program and the services to be provided. (Sections 112(b)(3) and 136(b)(3)(A)(ii))

(c) Adult Education and Family Literacy:

(i) Include a description of how the eligible agency will evaluate annually the effectiveness of the Adult Education and Family Literacy activities, such as a comprehensive performance accountability system, based on the performance measures in § 212.

(ii) Identify levels of performance for the core indicators of performance described in § 212(b)(2)(A) for the first three program years covered by the plan (§ 212(b)(3)(A)(ii)), and any additional indicators selected by the eligible agency. (§ 212 (b)(2)(B))

(iii) Describe how such performance measures will be used to ensure the improvement of Adult Education and Family Literacy activities in the State or outlying area. (§ 224(b)(4))

(d) Unemployment Insurance:

(i) Submit a plan to achieve an enhanced goal in service delivery for areas in which performance is not deficient. Goals may be set at a State's own initiative or as the result of negotiations initiated by the Regional Office.

(ii) Identify milestones/intermediate accomplishments that the SESA will use to monitor progress toward the goals.

(e) TANF, outline how the State intends to establish goals and take action to prevent and reduce the incidence of out of wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the State for calendar years 1996 through 2005. (§ 402(a)(1)(A)(v))

(f) SCSEP, specify the number of authorized employment positions under the program, the number of unsubsidized placements to be achieved during the funding period and the number of enrollees to be served during the program year.

(g) CSBG:

(i) Describe how the State and all eligible entities in the State will, not later than fiscal year 2001, participate in the Results Oriented Management and

Accountability System, a performance measure system pursuant to § 678E(b) of the Act, or an alternative system for measuring performance and results that meets the requirements of that section, and a description of outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization.

(ii) Describe the standards and procedures that the State will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including the comprehensive planning requirements. (§ 91.330)

2. Has the State developed any common performance goals applicable to multiple programs? If so, describe the goals and how they were developed.

L. Data Collection

1. What processes does the State have in place to collect and validate data to track performance and hold providers/operators/subgrantees accountable?

In answering the above question, if your unified plan includes:

(a) Perkins III and Tech-Prep:

(i) Describe how data will be reported relating to students participating in vocational and technical education in order to adequately measure the progress of the students, including special populations. (§ 122(c)(12))

(ii) Describe how the data reported to you from local educational agencies and eligible institutions under Perkins III and the data you report to the Secretary are complete, accurate, and reliable. (§ 122(c)(20))

(b) WIA Title I and Wagner-Peyser Act and/or Veterans Programs, describe the common data collection and reporting processes to be used for the programs and activities described in § 112(b)(8)(A). (§ 112(b)(8)(B))

(c) Food Stamp Employment & Training, describe how employment and training data will be compiled and where responsibility for employment and training reporting is organizationally located at the State level. Include the department, agency, and telephone number for the person(s) responsible for both financial and non-financial E&T reporting.

2. What common data elements and reporting systems are in place to promote integration of unified plan activities?

In addition, if your plan includes:

(a) WIA Title I and Wagner-Peyser Act and/or Veterans Programs, describe the common data collection and reporting processes used for the programs and

activities described in § 112 (b)(8)(A). (§ 112(b)(8)(B))

M. Corrective Action

1. Describe the corrective actions the State will take for each program, as applicable, if performance falls short of expectations.

In answering the above question, if your unified plan includes:

(a) Vocational Rehabilitation, include the results of an evaluation of the effectiveness of the vocational rehabilitation program, and a report jointly developed with the State Rehabilitation Council (if the State has a Council) on the progress made in improving effectiveness from the previous year including:

(i) An evaluation of the extent to which program goals were achieved and a description of the strategies that contributed to achieving the goals.

(ii) To the extent the goals were not achieved, a description of the factors that impeded that achievement.

(iii) An assessment of the performance of the State on the standards and indicators established pursuant to section 106 of the Act. (§ 101(a)(15)(E)(i))

(b) Unemployment Insurance, explain the reasons for the areas in which the State's performance is deficient. If a plan was in place the previous fiscal year, provide an explanation of why the actions contained in that plan were not successful in improving performance and an explanation of why the actions now specified will be more successful.

III. Certifications and Assurances

General Certifications and Assurances

By signing the Unified Plan signature page, you are certifying that:

1. The methods used for joint planning and coordination of the programs and activities included in the unified plan included an opportunity for the entities responsible for planning or administering such programs and activities to review and comment on all portions of the unified plan. Workforce Investment Act, 501(c)(3)(B)

In addition, if you submit your unified plan by posting it on an Internet web site, you are certifying that:

2. The content of the submitted plan will not be changed after it is submitted. Plan modifications must be approved by the reviewing agency. It is the responsibility of the designated agency to circulate the modifications among the other agencies that may be affected by the changes.

In addition, the following certifications and assurances apply to the extent that the programs and

activities are included in your State Unified Plan.

3. Nonconstruction Programs:

By signing the Unified Plan signature page, you are certifying that:

1. The grantee has filed the Government-wide standard assurances for nonconstruction programs (SF 424). States can print SF 424 from <http://ocfo.ed.gov/grntinfo/appforms.htm>.

EDGAR Certifications, Nonconstruction Programs, Debarment, Drug-Free Work Place and Lobbying Certifications

You must include the following certifications for each of the State agencies that administer one of these programs: Perkins III, Tech-Prep, Adult Education and Literacy or Vocational Rehabilitation. A State may satisfy the EDGAR requirement by having all responsible State agency officials sign a single set of EDGAR certifications.

EDGAR Certifications

By signing the Unified Plan signature page, you are certifying that:

1. The plan is submitted by the State agency that is eligible to submit the plan. [34 CFR 76.104(a)(1)]

2. The State agency has authority under State law to perform the functions of the State under the program. [34 CFR 76.104(a)(2)]

3. The State legally may carry out each provision of the plan. [34 CFR 76.104(a)(3)]

4. All provisions of the plan are consistent with State law. [34 CFR 76.104(a)(4)]

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. [34 CFR 76.104(a)(5)]

6. The State officer who submits the plan, specified by title in the certification, has authority to submit the plan. [34 CFR 76.104(a)(6)]

7. The agency that submits the plan has adopted or otherwise formally approved the plan. [34 CFR 76.104(a)(7)]

8. The plan is the basis for State operation and administration of the program. [34 CFR 76.104(a)(8)]

9. A copy of the State plan was submitted into the State Intergovernmental Review Process. [Executive Order 12372]

Debarment, Drug-Free Work Place, and Lobbying

By signing the Unified Plan signature page, you are certifying that:

1. The ED grantee has filed ED 80-0013. This form also applies to AEFLA and RSA. States can print ED 80-0013 from <http://ocfo.ed.gov/grntinfo/appforms.htm>.

Perkins III

By signing the Unified Plan signature page, you are certifying that:

1. The State plan complies with the requirements of Title I and the provisions of the State plan, including the provision of a financial audit of funds received under this title which may be included as part of an audit of other Federal or State programs. (§ 122(c)(10))

2. None of the funds expended under title I will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity, the employees of the purchasing entity, or any affiliate of such an organization. (§ 122(c)(11))

3. § 501(b)(1) provides that secondary vocational education programs authorized under Perkins III may only be included in a unified plan "with the prior approval of the legislature of the State." Documentation of this approval is submitted with the unified plan. State legislative approval may be conferred by a resolution adopted by votes of both houses of your State legislature (unless your State has a unicameral legislature) on any date following July 28, 1998. The resolution need not be freestanding; it may be included as an amendment to other legislation. In either event, the resolution should be specific and refer to the requirements of section 501(b)(1) and must clearly differentiate between secondary and postsecondary vocational education.

WIA Title I/Wagner-Peyser Act/Veterans Programs

By signing the Unified Plan signature page, you are certifying that:

1. The State Board will ensure that the public (including people with disabilities) has access to Board meetings and information regarding State Board activities, including membership and meeting minutes. (§ 112(b)(1))

2. The State assures that it will establish, in accordance with section 184 of the Workforce Investment Act, 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 the allotments made under sections 127 and 132. (§ 112(b)(11))

3. The State assures that it will comply with section 184(a)(6), which requires the Governor to, every two years, certify to the Secretary, that—

A. The State has implemented the uniform administrative requirements referred to in section 184(a)(3);

B. The State has annually monitored local areas to ensure compliance with the uniform administrative requirements as required under section 184(a)(4); and

C. The State has taken appropriate action to secure compliance pursuant to section 184(a)(5). (§ 184(a)(6))

4. The State assures that the adult and youth funds received under the Workforce Investment Act will be distributed equitably throughout the State, and that no local areas will suffer significant shifts in funding from year to year during the period covered by this plan. (§ 112(b)(12)(B))

5. The State assures that veterans and other preference eligible persons will be afforded a priority service, in accordance with the requirements of chapter 41 of title 38 and 20 C.F.R. 1001, in the One-Stop system for the provision of labor exchange services funded under the Wagner-Peyser Act.

6. The State assures that the Governor shall, once every two years, certify one local board for each local area in the State. (§ 117(c)(2))

7. The State assures that it will comply with the confidentiality requirements of section 136(f)(3).

8. The State assures that no funds received under the Workforce Investment Act will be used to assist, promote, or deter union organizing. (§ 181(b)(7))

9. The State assures that it will comply with the nondiscrimination provisions of section 188, and its implementing regulations at 29 CFR part 37, including an assurance that a Methods of Administration has been developed and implemented (§ 188 and § 112(b)(17))

10. The State assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of section 188, as provided in the regulations implementing that section. (§ 185)

11. The State certifies that the Wagner-Peyser Act Plan, which is part of this document, has been certified by the State Employment Security Administrator.

12. The State assures that veterans workforce investment programs funded under WIA, Section 168 will be carried out in accordance with that section, and further assures veterans will be afforded employment and training services under WIA section 134, to the extent practicable.

13. The State certifies that Workforce Investment Act section 167 grantees, advocacy groups as described in the Wagner-Peyser Act (e.g., veterans, migrant and seasonal farmworkers, people with disabilities, UI claimants),

the State monitor advocate, agricultural organizations, and employers were given the opportunity to comment on the Wagner-Peyser Act grant document for agricultural services and local office affirmative action plans and that affirmative action plans have been included for designated offices.

14. The State assures that it will comply with the annual Migrant and Seasonal Farmworker significant office requirements in accordance with 20 CFR part 653.

15. The State has developed this Plan in consultation with local elected officials, local workforce boards, the business community, labor organizations and other partners.

16. The State assures that funds will be expended in accordance with the requirements of the WIA, the Wagner-Peyser Act, chapter 41 of Title 38, the regulations implementing such laws, written guidance issued by the Department of Labor, grant agreements, and other applicable Federal laws.

17. The State Workforce Investment system and entities carrying out activities in the community who are in receipt of assistance from the workforce investment system or from the workforce investment system partners shall comply with the Architectural Barriers Act of 1968, sections 503 and 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990.

18. The State assures to include State and local EO officers and advocates for groups protected from discrimination under WIA Section 188 in the planning process in a meaningful way, beginning with the earliest stages.

19. The State assures that it will comply with the grant procedures prescribed by the Secretary (pursuant to the authority at section 189(c) of the Act) which are necessary to enter into grant agreements for the allocation and payment of funds under the Act. The procedures and agreements will be provided to the State by the ETA Office of Grants and Contract Management and will specify the required terms and conditions and assurances and certifications, including, but not limited to, the following:

General Administrative Requirements:

- 29 CFR part 97—Uniform Administrative Requirements for State and Local Governments (as amended by the Act)
 - 29 CFR part 96 (as amended by OMB Circular A-133)—Single Audit Act
 - OMB Circular A-87—Cost Principles (as amended by the Act)
- Assurances and Certifications:
- SF 424 B—Assurances for Nonconstruction Programs

- 29 CFR part 31, 32—Nondiscrimination and Equal Opportunity Assurance (and regulation)
- CFR part 93—Certification Regarding Lobbying (and regulation)
- 29 CFR part 98—Drug Free Workplace and Debarment and Suspension

27. The State certifies that, in providing an opportunity for public comment and input into the development of the plan, the State has consulted with persons of disabilities and has provided information regarding the plan and the planning process, including the plan and supporting documentation in alternative formats when requested. (§ 112(b)(9))

Adult Education and Family Literacy

By signing the Unified Plan signature page, you are certifying that:

1. The eligible agency will award not less than one grant to an eligible provider who offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in Adult Education and Literacy activities, which eligible provider shall attempt to coordinate with support services that are not provided under this subtitle prior to using funds for Adult Education and Literacy activities provided under AEFLA for support services. (§ 224(b)(5))

2. The funds received under this subtitle will not be expended for any purpose other than for activities under this subtitle. (§ 224(b)(6))

3. The eligible agency will expend the funds under this subtitle only in a manner consistent with fiscal requirements in section 241. (§ 224(b)(8))

Food Stamp Employment and Training (FSET)

By signing the Unified Plan signature page, you are certifying that:

1. Federal funds allocated by the Department of Agriculture to the State under section 16(h)(1) of the Food Stamp Act of 1977 (the Act), or provided to the State as reimbursements under sections 16(h)(2) and 16(h)(3) of the Act will be used only for operating an employment and training program under section 6(d)(4) of the Act.

2. The State will submit to the Food and Nutrition Service (FNS) annual updates to its Employment and Training Plan for the coming fiscal year. The updates are due by August 15 of each year. The annual update must include any changes the State anticipates making in the basic structure or

operation of its program. At a minimum, the annual update must contain revisions to Tables 1 (Estimated Participant Levels), 2 (Estimated E&T Placement Levels), 4 (Operating Budget), and 5 (Funding Categories).

3. If significant changes are to be made to its E&T program during the fiscal year, the State will submit to FNS a request to modify its plan. FNS must approve the modification request before the proposed change is implemented. The State may be liable for costs associated with implementation prior to approval. See "The Handbook on Preparing State Plans for Food Stamp Employment and Training Programs" for additional information.

4. The State will submit a quarterly E&T report, FNS-583. Reports are due no later than 45 days after the end of each Federal fiscal quarter. The information required on the FNS-583 is listed in Exhibit 3 of the "The Handbook on Preparing State Plans for Food Stamp Employment and Training Programs."

5. The State will submit E&T program financial information on the SF-269, Financial Status Report. It must include claims for the 100 percent Federal grant, 50 percent matched funding, and participant reimbursements. The SF-269 is due 30 days after the end of each Federal fiscal quarter.

6. The State will deliver each component of its E&T program through the One-Stop delivery system, an interconnected strategy for providing comprehensive labor market and occupational information to job seekers, employers, core services providers, other workforce employment activity providers, and providers of workforce education activities. If the component is not available locally through such a system, the State may use another source.

Vocational Rehabilitation

By signing the Unified Plan signature page, you are certifying that:

1. As a condition for the receipt of Federal funds under title I, part B of the Rehabilitation Act³ for the provision of vocational rehabilitation services, the designated State agency⁴ agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with provisions

³ Unless otherwise specified, any references to "the Act" means to the Rehabilitation Act of 1973, as amended, (Public Law 93-112, as amended by Public Laws 93-516, 95-602, 99-506, 100-630, 102-569, 103-073, and 105-220).

⁴ All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

of this State plan⁵, the Act and all applicable regulations⁶, policies and procedures established by the Secretary. Funds made available under section 111 of the Act are used solely for the provision of vocational rehabilitation services under title I and the administration of this State plan.

2. As a condition of the receipt of Federal funds under title VI, part B of the Act for supported employment services, the designated State agency agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State plan,⁷ the Act, and all applicable regulations,⁸ policies, and procedures established by the Secretary. Funds made available under title VI, part B are used solely for the provision of supported employment services and the administration of the supplement to the title I State plan.

3. The designated State agency or designated State unit is authorized to submit this State plan under title I of the Act and its supplement under title VI, part B of the Act.

4. The State submits only those policies, procedures, or descriptions required under this State plan and its supplement that have not been previously submitted to and approved by the Commissioner of the Rehabilitation Services Administration. (§ 101(a)(1)(B))

5. The State submits to the Commissioner at such time and in such manner as the Secretary determines to be appropriate, reports containing annual updates of the information relating to the: comprehensive system of personnel development; assessments, estimates, goals and priorities, and reports of progress; innovation and expansion activities; and requirements under title I, part B or title VI, part B of the Act. (§ 101(a)(23))

6. The State plan and its supplement are in effect subject to the submission of such modifications as the State determines to be necessary or as the Commissioner may require based on a

⁵ No funds under title I of the Act may be awarded without an approved State plan in accordance with section 101(a) of the Act and 34 CFR part 361.

⁶ Applicable regulations include Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 76, 77, 79, 80, 81, 82, 85 and 86 and the State Vocational Rehabilitation Services Program regulations in 34 CFR part 361.

⁷ No funds under title VI, part B of the Act may be awarded without an approved supplement to the title I State plan in accordance with section 625(a) of the Act.

⁸ Applicable regulations include Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 76, 77, 79, 80, 81, 82, 85 and 86; 34 CFR part 361; and 34 CFR 363.

change in State policy, a change in Federal law, including regulations, an interpretation of the Act by a Federal court or the highest court of the State, or a finding by the Commissioner of State noncompliance with the requirements of the Act, until the State submits and receives approval of a new State plan or plan supplement.

(§ 101(a)(1)(C))

7. The State has an acceptable plan for carrying out part B of title VI of the Act, including the use of funds under that part to supplement funds made available under part B of title I of the Act to pay for the cost of services leading to supported employment.

(§ 101(a)(22))

8. The designated State agency, prior to the adoption of any policies or procedures governing the provision of vocational rehabilitation services under the State plan and supported employment services under the supplement to the State plan, including making any amendment to such policies and procedures, conducts public meetings throughout the State after providing adequate notice of the meetings, to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures, and actively consults with the Director of the client assistance program, and, as appropriate, Indian tribes, tribal organizations, and Native Hawaiian organizations on the policies or procedures. (§ 101(a)(16)(A))

9. The designated State agency takes into account, in connection with matters of general policy arising in the administration of the plan, the views of individuals and groups of individuals who are recipients of vocational rehabilitation services, or in appropriate cases, the individual's representatives; personnel working in programs that provide vocational rehabilitation services to individuals with disabilities; providers of vocational rehabilitation services to individuals with disabilities; the Director of the client assistance program; and the State Rehabilitation Council, if the State has such a Council. (§ 101(a)(16)(B))

10. The designated State agency (or, as appropriate, agencies) is a State agency that is:

a. __ primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities; or

b. __ not primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities, and includes within the State agency a vocational rehabilitation bureau, or division, or other organizational unit that: is

primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities, and is responsible for the designated State agency's vocational rehabilitation program; has a full-time director; has a staff, all or substantially all of whom are employed full time on the rehabilitation work of the organizational unit; and is located at an organizational level and has an organizational status within the designated State agency comparable to that of other major organizational units of the designated State agency. (§ 101(a)(2)(B))

11. The designated State agency (or, as appropriate, agencies):

a. __ is an independent commission that is responsible under State law for operating, or overseeing the operation of, the vocational rehabilitation program in the State; is consumer-controlled by persons who are individuals with physical or mental impairments that substantially limit major life activities; and represent individuals with a broad range of disabilities, unless the designated State unit under the direction of the commission is the State agency for individuals who are blind; includes family members, advocates, or other representatives, of individuals with mental impairments; and undertakes the functions set forth in § 105(c)(4) of the Act; or

b. __ has established a State Rehabilitation Council that meets the criteria set forth in section 105 of the Act and the designated State unit: jointly with the Council develops, agrees to, and reviews annually State goals and priorities, and jointly submits annual reports of progress with the Council, in accordance with the provisions of § 101(a)(15) of the Act; regularly consults with the Council regarding the development, implementation, and revision of State policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services; includes in the State plan and in any revision to the State plan, a summary of input provided by the Council, including recommendations from the annual report of the Council described in section 105(c)(5) of the Act, the review and analysis of consumer satisfaction described in section 105(c)(4), and other reports prepared by the Council, and the response of the designated State unit to such input and recommendations, including explanations for rejecting any input or recommendation; and transmits to the Council all plans, reports, and other information required under this title to be submitted to the Secretary; all

policies, and information on all practices and procedures, of general applicability provided to or used by rehabilitation personnel in carrying out this title; and copies of due process hearing decisions issued under this title, which shall be transmitted in such a manner as to ensure that the identity of the participants in the hearings is kept confidential. (§ 101(a)(21))

12. The State provides for financial participation, 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 title I, part B of the Act. (§ 101(a)(3))

13. The plan is in effect in all political subdivisions of the State, except that in the case of any activity that, in the judgment of the Commissioner, is likely to assist in promoting the vocational rehabilitation of substantially larger numbers of individuals with disabilities or groups of individuals with disabilities, the Commissioner may waive compliance with the requirement that the plan be in effect in all political subdivisions of the State to the extent and for such period as may be provided in accordance with regulations prescribed by the Commissioner, but only if the non-Federal share of the cost of the vocational rehabilitation services involved is met from funds made available by a local agency (including funds contributed to such agency by a private agency, organization, or individual); and in a case in which earmarked funds are used toward the non-Federal share and such funds are earmarked for particular geographic areas within the State, the earmarked funds may be used in such areas if the State notifies the Commissioner that the State cannot provide the full non-Federal share without such funds. (§ 101(a)(4))

14. The State agency employs methods of administration found by the Commissioner to be necessary for the proper and efficient administration of the State plan. (§ 101(a)(6)(A))

15. The designated State agency and entities carrying out community rehabilitation programs in the State, who are in receipt of assistance under title I of the Act, take affirmative action to employ and advance in employment qualified individuals with disabilities covered under and on the same terms and conditions as set forth in § 503 of the Act. (§ 101(a)(6)(B))

16. Facilities used in connection with the delivery of services assisted under the State plan comply with the provisions of the Act entitled "An Act to insure that certain buildings financed with federal funds are so designed and constructed as to be accessible to the

physically handicapped," approved on August 12, 1968 (commonly known as the "Architectural Barriers Act of 1968"), with § 504 of the Act and with the Americans with Disabilities Act of 1990. (§ 101(a)(6)(C))

17. The designated State unit submits, in accordance with section 101(a)(10) of the Act, reports in the form and level of detail and at the time required by the Commissioner regarding applicants for and eligible individuals receiving services under the State plan and the information submitted in the reports provides a complete count, unless sampling techniques are used, of the applicants and eligible individuals in a manner that permits the greatest possible cross-classification of data and ensures the confidentiality of the identity of each individual. (§ 101(a)(10)(A) and (F))

18. The designated State agency has the authority to enter into contracts with for-profit organizations for the purpose of providing, as vocational rehabilitation services, on-the-job training and related programs for individuals with disabilities under part A of title VI of the Act, upon the determination by the designated State agency that such for-profit organizations are better qualified to provide such vocational rehabilitation services than non-profit agencies and organizations. (§ 101(a)(24)(A))

19. The designated State agency has cooperative agreements with other entities that are components of the statewide workforce investment system of the State in accordance with section 101(a)(11)(A) of the Act and replicates these cooperative agreements at the local level between individual offices of the designated State unit and local entities carrying out activities through the statewide workforce investment system. (§ 101(a)(11)(A) and (B))

20. The designated State unit, the Statewide Independent Living Council established under section 705 of the Act, and the independent living centers described in part C of title VII of the Act within the State have developed working relationships and coordinate their activities. (§ 101(a)(11)(E))

21. If there is a grant recipient in the State that receives funds under part C of the Act, the designated State agency has entered into a formal agreement that meets the requirements of section 101(a)(11)(F) of the Act with each grant recipient. (§ 101(a)(11)(F))

22. Except as otherwise provided in part C of title I of the Act, the designated State unit provides vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State to the

same extent as the designated State agency provides such services to other significant populations of individuals with disabilities residing in the State. (§ 101(a)(13))

23. No duration of residence requirement is imposed that excludes from services under the plan any individual who is present in the State. (§ 101(a)(12))

24. The designated State agency has implemented an information and referral system that is adequate to ensure that individuals with disabilities are provided accurate vocational rehabilitation information and guidance, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining, or regaining employment, and are appropriately referred to Federal and State programs, including other components of the statewide workforce investment system in the State. (§ 101(a)(20))

25. In the event that vocational rehabilitation services cannot be provided to all eligible individuals with disabilities in the State who apply for the services, individuals with the most significant disabilities, in accordance with criteria established by the State for the order of selection, will be selected first for the provision of vocational rehabilitation services and eligible individuals, who do not meet the order of selection criteria, shall have access to services provided through the information and referral system implemented under section 101(a)(20) of the Act. (§ 101(a)(5)(C) and (D))

26. Applicants and eligible individuals, or, as appropriate, the applicants' representatives or the individuals' representatives, are provided information and support services to assist the applicants and eligible individuals in exercising informed choice throughout the rehabilitation process, consistent with the provisions of section 102(d) of the Act. (§ 101(a)(19))

27. An individualized plan for employment meeting the requirements of section 102(b) of the Act will be developed and implemented in a timely manner for an individual subsequent to the determination of the eligibility of the individual for services, except that in a State operating under an order of selection, the plan will be developed and implemented only for individuals meeting the order of selection criteria; services under this plan will be provided in accordance with the provisions of the individualized plan for employment. (§ 101(a)(9))

28. Prior to providing any vocational rehabilitation services, except:

- Assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

- Counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d) of the Act;

- Referral and other services to secure needed services from other agencies through agreements developed under section 101(a)(11) of the Act, if such services are not available under this State plan;

- Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;

- Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices; and

- Post-employment services consisting of the services listed under subparagraphs (a) through (f), to an eligible individual, or to members of the individual's family, the State unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual unless the determination of the availability of comparable services and benefits under any other program would interrupt or delay:

- Progress of the individual toward achieving the employment outcome identified in the individualized plan for employment;

- An immediate job placement; or

- Provision of such service to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional. (§ 101(a)(8)(A))

38. The Governor of the State in consultation with the designated State vocational rehabilitation agency and other appropriate agencies ensures that there is an interagency agreement or other mechanism for interagency coordination that meets the requirements of section 101(a)(8)(B)(i)-(iv) of the Act between any appropriate public entity, including the State Medicaid program, public institution of higher education, and a component of the statewide workforce investment system, and the designated State unit so as to ensure the provision of the vocational rehabilitation services identified in section 103(a) of the Act, other than the services identified as being exempt from the determination of the availability of comparable services

and benefits, that are included in the individualized plan for employment of an eligible individual, including the provision of such services during the pendency of any dispute that may arise in the implementation of the interagency agreement or other mechanism for interagency coordination. (§ 101(a)(8)(B))

39. The State agency conducts an annual review and reevaluation of the status of each individual with a disability served under this State plan who has achieved an employment outcome 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 (29 U.S.C. 214(c)) for 2 years after the achievement of the outcome (and annually thereafter if requested by the individual or, if appropriate, the individual's representative), to determine the interests, priorities, and needs of the individual with respect to competitive employment or training for competitive employment; provides for the input into the review and reevaluation, and a signed acknowledgment that such review and reevaluation have been conducted, by the individual with a disability, or, if appropriate, the individual's representative; and makes maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist such individuals in engaging in competitive employment. (§ 101(a)(14))

40. Funds made available under title VI, part B of the Act will only be used to provide supported employment services to individuals who are eligible under this part to receive the services. (§ 625(b)(6)(A))

41. The comprehensive assessments of individuals with significant disabilities conducted under section 102(b)(1) of the Act and funded under title I will include consideration of supported employment as an appropriate employment outcome. (§ 625(b)(6)(B))

42. An individualized plan for employment, as required by section 102 of the Act, will be developed and updated using funds under title I in order to specify the supported employment services to be provided; specify the expected extended services needed; and identify the source of extended services, which may include natural supports, or to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment is developed, a statement describing the

basis for concluding that there is a reasonable expectation that such sources will become available. (§ 625(b)(6)(C))

43. The State will use funds provided under title VI, part B only to supplement, and not supplant, the funds provided under title I, in providing supported employment services specified in the individualized plan for employment. (§ 625(b)(6)(D))

44. Services provided under an individualized plan for employment will be coordinated with services provided under other individualized plans established under other Federal or State programs. (§ 625(b)(6)(E))

45. To the extent jobs skills training is provided, the training will be provided on site. (§ 625(b)(6)(F))

46. Supported employment services will include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities. (§ 625(b)(G))

47. The State will expend not more than 5 percent of the allotment of the State under title VI, part B for administrative costs of carrying out this part. (§ 625(b)(7))

48. The supported employment supplement to the title I State plan contains such other information and be submitted in such manner as the Commissioner of the Rehabilitation Services Administration may require. (§ 625(b)(8))

Unemployment Insurance

The Governor, by signing the Unified Plan Signature Page, certifies that

1. The SESA will comply with the following assurances, and that the SESA will institute plans or measures to comply with the following requirements. Because the Signature Page incorporates the assurances by reference into the Unified Plan, States should not include written assurances in their Unified Plan submittal. The assurances are identified and explained in Paragraphs (2)—(11) below.

2. Assurance of Equal Opportunity (EO). As a condition to the award of financial assistance from ETA:

(a) The State assures that it will comply with the nondiscrimination provisions of section 188, and its implementing regulations at 29 CFR part 37, including an assurance that a Method of Administration has been developed and implemented (§ 188 and § 112(b)(17));

(b) The State assures that it will collect and maintain data necessary to

show compliance with the nondiscrimination provisions of section 188, as provided in the regulations implementing that section (§ 185)

3. Assurance of Administrative Requirements and Allowable Cost Standards. The SESA must comply with administrative requirements and cost principles applicable to grants and cooperative agreements as specified in 20 CFR part 601 (Administrative Procedure), 29 CFR part 93 (Lobbying Prohibitions), 29 CFR part 96 (Audit Requirements), 29 CFR part 97 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments), and OMB Circular A-87 (Revised), 60 FR 26484 (May 17, 1995), further amended at 62 FR 45934 (August 29, 1997) (Cost Principles for State, Local, and Indian Tribal Governments), and with administrative requirements for debarment and suspension applicable to subgrants or contracts as specified in 29 CFR part 98 (Debarment and Suspension). The cost of State staff travel to regional and national meetings and training sessions is included in the grant funds. It is assured that State staff will attend mandatory meetings and training sessions, or unused funds will be returned.

States that have subawards to organizations covered by audit requirements of OMB Circular A-133 (Revised) (Audit Requirements of Institutions of Higher Education and Other Non-Profits) must (1) ensure that such subrecipients meet the requirements of that circular, as applicable, and (2) resolve audit findings, if any, resulting from such audits, relating to the UI program.

(a) The SESA also assures that it will comply with the following specific administrative requirements.

(i) Administrative Requirements.

Program Income. Program income is defined in 29 CFR 97.25 as gross income received by a grantee or subgrantee directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. States may deduct costs incidental to the generation of UI program income from gross income to determine net UI program income. UI program income may be added to the funds committed to the grant by ETA. The program income must be used only as necessary for the proper and efficient administration of the UI program. Any rental income or user fees obtained from real property or equipment acquired with grant funds from prior awards shall be treated as program income under this grant.

Budget Changes. Except as specified by terms of the specific grant award, ETA, in accordance with the regulations, waives the requirements in 29 CFR 97.30(c)(1)(ii) that States obtain prior written approval for certain types of budget changes.

Real Property Acquired with Reed Act Funds. The requirements for real property acquired with Reed Act or other non-Federal funds and amortized with UI grants are in UIPL 39-97, dated September 12, 1997, and in 29 CFR 97.31 to the extent amortized with UI grants.

Equipment Acquired with Reed Act Funds. The requirements for equipment acquired with Reed Act or other non-Federal funds and amortized with UI grants are in UIPL 39-97, dated September 12, 1997, and in 29 CFR 97.31 to the extent amortized with UI grants.

Real Property, Equipment, and Supplies. Real property, equipment, and supplies acquired under prior awards are transferred to this award and are subject to the relevant regulations at 29 CFR part 97.

For super-microcomputer systems and all associated components which were installed in States for the purpose of Regular Reports, Benefits Accuracy Measurement, and other UI Activities, the requirements of 29 CFR part 97 apply. The National Office reserves the right to transfer title and issue disposition instructions in accordance with paragraph (g) of Federal regulations at 29 CFR 97.32. States also will certify an inventory list of system components which will be distributed annually by ETA. Standard Form 272, Federal Cash Transactions Report. In accordance with 29 CFR 97.41(c), SESAs are required to submit a separate SF 272 for each sub-account under the Department of Health and Human Services (DHHS) Payment Management System. However, SESAs are exempt from the requirement to submit the SF 272A, Continuation Sheet.

(ii). Exceptions and Expansions to Cost Principles. The following exceptions or expansions to the cost principles of OMB Circular No. A-87 (Revised) are applicable to SESAs:

—**Employee Fringe Benefits.** As an exception to OMB Circular A-87 (Revised) with respect to personnel benefit costs incurred on behalf of SESA employees who are members of fringe benefit plans which do not meet the requirements of OMB Circular No. A-87 (Revised), Attachment B, item 11, the costs of employer contributions or expenses

incurred for SESA fringe benefit plans are allowable, provided that:

For retirement plans, all covered employees joined the plan before October 1, 1983; the plan is authorized by State law; the plan was previously approved by the Secretary; the plan is insured by a private insurance carrier which is licensed to operate this type of plan in the applicable State; and any dividends or similar credits because of participation in the plan are credited against the next premium falling due under the contract.

For all SESA fringe benefit plans other than retirement plans, if the Secretary granted a time extension after October 1, 1983, to the existing approval of such a plan, costs of the plan are allowable until such time as the plan is comparable in cost and benefits to fringe benefit plans available to other similarly employed State employees. At such time as the cost and benefits of an approved fringe benefit plan are equivalent to the cost and benefits of plans available to other similarly employed State employees, the time extension will cease and the cited requirements of OMB Circular A-87 (Revised) will apply. 3) For retirement plans and all other fringe benefit plans covered in (1) and (2) of this paragraph, any additional costs resulting from improvements to the plans made after October 1, 1983, are not chargeable to UI grant funds.

—**UI Claimant's Court Appeals Costs.**

To the extent authorized by State law, funds may be expended for reasonable counsel fees and necessary court costs, as fixed by the court, incurred by the claimant on appeals to the courts in the following cases:

Any court appeal from an administrative or judicial decision favorable in whole or in part for the claimant;

Any court appeal by a claimant from a decision which reverses a prior decision in his/her favor;

Any court appeal by a claimant from a decision denying or reducing benefits awarded under a prior administrative or judicial decision;

Any court appeal as a result of which the claimant is awarded benefits;

Any court appeal by a claimant from a decision by a tribunal, board of review, or court which was not unanimous;

Any court appeal by a claimant where the court finds that a reasonable basis exists for the appeal.

Reed Act. Payment from the SESA's UI grant allocations, made into a State's account in the Unemployment Trust Fund for the purpose of reducing

charges against Reed Act funds (Section 903(c)(2) of the Social Security Act, as amended (42 U.S.C. 1103(c)(2)), are allowable costs provided that:

The charges against Reed Act funds were for amounts appropriated, obligated, and expended for the acquisition of automatic data processing installations or for the acquisition or major renovation of State-owned real property (as defined in 29 CFR 97.3); and

With respect to each acquisition or improvement of property, the payments are accounted for as credit against equivalent amounts of Reed Act funds previously withdrawn under the respective appropriation.

Prior Approval of Equipment Purchases. As provided for in OMB Circular No. A-87 (Revised), Attachment B, item 19, the requirement that grant recipients obtain prior approval from the Federal grantor agency for all purchases of equipment (as defined in 29 CFR 97.3) is waived and approval authority is delegated to the SESA Administrator.

4. Assurance of Management Systems, Reporting, and Record Keeping. The SESA assures that:

Financial systems provide fiscal control and accounting procedures sufficient to permit timely preparation of required reports, and the tracing of funds to a level of expenditure adequate to establish that funds have not been expended improperly (29 CFR 97.20).

The financial management system and the program information system provide Federally-required reports and records that are uniform in definition, accessible to authorized Federal and State staff, and verifiable for monitoring, reporting, audit, and evaluation purposes.

It will submit reports to ETA as required in instructions issued by ETA and in the format ETA prescribes.

The financial management system provides for methods to insure compliance with the requirements applicable to procurement and grants as specified in 29 CFR Part 98 (Debarment and Suspension), and for obtaining the required certifications under 29 CFR 98.510(b) regarding debarment, suspension, ineligibility, and voluntary exclusions for lower tier covered transactions.

5. Assurance of Program Quality. The SESA assures that it will administer the UI program in a manner that ensures proper and efficient administration. "Proper and efficient administration" includes performance measured by ETA through Tier I measures, Tier II measures, program reviews, and the administration of the UI BAM, BTQ

measures, and TPS program requirements.

6. Assurance on Use of Unobligated Funds. The SESA assures that non-automation funds will be obligated by December 31 of the following fiscal year, and liquidated (expended) within 90 days thereafter. ETA may extend the liquidation date upon written request. Automation funds must be obligated by the end of the 3rd fiscal year, and liquidated within 90 days thereafter. ETA may extend the liquidation date upon written request. Failure to comply with this assurance may result in disallowed costs from audits or review findings.

7. Assurance of Disaster Recovery Capability. The SESA assures that it will maintain a Disaster Recovery plan.

8. Assurance of Conformity and Compliance. The SESA assures that the State law will conform to, and its administrative practice will substantially comply with, all Federal UI law requirements, and that it will adhere to DOL directives.

9. Assurance of Participation in UI PERFORMS. The SESA assures that it will participate in the annual UI PERFORMS State Quality Service Planning process by submitting: (1) any Corrective Action Plans (CAPs) required under UI PERFORMS, and (2) any Continuous Improvement Plans (CIPs) negotiated with the Department of Labor as part of the State Quality Service Planning process.

10. Assurance of Financial Reports and Planning Forms. The SESA assures that it will submit financial reports and financial planning forms as required by the Department of Labor to support the annual allocation of administrative grants.

11. Assurance of Prohibition of Lobbying Costs (29 CFR Part 93). The SESA assures and certifies that, in accordance with the DOL Appropriations Act, no UI grant funds will be used to pay salaries or expenses related to any activity designed to influence legislation or appropriations pending before the Congress of the United States. (k). Drug-Free Workplace (29 CFR Part 98). The SESA assures and certifies that it will comply with the requirements at this part.

Temporary Assistance for Needy Families (TANF)

By signing the Unified Plan signature page, you are certifying that:

1. That, during the fiscal year, the State will operate a child support enforcement program under the State plan approved under part D. (§ 402(a)(2))

2. That, during the fiscal year, the State will operate a foster care and adoption assistance program under the State plan approved under part E, and that the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State plan under title XIX. (§ 402(a)(3))

3. Which State agency or agencies will administer and supervise the TANF program for the fiscal year, which shall include assurances that local governments and private sector organizations have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and have had at least 45 days to submit comments on the plan and the design of such services. (§ 402(a)(4))

4. That, during the fiscal year, the State will provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to federally-funded assistance under the State's TANF program (§ 402(a)(5))

5. That the State has established and is enforcing standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political patronage. (§ 402(a)(6))

6. (Optional) that the State has established and is enforcing standards and procedures to:

- Screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;

- Refer such individuals to counseling and supportive services; and

- Waive, pursuant to a determination of good cause, other program requirements such as time limits (for so long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence. (§ 402(a)(7)(A)(i), (ii), (iii))

Welfare-to-Work (WtW)

By signing the Unified Plan signature page, you are certifying that:

1. The State is an eligible State, pursuant to SSA section 402(a) for the fiscal year. (SSA § 402(a); SSA § 403(a)(5)(A)(ii)(IV))

2. The State assures that qualified State expenditures (within the meaning of SSA section 409(a)(7)) for the fiscal year will not be less than the applicable percentage of historic State expenditures (within the meaning of SSA section 409(a)(7)) with respect to the fiscal year. (SSA section 403(5)(A)(ii)(V); SSA Section 409(a)(7))

3. The State has consulted and coordinated with the appropriate entities in the substate areas regarding the plan and the design of WtW services in the State. Statutory Citation: SSA section 403(a)(5)(A)(ii)(I)(cc).

4. The State will make available to the public a summary of the WtW plan. Statutory Citation: SSA section 402(b).

5. The State has agreed to negotiate in good faith with the Secretary of Health and Human Services with respect to the substance and funding of any evaluation under SSA section 413(j) and to cooperate with the conduct of such an evaluation. (SSA § 403(a)(5)(A)(ii)(III); SSA § 413(j))

6. The State shall not use any part of these grant funds, nor any part of state expenditures made to match the funds, to fulfill any obligation of any State, political subdivision, or private industry council to contribute funds under SSA sections 403(b) or 418 or any other provision of the Social Security Act or other Federal law.

Note: There is an exception to this requirement for Access to Jobs.

Statutory Citation: SSA section 403(a)(5)(C)(vi).

7. The State will return to The Secretary of Labor any part of the WtW funds that are not expended within 3 years after the date the funds are so provided. Statutory Citation: SSA section 403(a)(5)(C)(vii).

8. The State WtW program will be conducted in accordance with the WtW legislation, regulatory provisions, future written guidance provided by the Department, and all other applicable Federal and State laws.

9. The State will apply the TANF law and regulations to the operation of the WtW program, unless otherwise specified by the Department or defined in SSA section 403(a)(5) or the applicable WtW regulations.

10. The State will provide services under the WtW grant to eligible participants only.

11. The State will maintain and submit accurate, complete and timely participant and financial records reports, as specified by the Secretary of Labor and the Secretary of Health and Human Services.

12. The State will establish a mechanism to exchange information and coordinate the WtW program operated by the State and PICs with other programs available that will assist in providing welfare recipients employment.

13. The State shall adhere to the certifications required under TANF and will meet the TANF maintenance of effort requirements.

14. The State will comply with the "common rule" Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments codified for DOL at 29 CFR Part 97.

15. The State will follow the audit requirements of The Single Audit Act Amendments of 1996 and OMB-Circular A-133.

16. The State will follow the allowable cost/cost principles of OMB Circular A-87.

17. The State will establish policies to enforce the provisions regarding nondisplacement in work activities under a program operated with funds provided under WtW. Statutory Citation: SSA section 403(a)(5)(J)(i).

18. Assures that the Health and Safety standards established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of other participants engaged in a work activity under a program operated with funds provided under WtW. Statutory Citation: SSA section 403(a)(5)(J)(ii).

19. The State will enforce the provision that an individual may not be discriminated against by reason of gender with respect to participation in work activities under a program operated with funds provided under WtW. Statutory Citation: SSA section 403(a)(5)(J)(iii).

20. The State shall establish and maintain procedures for grievances or complaints from participants and employees under the WtW program. The procedures established will be consistent with the requirements of SSA section 403(a)(5)(J)(iv). Statutory Citation: SSA section 403(a)(5)(J)(iv).

21. The State shall establish and enforce standards and procedures to ensure against fraud and abuse, including standards and procedures against nepotism, conflicts of interest among individuals responsible for the administration and supervision of the

State WtW program, kickbacks, and the use of political patronage.

22. The State will comply with the nondiscrimination provisions of the laws enumerated at SSA section 408(d), with respect to participation in work activities engaged in under the WtW program.

Senior Community Service Employment Program (SCSEP)

1. By signing the Unified Plan signature page, you are certifying that the State agrees to follow the provisions of Title V of the Older Americans Act of 1965 as amended or its successor legislation, the regulations at 20 CFR part 641 and Department of Labor guidance when administering funds provided pursuant to that Act.

Community Development Block Grant (CDBG)

By signing the Unified Plan signature page, you are certifying that:

1. The jurisdiction shall consult with other public and private agencies that provide assisted housing, health services, and social services during preparation of the plan. (§ 91.100(a)(1))

2. When preparing the portion of its consolidated plan concerning lead-based paint hazards, the jurisdiction shall consult with State or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the address of housing units in which children have been identified as lead poisoned. (§ 91.100(a)(2))

3. When preparing the description of priority nonhousing community development needs, a unit of general local government must notify adjacent units of general local government, to the extent practicable. The nonhousing community development plan must be submitted to the state, and, if the jurisdiction is a CDBG entitlement grantee other than an urban county, to the county. (§ 91.100(a)(3))

4. The largest city in each eligible metropolitan statistical area (EMSA) that is eligible to receive a HOPWA formula allocation must consult broadly to develop a metropolitan-wide strategy for addressing the needs of persons with HIV/AIDS and their families living throughout the EMSA. All jurisdictions within the EMSA must assist the jurisdiction that is applying for a HOPWA allocation in the preparation of the HOPWA submission. (§ 91.100(b))

5. The jurisdiction shall consult with the local public housing agency participating in an approved Comprehensive Grant program concerning consideration of public

housing needs and planned Comprehensive Grant program activities. (§ 91.100(c))

6. If HOME is part of the plan, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ration between rehabilitation and refinancing. (§ 91.320(g)(2))

7. If HOME is part of the plan, require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated. (§ 91.320(g)(2))

8. HOME funds cannot be used to refinance multifamily loans made or insured by any Federal program, including CDBG. (§ 91.320(g)(2))

9. The State is affirmatively furthering fair housing. Each State is required to submit a certification that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the State, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See § 570.487(b)(2)(ii) of this title.) (§ 91.325(a)(1))

10. The State has an anti-displacement and relocation plan. The State is required to submit a certification that it has in effect and is following a residential antidisplacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG or HOME programs. (§ 91.325(a)(2))

11. The State must submit a certification with regard to drug-free workplace required by 24 CFR part 24, subpart F. (§ 91.325(a)(3))

12. The State must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part. (§ 91.325(a)(4))

13. The State must submit a certification that the consolidated plan is authorized under State law and that the State possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations. (§ 91.325(a)(5))

14. The State must submit a certification that the housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the plan. (§ 91.325(a)(6))

15. The State must submit a certification that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR part 24. (§ 91.325(a)(7))

16. The State must submit a certification that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135. (§ 91.325(a)(8))

17. Community Development Block Grant program. For States that seek funding under CDBG, the following certifications are required: (§ 91.325(b)(1))

- Citizen participation. A certification that the State is following a detailed citizen participation plan that satisfies the requirements of § 91.115, and that each unit of general local government that is receiving assistance from the State is following a detailed citizen participation plan that satisfies the requirements of § 570.486 of this title.

- Consultation with local governments. A certification that: (§ 91.325(b)(2))

- It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;

- It engages or will engage in planning for community development activities;

- It provides or will provide technical assistance to units of general local government in connection with community development programs;

- It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected; and

- Each unit of general local government to be distributed funds will be required to identify its community development and housing needs, including the needs of the low-income and moderate-income families, and the activities to be undertaken to meet these needs.

- Community development plan. A certification that this consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program, as

described in 24 CFR 570.2 * and requirements of this part and 24 CFR part 570. (§ 91.325(b)(3))

* **Note:** (§ 570.2 was removed in March, 1996. The streamlined text of § 570.1(c) has replaced 570.2.)

- Use of funds. A certification that the State has complied with the following criteria: (§ 91.325(b)(4))

- With respect to activities expected to be assisted with CDBG funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The plan may also include CDBG-assisted activities that are certified to be designed to meet other community development needs having particular urgency existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs;

- The aggregate use of CDBG funds, including section 108 guaranteed loans, during a period specified by the State, consisting of one, two, or three specific consecutive program years, shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period (see 24 CFR 570.481 for definition of "CDBG funds"); and

- The State will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than with CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds if the State certifies that it lacks CDBG funds to cover the assessment.

30. The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations. (§ 91.325(b)(5))

31. The State will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing: (§ 91.325(b)(6))

- A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

- A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

34. The State will comply with applicable laws. (§ 91.325(b)(7))

35. Emergency Shelter Grant program. For States that seek funding under the Emergency Shelter Grant program, a certification is required by the State that it will ensure that its State recipients comply with the following criteria: (§ 91.325(c))

- In the case of assistance involving major rehabilitation or conversion, it will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for not less than a 10-year period;

- In the case of assistance involving rehabilitation less than that covered under paragraph (d)(1) of this section, it will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for not less than a three-year period;

- In the case of assistance involving essential services (including but not limited to employment, health, drug abuse, or education) or maintenance, operation, insurance, utilities and furnishings, it will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served;

- Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;

- It will assist homeless individuals in obtaining appropriate supportive services, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving

independent living, and other Federal, State, local, and private assistance available for such individuals;

- It will obtain matching amounts required under § 576.71 of this title;
- It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter;

- To the maximum extent practicable, it will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under this program, in providing services assisted under the program, and in providing services for occupants of facilities assisted under the program; and

- It is following a current HUD-approved consolidated plan.

45. HOME program. Each State must provide the following certifications: (§ 91.325(d))

- If it plans to use program funds for tenant-based rental assistance, a certification that rental-based assistance is an essential element of its consolidated plan;
- A certification that it is using and will use HOME funds for eligible activities and costs, as described in Secs. 92.205 through 92.209 of this subtitle and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214 of this subtitle; and
- A certification that before committing funds to a project, the State or its recipients will evaluate the project in accordance with guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other federal assistance than is necessary to provide affordable housing

1. Housing Opportunities for Persons With AIDS. For States that seek funding under the Housing Opportunities for Persons With AIDS program, a certification is required by the State that: (§ 91.325(e))

- Activities funded under the program will meet urgent needs that are not being met by available public and private sources; and

- Any building or structure purchased, leased, rehabilitated, renovated, or converted with assistance under that program shall be operated for not less than 10 years specified in the

plan, or for a period of not less than three years in cases involving non-substantial rehabilitation or repair of a building or structure.

Public Housing

By signing the Unified Plan signature page, you are certifying that:

1. The plan is consistent with the applicable comprehensive housing affordability strategy for the jurisdiction in which the public housing agency is located, in accordance with title I of the Cranston-Gonzalez National Act, and contains a certification by the appropriate State or local official that the plan meets the requirements of this paragraph. (§ 5(c)(2)(B))

2. The safety of public housing residents. (§ 5A(d)(13)(A))

3. The safety and crime prevention plan shall be established in consultation with the police officer or officers in command for the appropriate precinct or police department. (§ 5A(d)(13)(B))

4. The PHA that it will carry out the public housing agency plan in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmative further fair housing. (§ 5A(d)(15))

5. Each public housing agency shall establish 1 or more resident advisory boards in accordance with this subsection, the membership of which shall adequately reflect and represent the residents assisted by the public housing agency. (§ 5A(e)(1))

6. In developing a public housing agency plan under this section, the board of directors or similar governing body of a public housing agency shall conduct a public hearing to discuss the public housing agency plan and to invite public comment regarding that plan. The hearing shall be conducted at a location that is convenient to residents. (§ 5A(e))

7. Each significant amendment or modification with a public housing agency plan submitted to the Secretary shall consult with the resident advisory board and be consistent with comprehensive housing affordability strategies. (§ 5A(g)(2))

8. A public housing agency shall make the approved plan of the agency available to the general public. (§ 5A(i)(5))

9. The Secretary shall provide explicit written approval or disapproval, in a timely manner, for a public housing agency plan submitted by any public housing agency designate by the Secretary as a troubled public housing agency under section 6(j)(2). (§ 5A(j)(2))

10. Providing assistance under this title, a public housing agency shall comply with the rules standards, and policies established in the public housing agency plan of the public housing agency approved under H.R. 4194, section 511 (5A(l)). (§ 5A(l))

11. The state consulted with Resident Advisory Board established under Subsection (e). (§ 5A(c)(2)(A))

Community Services Block Grant (CSBG)

By signing the Unified Plan signature page, you are certifying that:

1. Funds made available through the grant or allotment will be used—

- To support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*), homeless families and individuals, migrant or seasonal farmworkers, and elderly low-income individuals and families, and a description of how such activities will enable the families and individuals—

- To remove obstacles and solve problems that block the achievement of self-sufficiency (including self-sufficiency for families and individuals who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act); to secure and retain meaningful employment;

- To attain an adequate education, with particular attention toward improving literacy skills of the low-income families in the communities involved, which may include carrying out family literacy initiatives;

- To make better use of available income;

- To obtain and maintain adequate housing and a suitable living environment;

- To obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs; and

- To achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundations, and other public and private partners to—

- Document best practices based on successful grassroots intervention in urban areas, to develop methodologies for widespread replication; and strengthen and improve relationships with local law enforcement agencies, which may include participation in activities such as neighborhood or community policing efforts;

2. The needs of youth in low-income communities are being met through youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime, such as—

- Programs for the establishment of violence-free zones that would involve youth development and intervention models (such as models involving youth mediation, youth mentoring, life skills training, job creation, and entrepreneurship programs); and

- After-school child care programs. There is an effective use of, and to coordinate, other programs related to the purposes of this subtitle (including State welfare reform efforts).

3. There is an effective use of, and to coordinate with other programs related to the purposes of this subtitle (including State welfare reform efforts).

4. A description is provided on how the State intends to use discretionary funds made available from the remainder of the grant or allotment described in section 675C(b) in accordance with this subtitle, including a description of how the State will support innovative community and neighborhood-based initiatives related to the purposes of this subtitle.

5. Information is provided by eligible entities in the State, containing'

- A description of the service delivery system, for services provided or coordinated with funds made available through grants made under section 675C(a), targeted to low-income individuals and families in communities within the State;

- A description of how linkages will be developed to fill identified gaps in the services, through the provision of information, referrals, case management, and follow-up consultations;

- A description of how funds made available through grants made under section 675C(a) will be coordinated with other public and private resources; and

- A description of how the local entity will use the funds to support innovative community and neighborhood-based initiatives related to the purposes of this subtitle, which may include fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging effective parenting;

6. Eligible entities in the State will provide, on an emergency basis, for the provision of such supplies and services, nutritious foods, and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals.

7. The State and the eligible entities in the State will coordinate, and establish linkages between, governmental and other social services programs to assure the effective delivery of such services to low-income individuals and to avoid duplication of such services, and a description of how the State and the eligible entities will coordinate the provision of employment and training activities, as defined in section 101 of such Act, in the State and in communities with entities providing activities through statewide and local workforce investment systems under the Workforce Investment Act of 1998.

8. The State will ensure coordination between antipoverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention programs under title XXVI (relating to low-income home energy assistance) are conducted in such community.

9. The State will permit and cooperate with Federal investigations undertaken in accordance with section 678D;

10. Any eligible entity in the State that received funding in the previous fiscal year through a community services block grant made under this subtitle will not have its funding terminated under this subtitle, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction, subject to review by the Secretary as provided in section 678C(b).

11. The State will require each eligible entity in the State to establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation.

12. The State will require each eligible entity in the State to establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation.

13. The State will secure from each eligible entity in the State, as a condition to receipt of funding by the entity through a community services block grant made under this subtitle for a program, a community action plan (which shall be submitted to the Secretary, at the request of the Secretary, with the State plan) that includes a community-needs assessment for the community served, which may be coordinated with community-needs assessments conducted for other programs.

14. The State and all eligible entities in the State will, not later than fiscal year 2001, participate in the Results Oriented Management and Accountability System, another performance measure system for which the Secretary facilitated development pursuant to section 678E(b), or an alternative system for measuring performance and results that meets the requirements of that section, and a description of outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization.

15. The information describing how the State will carry out the assurances is described in this subsection.

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