

WIOA TRANSITION Q&A

ISSUED MAY 29, 2015

- 1. How is information being communicated to all directors? How will responses to one local area be conveyed to all local areas?**

We will issue a written Q&A document with answers to these questions as well as to those that came up in the three procurement TA calls via electronic mail to the LWIB Directors and will post on "Team of Experts" <http://kentuckycareercenter.ky.gov/Policy/Default.aspx> and the KWIB website http://www.kwib.ky.gov/wioa_planning.htm. We will continue to issue updated written responses periodically as additional questions arise.

- 2. The Act states that the Board may hire staff. Should the administrative functions be included in the grant sub-recipient RFP since the Board will/may hire the administrative staff?**

It is up to the LEOs to determine whether they are procuring for a fiscal agent or a local grant subrecipient. If the broader "local grant subrecipient" template is used they must also determine which administrative services and LWDB support functions are to be procured. The determination regarding LWDB support must be established jointly with the LWDB as noted in the procurement template *"to the extent requested by the LWDB, the local grant subrecipient shall..."* and stated in writing by the CLEO and LWDB Chair.

- 3. Would it be possible to share copies of policies that come before the KWIB for approval with the local areas at the Board meeting?**

Yes, whenever feasible.

- 4. Will there be more transition funds available? Transition period is for another year. There will be costs for Regional, National and state conferences. Also need to consider costs for Regional Planning.**

We will explore the possibility of making additional transition funds available and ask that the local areas keep us updated regarding transition activities, costs, and the needs for additional funds and submit a plan along with any requests for additional funds.

- 5. Will the new contract process be put into writing?**

Following is the expected WIOA transition process:

- Interlocal agreements are completed, signed, approved by DLG and submitted to DWI no later than June 30, 2015.
- DWI has initiated the revised WIOA four-party contracts which will be signed by the current LWIB chair if signatures are obtained prior to July 1, 2015 and by the new LWDB Chair after July 1, 2015. If signed and DLG-approved ILAs are not received by June 30, the in process contracts will be put on hold until those signed and approved ILAs are in hand.

- WIOA NFAs will be released by only upon receipt of the signed and approved ILA and contracts.
- If local areas designate a new fiscal agent or local grant subrecipient to begin providing services on October 1, 2015 then necessary contract amendments will be issued and signed.

6. How can the current Board Chair sign a WIOA contract when he/she will not be the chair under WIOA after July 1?

During the transition and assuming the new LWDB is not yet in place when the WIOA contract is signed, the current LWIB will be a party to the contract and current Chair will sign. Upon certification of the new LWDB, the contract will be amended to list the new board for signature by the new Chair.

7. Must the full Board under WIOA be in place by July 1? How will this process work since the Interlocal Agreement stating that the CLEO/LEOs will appoint the Board does not go into effect until July 1?

The KWIB approved the Board appointment policy in November of 2014, thus providing sufficient time for a smooth transition prior to the July 1, 2015 requirement as originally put forth in WIOA. TEG 27-14 subsequently stated: *In addition to taking immediate action to appoint a WIOA-compliant State Board, the Governor and State Board must establish criteria prior to July 1, 2015 that the CLEO must follow for the appointment of a WIOA-compliant Local Board. The following activities may be completed after July 1, 2015: The CLEO must appoint a WIOA-compliant Local Board. The Department strongly encourages CLEOs to appoint a WIOA-compliant Local Board within the first quarter of PY 2015. The Department is allowing this additional time to ensure a more orderly transition to WIOA (section 503).*

Given the requirements of WIOA Policy 15-003 and other transition guidance issued by the Commonwealth, it is strongly suggested that LWDBs be in place by July 1, 2015 or as soon thereafter as possible within the first quarter of PY 2015.

8. Must the Second-Chance Act program be a partner if the program does not exist in the area?

Local areas should identify other Board representation on behalf of the ex-offender population if a Second Chance Act program is not operating in their local area. Here is the link that will help identify re-entry groups in or near your area:

http://www.kentuckyreentry.org/about_our_groups.html

9. Is there a required Board member nomination process?

Yes, as described in Policy 15-001 which includes Board nomination forms. Board nomination processes were also discussed on a technical assistance call May 12, 2015.

10. Can current WIA-funded youth be served with WIOA funds?

Per TEGl 23-14, “Workforce Innovation and Opportunity Act (WIOA) Youth Program Transition”, page 9: Youth enrolled beginning July 1, 2015 must meet the new eligibility criteria provided in WIOA. On July 1, 2015, all WIA youth participants who are still enrolled in the WIA youth program must be grandfathered into the WIOA youth program, even if the participant would not otherwise be eligible for WIOA. Local youth programs are not required to complete an eligibility re-determination if the participant has been determined eligible and enrolled under WIA. Furthermore, these participants must be allowed to complete the WIA services specified in their individual service strategy. Additional guidance will be issued to provide more detail on the new eligibility criteria.

Further, per TEN 31-14, “Early Operating Guidance for Implementation of the Workforce Innovation and Opportunity Act (WIOA) (April 30, 2015), page 2, we should be expecting additional guidance, as reflected by the following:

Anticipated Topics for Operating Guidance

ETA is working to develop this guidance and issue it to system stakeholders as quickly as possible.....Additional topics of interest to the system are being addressed according to priority for the dates of required implementation. A representative sample of the topics to be covered in these TEGlS includes, but is not limited to:

- Fiscal Reporting on WIOA, including reporting partner program contributions
- Youth Formula activities in PY 2015, including reporting expenditures on out of school youth

11. What are the youth eligibility criteria under WIOA?

Per TEGl 23-14, “Workforce Innovation and Opportunity Act (WIOA) Youth Program Transition”, page 9/New Eligibility Criteria. WIOA section 129(a)(1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA youth program, an individual must be an OSY or an ISY. The OSY eligibility requirements are included in section 5 of the TEGl. An ISY must be attending school, not younger than 14 or older than 21, low income, and have one or more of a list of barriers provided in WIOA section 129(a)(1)(C)(iv).

Is the state going to issue guidance?

Yes.

12. Who can fulfill the role as RFP issuer?

At the LEOs request, any of the LEOs’ entities (cities/counties), the LWIB (preferably those that have standing as a 501(c)(3)), or other options as identified locally can issue the RFP. The Commonwealth has not issued policy in this regard.