
1:30 CALL TO ORDER

Minutes of November 2014 KWIB Meeting.....*Hugh Haydon, Chairman*
Kentucky Bioprocessing, Inc. of Owensboro

1:35 Special Address to the Board.....*Governor Steve Beshear, Member*
Commonwealth of Kentucky

1:50 CERTIFICATION ACTION ITEMS

Work Ready Community Certifications.....*Roxann Fry, Member*
Tennessee Valley Authority

2:00 STRATEGIC PLAN ITEMS

Career Center Customer Flow.....*Pat Murphy, Member*
UPS

Career Center Certification.....*Beth Kuhn, Commissioner and Member*
Department of Workforce Investment

2:15 ITEMS FOR ACTION / DISCUSSION

WIOA System Transformation Policy..... *Beth Kuhn, Commissioner and Member*
Department of Workforce Investment

- Interlocal Agreements
- Partnership Agreements
- Draft Transition Timeline

Local Area and Region Designation / Redesignation Steering Committee Report.....*Beth Kuhn, Commissioner,*
Member and Steering Committee Co-Chair

3:15 OTHER BUSINESS

Legislative Updates.....*Thomas O. Zawacki, Secretary and Member*
Education and Workforce Development Cabinet

3:30 ADJOURNMENT

MEMBERS PRESENT: Mike Bartlett for Larry Bond, Dep. Sec. Beth Brinly, Rick Christman, Rep. Larry Clark, James Cole, Roxann Fry, Judge Joe Grieshop, Hugh Haydon, Shirie Hawkins, Ed Holmes, Hollie Spade for Sec. Larry Hayes, Dr. Dale Winkler for Dr. Terry Holliday, Jacqueline Korengel for Dr. Robert King, Herb Krase, Sec. Mary Lassiter, Larry Ferguson for Dr. Michael McCall, Pat Murphy, Dr. Lara Needham, James Neihof, Kelly Nuckols, Mayor George Steele, Lindy Casebier for Sec. Bob Stewart, Col. David Thompson, Steve Willinghurst and Sec. Tom Zawacki

STAFF PRESENT: David Abell, Melissa A. Aguilar, David Beach, Robert Curry, Felicia Harper, Ben Haydon, Drew Hockensmith, Buddy Hoskinson, Beth Kuhn, Joanna Neubert, Ashley Parrott, Linda Prewitt, Melissa Quillen, Susan Riddell, Troy Roberts, Kelly Thomas and Mark White

CALL TO ORDER

Ed Holmes, Chair, called the meeting to order at 10:00 a.m.

Mr. Allen Rose, Sullivan College Vice President of Business and Governmental Relations welcomed the KWIB Board. Mr. Rose highlighted several programs offered by Sullivan ranging all of the way from certificate to doctorate. Sullivan is the largest independent college system in Kentucky.

Representative Clark administered the Oath of Office for new KWIB member Pat Murphy.

Secretary Zawacki announced and congratulated Beth Brinly on her November promotion from Commissioner to Deputy Secretary.

Minutes of Aug. 2014 KWIB Meeting

ACTION: A motion was made by Rep. Clark to approve the Aug. 14, 2014 minutes. Mayor Steele seconded. Motion carried.

STRATEGIC PLAN ITEMS

Career Center Certification

Deputy Secretary Brinly said that the goal is to have one full service career center in each local workforce area by July 1. The next step in the plan is to offer training to reviewers based on changes. The long-term goal is to have all centers full-service or affiliates by July 1, 2016.

Joanna Neubert reported that the committee has streamlined forms and clarified wording on standards and measures. On Oct. 20th, people around state were informed about changes and gave positive feedback. Lebanon and Leitchfield have resubmitted packets for affiliate certification.

Dep. Sec. introduced and welcomed Mark White who retired from the Education and Workforce Development Cabinet and recently returned to serve as Deputy Commissioner.

Career Center Customer Flow

Pat Murphy said the purpose of the Career Center Customer Flow project is to access the delivery of the product. Career centers should be looked at from both the individual and employer standpoints. In July a contract was awarded to Maher & Maher who collected data for us to analyze centers and make

recommendations. Site visits were conducted the end of September in ten locations. The centers varied from rural to urban and large to small and were examined to get a feel for how services are provided. The next step will be to survey individuals and employers who are requesting and receiving services about their experiences at the centers.

ITEMS FOR ACTION / DISCUSSION

High Impact Workforce Investment Boards

Daryl Smith was unable to attend due to inclement weather, so Deputy Secretary Brinly provided the update along with Lucy Houchin. Deputy Secretary Brinly reported that the major objective in the High Impact WIB's project was to build in new roles for board members that were consistent with WIOA.

Lucy Houchin with Thomas P. Miller presented an overview of the project goals, suggested revisions and the revision process. Some existing High Impact WIB criteria was tweaked and some criteria was added in order to incorporate the new spirit of WIOA. The primary revisions were related to unified planning efforts, career pathways, promising practices and common technology. Suggested processes included facilitating sharing, increasing recognition, and expanding the timeline from 2yrs. to 3yrs. They plan to visit local boards and directors to clarify definitions, standards and criteria. In response to questions, Deputy Secretary Brinly commented that the extended timeline gave boards a chance to put new standards into practice and still be in alignment with the WIOA timeline.

ACTION: Deputy Secretary Brinly motioned that the board adopt the High Impact Workforce Development Board standard revisions for 2014. Representative Clark seconded. Motion carried.

WIOA Update

Regional Plan Guidance and Designation

Deputy Secretary Brinly reported. New law requires us to identify regions which can be in-state, out-of-state, a combination thereof or across state lines. The new law gives Kentucky a chance to also review local area designations. The law is clear that if local workforce areas are meeting performance standards, maintaining fiscal integrity, and resources are sufficient they may continue. However, we have a few areas where local officials are not in agreement with current local workforce investment area structure, areas where performance has not been met and an area with fiscal issues. The proposed process is to put together a steering committee with KWIB members and other stakeholders, review required data and make an initial recommendation which will then be reviewed by local elected officials, LWIB members and other stakeholders. The steering committee will review the input from those groups along with proposed regulations from the Department of Labor, make final adjustments and bring the recommendations for regions and local investment areas to the board at the Feb. 2015 meeting. If approved, there will be a 30 day appeal process by local elected officials; then the governor will issue a final executive order establishing regions and local areas under WIOA.

ACTION: Deputy Secretary Brinly motioned that the board approve the regional and local area re-designation process. James Cole seconded. Motion carried.

State Criteria for Local Board Appointments

Based on WIOA, changes will need to be made in the membership of local boards and state board membership structure. The guidance on requirements was discussed per the handout.

ACTION: Deputy Secretary Brinly motioned to approve. Kelly Nuckols seconded. Motion carried.

CERTIFICATION ACTION ITEMS

Work Ready Community Certifications

Roxann Fry, Chair of the Work Ready Review Panel, reported that The Work Ready Communities Review Panel met on October 14th to review four Work Ready Community applications, seven applications for Work Ready Community in Progress status, and one application for re-certification. The review panel recommends that the Kentucky Workforce Investment Board certify Boone, Campbell, Hardin, and Kenton Counties as Work Ready Communities and Fleming,

Grant, Johnson, Martin, Ohio, Perry and Trimble Counties as Work Ready Communities in Progress and that Boyle County be re-certified as a Work Ready Community. Boone, Campbell, Hardin, Kenton, and Boyle Counties may promote themselves as Work Ready Communities and Fleming, Grant, Johnson, Martin, Ohio, Perry, and Trimble Counties may promote themselves as Work Ready Communities in Progress with all the privileges and responsibilities listed in the individual certifications. And, that Fleming, Grant, Johnson, Martin, Ohio, Perry, and Trimble Counties shall have the right to apply to become a Certified Work Ready Community in accordance with the program guidelines.

ACTION: Therefore, based on the recommendation of the review panel, Roxann Fry motioned that Boone, Campbell, Hardin, and Kenton Counties be certified as Work Ready Communities, that Fleming, Grant, Johnson, Martin, Ohio, Perry, and Trimble Counties be certified as Work Ready Communities in Progress, and that Boyle County be re-certified as a Work Ready Community. James Cole seconded. Motion carried.

Representatives from the ten counties that were present were welcomed forward to receive their certificate, signage and be photographed. Boyle County and Fleming County representatives were unable to attend.

OTHER BUSINESS

NGA Policy Academy

Mike Bartlett from the Governor's office updated everyone on Kentucky's participation in the NGA Policy Academy. He explained the process includes several states from selection criteria. Kentucky will continue to work with the NGA on best practices as well as learn from the constituency of states involved.

Legislative Updates

Secretary Zawacki had no legislative updates to report.

Announcements

Chair Ed Holmes' announced his resignation after serving on the KWIB board for seven years. Chairman Holmes was presented with a plaque by Secretary Zawacki and recognized in a video from Governor Beshear. Hugh Haydon was introduced as the new chair.

ADJOURNMENT

With no further business, the meeting adjourned at 11:25 AM.

KENTUCKY
Work Ready > **Request for Certification:**
COMMUNITIES

Work Ready

Fleming

Work Ready in Progress

Ballard

Marshall

Extension for 1 Year

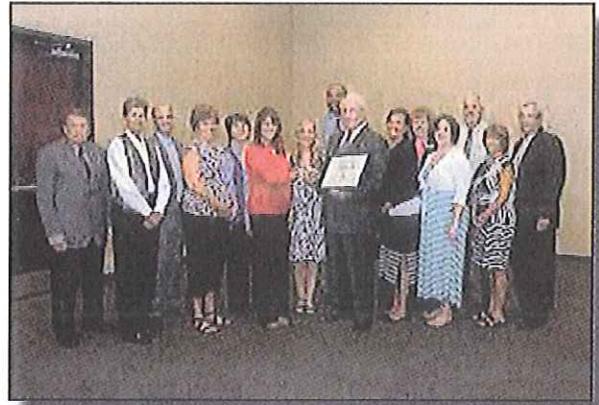
Russell

Best Practices Summit April 29, 2015

Cost: Free - Space is limited.
*Advanced Registration Required**

Time: TBD

Location: KCTCS Central Office
300 North Main Street
Versailles, KY



Purpose: To share best practices for communities:

- applying for Work Ready or Work Ready in Progress status
- seeking to change their status to Work Ready from Work Ready in Progress
- seeking information on the recertification process

Who should attend?

- Work Ready Community Committee Members
- Elected Officials
- Economic Development Professionals
- Chambers of Commerce Members
- Human Resource Managers
- Business Owners/Managers
- School Superintendents/Principals
- Business and Industry Associations
- Community College Staff
- P-16 Council Members
- Adult Education Directors
- Workforce Investment Board Members

What to expect:

- Update and Overview
- Best Practices highlights from all six criteria
- Recertification Information
- Ask the Review Panel

Summit Sponsor:



*Registration information and more details to follow.

Kentucky Career Center Customer Flow



SUMMARY OF OBSERVATIONS AND
RECOMMENDATIONS

KENTUCKY WORKFORCE INVESTMENT
BOARD

MARCH 2, 2015

Accomplishments



- Re-branding and infrastructure enhancements:
 - System cohesion, visual appeal, and more partner integration
- Industry sector strategies and enhanced business services have gained traction
- Working on shift from “the unemployment office” to “employment/reemployment Centers”
- Career Center Certification advancing partner and service delivery alignment and integration

Opportunities

- **Re-Orienting Center Focus and Developing Staff**
 - Enhance focus on skill and career development
 - Staff competency development needs
- **Organizational/Service Integration and Need for Greater Service Diversity**
 - Center partner relationships and collaboration challenges
 - Limited service offerings; primary focus on UI and job search/placement
- **Enhancing Industry Sector Focus and Business Services**
 - Sector focus more broad than deep; not connected to job seeker service delivery
 - Business services: Partner engagement and enhanced service offering needs

Key Recommendations (1)

- **Embed expectations for skill and career development and career pathways**
 - Vs. immediate job placement/basic labor exchange
- **Revamp individual and employer service delivery models**
 - Holistic, relational, and sustained vs. transactional
- **Enhance staff knowledge and competencies**
 - Assessment, career exploration and coaching, regional labor market data and dynamics

Key Recommendations (2)



- **Improve service access, experience, and value for customers**
 - Functional Center organization, team-based case/relationship management, more co-enrollment
- **Expand services for individual customers**
 - Staff-supported career advising and planning; skill enhancement assistance
- **Connect sector strategies to job seeker-serving staff**
- **Diversify services for employer customers**
 - Candidate assessment and screening, skills training, downsizing and layoff aversion

WIOA System Transformation



POLICIES AND TIMELINE

KENTUCKY WORKFORCE INVESTMENT BOARD

MARCH 2, 2015

System Transformation Under WIOA



Interlocal Agreement Policy Summary



- A written agreement that specifies the responsibilities of the Chief Local Elected Official (CLEO) and the individual Local Elected Officials (LEOs)
- *REQUIRED* of all local workforce areas with the exception of a Concentrated Employment Program
- New area of policy detailing required elements

Interlocal Agreement Required Elements



- Process for CLEO selection
- Supermajority (65%) requirements
 - CLEO selection
 - Fiscal agent or grant subrecipient designation
 - Authorization for the CLEO to request the Governor's consent for the LWDB to be the direct service provider
 - Budget approval
 - One-stop operator selection
- Fiscal agent designation or grant subrecipient via a competitive procurement process

Required Elements (cont.)

- Financial liability – acknowledgement and allocation
- One-stop operator
 - If LWDB wants to serve, requires Governor's approval and competitive bid process managed by DWI
 - Otherwise, local competitive procurement process
- Communication process
- Fair and equitable Board member representation

Partnership Agreement Policy Summary

- An agreement between the LEOs, represented by the CLEO, and the Local Workforce Development Board, represented by the Chair
- Describes the joint duties, functions and responsibilities of the parties
- *REQUIRED* of all local workforce areas
- New area of policy, includes required elements and flexibility to add local topics

Partnership Agreement Required Elements

- Local and regional plan development process
- Oversight of workforce activities
- How funds will be used and managed
- Performance accountability measure negotiations
- Designation and termination process of career center operator
- Budget development process
- Process for addressing operational issues and unresolved disputes

WIOA Transformation Timeline

- Today
 - KWIB approves policies
 - DWI initiates procurement template workgroups
- May 2015
 - KWIB approves policies
- July 1, 2015
 - Interlocal agreements, CLEO designations, LWDB appointments completed
 - WIOA-amended contracts completed
 - One full service career center certified by each local area
- August 2015
 - KWIB approves policies

WIOA Timeline (cont.)



- **October 1, 2015**
 - Fiscal agent or grant subrecipient designations, contracts completed
 - Possible start date for new one-stop operator
 - Partnership agreements completed
- **November 2015**
 - KWIB approves policies
- **January 1, 2016**
 - Letters of intent for LWDBs requesting one-stop operator designation
 - Possible start date for new one-stop operator

WIOA Timeline (cont.)



- **April 1, 2016**
 - Possible start date for new one-stop operator
- **July 1, 2016**
 - Last possible start date for initial one-stop operator
 - New performance standards go into effect
 - All full service and affiliate career centers certified by LWDBs
 - Local and regional plans completed



POLICY

POLICY NAME: Workforce Innovation and Opportunity Act - Interlocal Agreements, Chief Local Elected Official and Local Elected Official Roles and Responsibilities

Date of Issue: TBD
Effective Date: Upon Issuance

For more info contact: Branch Manager, Individual Customer Services OR Division Director, Workforce and Employment Services, Office of Employment and Training (OET), 502-564-5331

Applies /Of Interest To: Local Workforce Development Boards (LWDBs), Local Workforce Investment Areas (LWIAs) staff, Chief Local Elected Officials and Local Elected Officials

Subject	Workforce Innovation and Opportunity Act– Interlocal Agreements and Chief Local Elected Official and Local Elected Official Roles and Responsibilities
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Purpose	This policy provides guidance and clarification to LWIAs relating to the Interlocal Agreement process and the roles and responsibilities under WIOA.
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Definitions	<p>Chief Local Elected Official (CLEO) - The CLEO is the chief local elected official(s) elected among the consortium of Local Elected Officials representing the Local Elected Officials in the local Workforce Development Area (LWDA).</p> <p>Local Elected Official (LEO) - The LEOs are the local elected officials of a county. The highest elected official in counties and counties with merged government shall be considered the LEO for their respective county.</p> <p>Local Workforce Development Board (LWDB) - means a local workforce development board established under section 107, subject to section 107(c)(4)(B)(i).</p> <p>Interlocal Agreement - a written agreement that specifies the responsibilities of the CLEO and the individual LEO(s).</p>
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Background	<p>The Workforce Innovation and Opportunity Act (WIOA) of 2014 (Public Law 133-128, July 22, 2014) enacted by the Congress of the United States, provides for federal funds to be granted to states, and for each state’s Governor to designate Local Workforce Investment Areas within the state for the delivery of services and programs under the Act.</p> <p>WIOA Section 107 provides guidance and direction on the role of the CLEO and LEO in the LWDA as designated by the Governor. OET issuances provide support and clarification to the Act.</p>
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Realizing that local employment and training programs cannot be fully effective or implemented without intergovernmental coordination for such reasons that programs and their implementation cross governmental, departmental, agency and political jurisdictions, the LEOs shall enter into a written Interlocal Agreement. The Kentucky Interlocal Cooperation Act, KRS 65.210 through 65.300, permits local governmental units, upon approval by each fiscal court and the Department for Local Government, to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and to thereby provide services and facilities in a manner and form that will best accord with geographic, economic, population and other factors which influence the needs and development of local communities.

<p>Policy</p>	<p>INTERLOCAL AGREEMENT</p> <p>As noted in WIOA Section 107(c)(1)(B), when a LWDA includes more than one unit of government, the LEO of each unit may execute a written agreement that specifies the responsibilities of the CLEO and the individual LEO(s):</p> <p><i>WIOA Section 107(c)(1)(B) MULTIPLE UNITS OF LOCAL GOVERNMENT IN AREA. —</i></p> <p><i>(i) IN GENERAL. —In a case in which a local area includes more than one unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials—</i></p> <p><i>(I) In the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b); and</i></p> <p><i>(II) In carrying out any other responsibilities assigned to such officials under this title.</i></p> <p><i>(ii) LACK OF AGREEMENT. —If after a reasonable effort, the chief elected officials are unable to reach agreement as provided under clause (i), the Governor may appoint the members of the local board from individuals so nominated or recommended.</i></p> <p>Additional OET Guidance/Clarification: An Interlocal Agreement is required for each LWDA.</p> <p>The above policy applies except in such areas designated as Concentrated Employment Programs:</p> <p><i>In the case of an area that was designated as a local area in accordance with section 116(a)(2)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), and that remains a local area on that date, the governing body of the concentrated employment program involved shall act in consultation with the chief elected official [CLEO] in the local area to appoint members of the local board, in accordance with the State criteria established under subsection (b), and to carry out any other responsibility relating to workforce investment activities assigned to such official under this Act. (WIOA § 107(c)(1)(C)).</i></p>
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All LEOs in a workforce area must enter into an agreement that determines how the LWDB nominees will be selected, appointed, removed or reappointed. The process must be documented in the Interlocal Agreement. The LEOs shall enter into an Interlocal Agreement as a requirement to appoint the LWDB.

In addition to the Interlocal Agreement, the LEOs also shall enter into a Partnership Agreement with the LWDB. The Interlocal Agreement and the Partnership Agreement which are the two governing documents must be consistent. The requirement for consistency applies to any item that is addressed in both governing documents. Both agreements are dynamic documents that can, and should, be amended when a need or desire arises and the respective signatories agree.

Interlocal Agreement Required Inclusions. LEOs must enter into an agreement with each other that, at a minimum, include the following sections:

(1) State the purpose of the Agreement. Describe the purpose and the term of the Interlocal Agreement (not to exceed five years).

(2) Designation of a Chief Local Elected Official. The CLEOs are required by WIOA to approve or provide guidance on a number of LWDB activities. Therefore the Commonwealth requires LEOs to select a CLEO who will act on behalf of the other LEOs and to include the following information in the Interlocal Agreement:

- a) Selection/appointment process and term of the CLEO, which must include steps to ensure that his/her duties would not create or be perceived to create a conflict of interest between the consortium of LEOs, LWDB, fiscal agent or administrative entity; and
- b) The designation of the CLEO to serve as the signatory for the LEOs;
- c) Outline decisions that may be made by the CLEO on behalf of the LEOs; and
- d) Name, title, and contact information of the appointed CLEO.

To avoid conflict of interest, the CLEO shall not serve as the highest ranking officer on any Board or other entity that governs the fiscal agent or service delivery provider.

(3) Participating Local Elected Officials. The agreement must contain the name, representation, contact information and signature of each LEO in the local area. The Interlocal Agreement shall require a governing board of LEOs and bylaws and shall not be administratively attached to the fiscal agent or service provider.

The LEO governing board shall require a 65% supermajority to take the following actions:

- Selection of the CLEO;
- Designation of the fiscal agent or grant subrecipient;
- Authorization for the CLEO to request the Governor's consent for the LWDB to be the direct service provider;
- Approval of the LWDB annual budget; and
- Selection of the one-stop operator.

(4) Dispute Resolution. The Interlocal Agreement must state how disputes among LEOs

will be resolved regarding LWDB board appointments and carrying out other responsibilities under WIOA.

(5) Fiscal Agent Designation. The LEOs may designate an entity to serve as the local fiscal agent or local grant subrecipient for WIOA funds. In making such designation, the LEOs shall carry out a competitive procurement process conducted by the Department of Workforce Investment for fiscal agent services or grant subrecipient services, including a Request for Proposals that has been reviewed and approved by the Department of Workforce Investment and which provides that proposals will be evaluated and ranked based upon criteria including but not limited to quality of services, demonstrated experience of quality service delivery, cost, conflict of interest policies, and history of fiscal integrity.

Such designation shall not relieve the LEOs of the liability for any misuse of grant funds as apportioned in the Interlocal Agreement.

(6) Grant Recipient/Liability of Funds. The Interlocal Agreement must indicate the LEOs' acknowledgement of financial liability as noted in WIA 107(d)(12)(B)(i)(I) and outline the process for determining each LEO's share of responsibility. This determination could be based on allocation, population, expenditures, or other criteria determined by the LEOs. The Interlocal Agreement must contain a detailed process for reconciling disallowed costs. In most cases, liability for costs which are recommended for disallowance and which are not resolved, rest with the entity responsible for incurring the cost. In the event the entity responsible cannot or will not assume the liability, the Interlocal Agreement must provide the process on how funds will be reimbursed.

(7) Local Area Service Delivery Provider. As authorized in WIOA Section 107(g)(2), a LWDB may provide career services described in WIOA Section 134(c)(2) through a one-stop delivery system or be designated or certified as a one-stop operator only with the agreement of the CLEO and the Governor. See WIOA Policy regarding LWIB Member Nomination Guidelines, OET Confirmation Process and Board Certification by the Kentucky Workforce Investment Board (KWIB) (effective 7/1/2015) for conditions to obtain the Governor's consent including a competitive procurement.

In cases where the LWDB does not seek to provide career services, WIOA Section 121(d)(2) states that to be eligible to receive funds under this subtitle to operate a one-stop center, an entity (which may be a consortium of entities) shall be designated or certified as a one-stop operator through a competitive process. This process shall be outlined in the Partnership Agreement between the LEOs and the LWDB.

(8) Communication. Describe the process and procedures the CLEO will utilize to keep the LEOs informed regarding LWDB activities. Determine how many times a year the LEOs will meet and how often a joint meeting with the LWDB will be held.

(9) LWDB Budget Approval. Describe the process for reviewing and approving the LWDB annual budget among the LEOs. (WIOA Section 107(d)(12)(A).

(10) LWDB Member Representation. Outline how LEOs will ensure LWDB representation

	<p>is fair and equitable across the LWDA and in accordance with WIOA Policy regarding LWIB Member Nomination Guidelines, OET Confirmation Process and Board Certification by the KWIB—effective 7/1/2015. Describe the process for determining the initial size of the LWDB and for selecting, appointing, removing or reappointing LWDB members. Describe the process to determine the terms of office for Board members. LWDB appointments do not require the signature of all the LEOs, but rather only the signature of the designated CLEO is required, as stated in the Interlocal Agreement.</p> <p>(11) Selection of a New Chief Local Elected Official. When a new CLEO is selected in accordance with the Interlocal Agreement, the newly selected CLEO must submit to the LWDB and the OET, a written statement acknowledging that he/she:</p> <ul style="list-style-type: none"> a) Has read, understands and will comply with the current Interlocal Agreement; and b) Apprises OET of the change in CLEO designation. <p>(12) Election of a New Local Elected Official. When a new LEO is elected within the LWDA, the newly elected official must submit to the LWDB a written statement acknowledging that he or she:</p> <ul style="list-style-type: none"> a) Has read, understands, and will comply with the current Interlocal Agreement; and b) Reserves the option to request negotiations to amend the Interlocal Agreement at any time during the official's tenure as a LEO. <p>(13) Amendment or Change to the Interlocal Agreement. Outline the process to be used for amendments or changes to the Interlocal Agreement. All amendments or changes must be submitted to the LWDB and the OET after approval by the Department of Local Government in accordance with KRS 65. 210 through 65.300.</p> <p>(14) Single County Local Areas. If any single county local area is designated, the LEO shall execute a written agreement that specifies his or her liability in accordance with WIOA.</p> <p>(15) Interlocal Agreement KRS requirements. Upon completion of the Interlocal Agreement and all LEO signatures have been recorded on the Interlocal Agreement and approved by each fiscal court, the Agreement shall be sent to the Department for Local Government for approval in accordance with the provisions of KRS 65.210 through 65.300.</p>
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Required Action	Upon final approval by all LEOs and the Department for Local Government, the final document shall be submitted to the OET.
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Other References	Workforce Innovation and Opportunity Act (WIOA) of 2014 (Public Law 133-128, July 22, 2014); WIOA—LWIB Member Nomination Guidelines, OET Confirmation Process and Board Certification by the KWIB Policy (effective 7/1/2015); The Kentucky Interlocal Cooperation Act, KRS 65.210 through 65.300.
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POLICY

POLICY NAME: Workforce Innovation and Opportunity Act – Local Elected Official(s) and Local Workforce Development Board Partnership Agreement

Date of Issue: TBD
Effective Date: October 1, 2015

Policy #: TBD
For more info contact: Branch Manager, Individual Customer Services OR Division Director, Workforce and Employment Services, Office of Employment and Training (OET), 502-564-5331

Applies /Of Interest To: Local Workforce Investment Boards, Local Workforce Investment Boards' staff, and Local Elected Officials

Subject	Policy on Local Elected Official (LEO) and Local Workforce Development Boards (LWDBs) Partnership Agreement
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Purpose	This policy provides additional guidance relating to the LEOs and LWDBs per Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128. The governance and operation of the Local Workforce Development System is contingent on a successful partnership between the LEOs and the LWDB related to their respective roles which are outlined in this policy and partnership agreement template. This policy and template are provided to ensure that the necessary regulatory and operational elements are described, included and understood by both parties. LEOs and LWDBs may include additional agreed upon expectations. This partnership agreement will facilitate the delivery of optimal workforce development services for individuals and employers within the Workforce Development Areas.
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Definitions	<p>Chief Local Elected Official (CLEO) - The CLEO is the chief local elected official(s) elected among the consortium of LEOs representing the LEOs in the Workforce Development Area.</p> <p>Local Elected Official (LEO) - The LEOs are the local elected officials of a county. The highest elected official in counties and counties with merged government shall be considered the LEO for their respective county.</p> <p>Local Workforce Development Board (LWDB) - means a local workforce development board established under section 107, subject to section 107(c)(4)(B)(i).</p>
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Background	This policy and template provide the initial foundation for understanding the separate and shared functions of LEOs and LWDBs envisioned under WIOA.
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<p>Policy</p>	<p>LEOs and LWDBs PARTNERSHIP AGREEMENT</p> <p>This LEO-LWDB partnership agreement policy reflects the definitions contained in the Interlocal Agreement Policy (# or date), which states: “The LEOs are the local elected official of a county and the CLEO is the chief local elected official selected among the consortium of LEOs representing the LEOs in the Workforce Development Area.”</p> <p>This agreement is between the LEOs, represented by the CLEO, and the LWDB, represented by the designated Chair. Its purpose is twofold: (1) to define their operating relationship; and (2) to confirm that the LEOs and the LWDB have read, understood and agree on the functions, duties and responsibilities of the LEOs (represented by the CLEO) and the LWDB (represented by the Chair) as outlined in WIOA, Public Law 113-128 and in the policies issued by the (OET).</p> <p>The Interlocal Agreement, a written agreement that specifies the responsibilities of the CLEO and the individual LEO(s), must be consistent with the Partnership Agreement insofar as any item addressed by both agreements is concerned. Both governing agreements are dynamic documents that can, and should, be amended when a need or desire arises and the respective signatories agree.</p> <p>The partnership agreement template is in the form of an Attachment:</p> <ul style="list-style-type: none"> • Section I includes all required contents of the agreement, the joint duties, functions and responsibilities of the parties; • Section II includes other additional topics the parties may choose to address; AND • Section III records updates and amendments to the initial agreement as the need arises. <p>The initial agreement must be submitted to OET no later than 30 days prior to the effective date of the agreement for approval. The approved agreement must be shared with each new LEO and LWDB member. Subsequent updates and amendments must be recorded and submitted to OET for review, approval and recording, using Section III as described above prior to the effective date.</p>
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<p>Procedural Guidance</p>	<p>Available for OET monitoring and posting to designated OET “Team of Experts” website, if/as requested.</p>
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<p>Required Action</p>	<p>LEOs and LWDBs should review current processes and procedures for compliance per effective date of this policy.</p>
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<p>Supersedes/ Replaces</p>	<p>NA</p>
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Other References	Interlocal Agreement Policy, effective 7-1-15 and WIOA-Board Member Guidelines Policy, effective 7-1-15
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Technology Implications	Approved policy located on the Kentucky Career Center website/Team of Experts page
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DRAFT

SECTION I –

REQUIRED PARTNERSHIP AGREEMENT CONTENTS –

JOINT DUTIES FUNCTIONS AND RESPONSIBILITIES

Describe how the LEOs and LWDB will develop and submit a local plan and collaborate with other LWDBs and LEOs to prepare a regional plan for submission to the Governor (WIOA Section 107(d)(1)).

Describe how the LEOs and LWDBs will:

Conduct oversight for local youth workforce investment activities, local employment and training activities, and the one-stop delivery system in the local area. (WIOA 107(8)(A)(i)).

Ensure the appropriate use and management of the funds provided under subtitle B for the activities and system described in clause (i) and for workforce development activities. (WIOA 107(8)(A)(ii)).

Ensure the appropriate use, management, and investment of funds to maximize performance outcomes under section 116. (WIOA 107(8)(B)).

Describe how the LEOs and LWDB will prepare for negotiations with the State on local performance accountability measures. (WIOA Section 107(9)).

Describe how the LEOs and LWDB will designate or certify one-stop operators and the grounds and process for any subsequent termination for cause of the eligibility of such operators. (WIOA 107(10)(A)(i,ii)).

Describe how the LWDB will develop a local area budget and the process for obtaining CLEO approval. (WIOA 107(12)(A)).

Describe how operational issues and concerns relating to the designated fiscal agent/grant recipient shall be addressed.

Describe the process and procedures to be followed in the event there are unresolved disputes between the LEOs and the LWDB.

SECTION II -
OTHER ADDITIONAL TOPICS THE PARTIES MAY CHOOSE TO ADDRESS

This confirms that the CLEO, representing the LEOs and the Chair, representing the LWDB, are authorized to sign this agreement, understand the agreement, and agree to the terms and conditions contained in this agreement.

This also confirms that the LEOs and the LWDB have read, understood and agree on the functions, duties and responsibilities of the LEOs (represented by the CLEO) and the LWDB (represented by the Chair) as outlined in WIOA, Public Law 113-128 and in the policies issued by the Office of Employment and Training (OET).

It is further understood that updates and changes that affect this agreement (e.g. changes of CLEO, LWDB chair, policy revision/updates/additions), will require that this agreement be updated and reflect those amendments in Section III of this document. Any amendment must be submitted to OET for prior approval.

CLEO – Print name:	Board Chair – Print Name:
CLEO – Signature:	Board Chair – Signature:
Date:	Date:

SECTION III - UPDATES AND AMENDMENTS TO THE INITIAL AGREEMENT AS NEEDED.

<p>LEOs-LWDB AGREEMENT UPDATE To be completed each time an amendment or update is required to the initial WIOA- LEO-Board Partnership Agreement</p> <p>Record as Amendment # _____ of _____ (amendment(s) to the initial agreement); Date _____</p>	
Explain/Detail the change/update to this agreement:	
Explain/Detail the reason for this change/update:	
Current authorized signatures to make this change:	
Except as amended above, all other terms and conditions of the partnership agreement are hereby ratified and confirmed.	
CLEO – Print name:	Board Chair – Print Name:
CLEO – Signature:	Board Chair – Signature:
Date:	Date:

Local and Regional Designation Steering Committee
Report to the Kentucky Workforce Investment Board (KWIB)

Background The Workforce Innovation and Opportunity Act (WIOA) charges the Governor with the establishment of regions as well as the designation/redesignation of local areas. The process has been highly consultative in nature including input from critical system partners at the state and local levels. Title 1, Chapter 2, Section 106 of WIOA outlines the requirements and process for the determination of regions and local areas including identification, types, initial designation, subsequent designation, process, considerations, designation of recommendation by the State Board, and appeals.

Status A 16 member Steering Committee was formed including KWIB members, business, state partners, local partners, core programs and stakeholders. The Steering Committee utilized the criteria outlined in Section 106 and other relevant factors to make an initial recommendation on regions and local areas for designation and redesignation.

It was determined based on initial designation requests received by the Governor that six local areas met the initial designation criteria and there was agreement by the Local Elected Officials to maintain their existing local area. Those area are: Cumberlands, Green River, Lincoln Trail, Northern Kentucky, TENCO and Western Kentucky.

The Steering Committee then asked the staff to prepare local options for the remaining areas and regional options for their consideration based on their guidance regarding data analysis. They discussed three local area options and three regional options as well as had the opportunity to offer any modifications or alternate options. The Steering Committee agreed to put forward two local options and one regional recommendation for initial feedback via Stakeholder Listening Sessions. A written public comment process was also offered and communicated to ensure maximum participation.

The following Stakeholder Listening Sessions were held between January 30 and February 6, 2015 across the Commonwealth:

- one Chief Local Elected Officials (CLEOs) session;
- three Local Elected Official sessions;
- three Local Workforce Investment Board member sessions; and
- three Community Stakeholders sessions open to system customers, staff, partners and stakeholders.

There were 7 CLEOs, 164 attendees at the sessions, with 40 people commenting. In addition, 39 written comments were received through the formal process.

Summary documents were prepared and additional local and regional options were presented to the Steering Committee for their consideration. The Committee reviewed the feedback from the Stakeholder Listening Sessions and public comment and began discussions on a local and regional recommendation at its February 11th meeting. The Steering Committee then met on February 24th to complete its work. A decision tree was developed to craft the local area recommendation. Then the Steering Committee discussed the two regional options still on the table.

The Steering Committee reviewed the following options for local and regional area designations:

Local Area Designation Options

- No Change
- LEO Requests
- Commuter Pattern Change
- Employer Stakeholder Request

Regional Options

- Four Interstate Regions
- Four Intrastate Regions
- Three Intrastate Regions
- Ten Intrastate Regions

Strategy to Achieve Consensus The approach used by the Steering Committee to reach consensus on a local area recommendation was as follows:

- Remind the committee of the requirements outlined in Section 106 of WIOA;
- Review the Local Areas that meet the requirements for initial designation and those that do not;
- Reach consensus on the 2 local areas not under debate (KentuckianaWorks and EKCEP);
- Discuss Barren River/South Central Kentucky Local Area proposals and reach consensus;
- Discuss Bluegrass/Fayette/Employer Stakeholder proposals and reach consensus; and
- Outline recommendations and approved policy to ensure system innovation and transformation outside designation, for example, governance, quality service delivery, and accountability and results.

As for the approach toward a decision on a regional recommendation, the following process was used:

- Remind the committee of the requirements outlined in Section 106 of WIOA;
- Review the Regional Coordination expectations; and
- Discuss the 3 region and 4 region options and reach consensus.

System Transformation Summary The Steering Committee made the following recommendations:

- Fiscal agent being competitively procured
- Communication plan and technical assistance around the distinction between a local area and a region

Local Area Summary Below captures the Steering Committee discussion regarding those areas that did not meet the initial designation criteria and/or their Local Elected Officials were not in agreement in maintaining the existing local area:

- KentuckianaWorks maintains current configuration
- EKCEP maintains current configuration
- Barren River/South Central Kentucky – no consensus – vote 7 to 7
 - Pro SCK – broken beyond repair, employer input
 - No SCK – available federal funds, new governance opportunity to work, if eager to make change (LEOs, employers) why not in existing structure, decision not on factors
- Bluegrass/Lexington-Fayette/8 county – 9-5 vote to maintain current configuration
 - Pro existing structure – geography of other options do not work, governance issues can be worked out, economic data and structure supports, LEO consensus
 - No to existing structure – same old structure, auditor’s report, employer sentiment not addressed

Regional Area Summary The regional area recommendation was as follows:

- 4 Intrastate Regions – vote 13 to 1 configuration (only no vote was a proxy)

Workforce Innovation & Opportunity Act

Regional and Local Area Designation and Redesignation

Kentucky Workforce Investment Board
March 2, 2015



Agenda

- Timeline of Process to Date

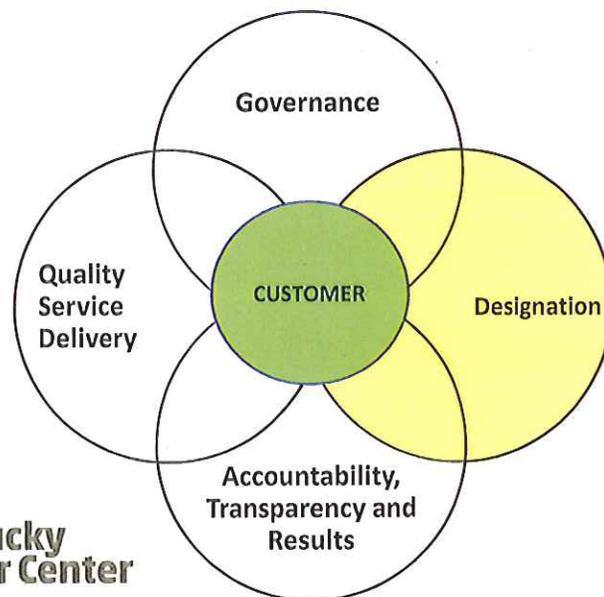


Timeline of Process to Date

- 11/17/14 KWIB established process
- 12/19/14 Finalized Steering Committee
- 01/23/15 Developed initial options/recommendation
- 02/07/15 DWI completed local input process
- 02/11/15 Steering Committee reviewed feedback
- 02/24/15 Discussed and agreed upon some recommendations
- 03/02/15 KWIB reviews process and status report



System Transformation Under WIOA



Section 106

Local areas identified:

- Consistent with labor market areas
- Consistent with economic regions
- Available Federal and non-Federal funds

Regions identified:

- 1 local area;
- 2 or more local areas; and
- Interstate areas



Consultation Process

- State Board
- Local Boards
- Chief Elected Officials
- Public Comment



Local Area Options Discussion

- Initial Designation Criteria
- Options Discussed
 - No Change Proposal
 - LEO Change Requests Proposal
 - Commuter Patterns Proposal
 - 8 County Proposal



Steering Committee Review Factors

- Economic Regions
- Local Labor Market Areas
- Other Factors



Designation Process

Initial Designation:

- Approve requests for initial designation during the first 2 years of enactment as a local area if:
 - Operated as a local area for 2 years prior to WIOA
 - Performed successfully
 - Sustained fiscal integrity



WIA Boundary Review

WIA Boundary Review

- WIA Boundary Review
- Eligible for Review - Criteria or LEO Issues
- Meets Initial Designation Criteria



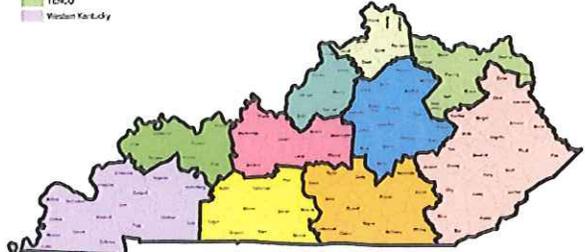
Updated January 20, 2015



No Change

Local Area Option 1 - No Change

- Local Area Option 1 - No Change
- Barnes River
- Bluegrass
- Cumberland
- ENCEP
- Green River
- Kentuckiana Works
- Lincoln Trail
- Northern Kentucky
- TENCO
- Western Kentucky



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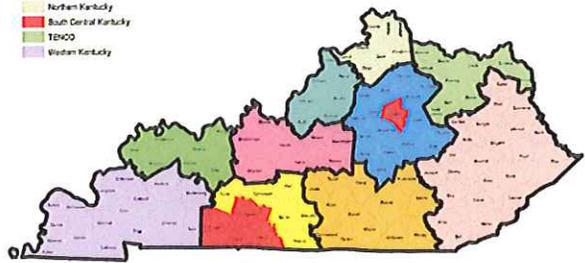
Updated: January 20, 2015

 KENTUCKY CAREER TRAINING DEVELOPMENT

LEO Change Requests

Local Area Option 2 - LEO Change Requests

- Local Area Option 2 - LEO Change Requests
- Barnes River
- Bluegrass
- Cumberland
- ENCEP
- Fayette County
- Green River
- Kentuckiana Works
- Lincoln Trail
- Northern Kentucky
- South Central Kentucky
- TENCO
- Western Kentucky



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Updated: January 20, 2015

 KENTUCKY CAREER TRAINING DEVELOPMENT

Commuter Pattern

Local Area Option 3 - Commuter Pattern Considerations

Local Area Option 3 - Commuter Pattern Considerations

- Barron River
- Adriatic Charge (Coker, Elliot, Knox)
- Bluegrass
- Cumberlands
- EKCEP
- Green River
- Kentuckiana Works
- Lincoln Trail
- Northern Kentucky
- TENCO
- Western Kentucky



Updated January 27, 2015



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Eight County Proposal

Local Option 3 - Employer Stakeholder Request

Local Option 3 - Employer Stakeholder Request

- Barron River
- Proposed New Area
- Bluegrass
- Cumberlands
- EKCEP
- Green River
- Kentuckiana Works
- Lincoln Trail
- Northern Kentucky
- TENCO
- Western Kentucky



Updated February 5, 2015



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Designation Process

Subsequent Designation:

- Approve requests for subsequent designation after the first 2 years of enactment as a local area if:
 - Performed successfully
 - Sustained fiscal integrity
 - Coordinated within the established planning region



Regional Recommendation Discussion

- Regional Coordination
- Regional Options
 - Three Interstate Regions
 - Three Intrastate Regions
 - 10 Intrastate Regions
 - Four Intrastate Regions



Regional Coordination

Regional Planning:

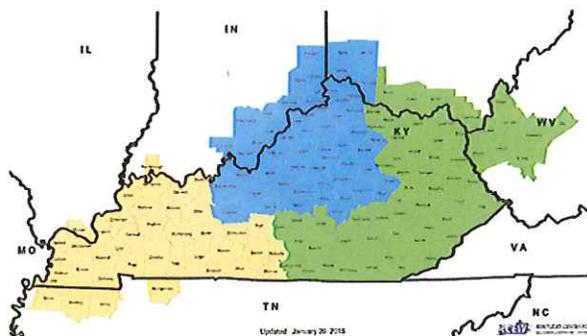
- Prepare a regional plan
- Establish regional service strategies
- Develop and implement sector strategies
- Collect and analyze regional labor market data
- Establish administrative cost arrangements
- Coordinate transportation and support services
- Coordinate with regional economic development



Three Interstate Regions

Regional Designation Option 1 - Interstate Regions

- Regional Designation Option 1
- Central
 - East
 - West



Three Intrastate Regions

Regional Designation Option 2 - Three Intrastate Regions

Regional Designation Option 2

- Central
- East
- West



Updated January 20, 2015



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Ten Intrastate Regions

Regional Designation Option 3 - Ten Intrastate Regions

Regional Designation Option 3

- Barnes River
- Bluegrass
- Dumfries
- ENCCP
- Green River
- Kentuckiana Works
- Lincoln Trail
- Northern Kentucky
- TENCO
- Western Kentucky



Updated January 20, 2015



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Four Intrastate Regions

Regional Option 1 - Four Intrastate Regions



Listening Session Themes

- **Local Areas:**
 - **Option 1**
 - Current structure makes sense for service provision
 - Association with ADDs was discussed frequently
 - Boundaries should not be determined by fiscal integrity
 - Creating more LWIAs is contrary to WIOA
 - Increased administrative expenses with two new areas
 - Remove hub (economic heart) of existing areas if Option 2 granted
 - Resignation of business leaders indicate change is needed though not necessarily boundaries
 - Previous county level service provision failed

Listening Session Themes

- **Local Area:**

- **Option 2**

- Little trust and confidence in existing structure and staff
 - System is broken and workforce needs go unmet
 - If system is to be employer led this issue must be addressed
 - Status quo is not working and the system must evolve
 - New proposed areas would welcome others to join

- **Alternate proposal for eight county region including Fayette County**



Listening Session Themes

- **Regional Recommendation**

- Most commenters were not in favor
 - There was a lack of understanding of the concept
 - Commenters did not distinguish the roles and responsibilities of regions and local areas in law
 - Not enough similarity among locals to form regions
 - Different targeted industry sectors
 - Reconsider each LWIA being its own region



Chief Local Elected Officials Feedback

- **Local Options Comments:**

- Maintain EKCEP
- Barren River is a workforce area though problems exist
- Even if new areas are established, still together in a regional environment
- Increased administrative costs with Option 2
- If reorganized and not supported by all then nothing is resolved
- 16 of 17 counties in Bluegrass want to maintain structure
- Boundaries should consider economic structure
- Changing boundaries is not the only option for change



Chief Local Elected Officials Feedback

- **Regional Recommendation Comments:**

- The central region would include more jobs and more population

- **CLEOs supported:**

- Local Option 1
- Regional Recommendation



Local Elected Officials Feedback

- **Local Option 1 Comments:**

- Bluegrass LEOs believe Fayette is the heart of the region and vital to smaller counties
- LEOs believe WKWIB and staff do a great job and serve communities well
- Cost impact of splitting local areas a concern



Local Elected Officials Feedback

- **Local Option 2 Comments:**

- South Central KY seeking 501(c)3 status, 60% population, 70% businesses, 74% of jobs
- South Central KY wants innovation and will seek new funding sources
- BRADD is broken, activities are questionable and tried working with ADD Director
- Smaller counties are given same weight as larger counties
- South Central request is an act of desperation for change



Local Elected Officials Feedback

- **Regional Recommendation Comments:**

- Western Kentucky does not want consolidation of three LWIAs as well as bringing in BRADD issues to region
- West Region too large for folks to travel



Local Workforce Investment Board Feedback

- **Local Option 1 Comments:**

- GR LWIA is working
- BRWIB members from SCKY do not show up
- GRWIB supports and has seen more LEO engagement since other area issues arose
- Do not add cost to the system by making change
- BRWIB supports current structure because opportunities for change exist under WIOA



Local Workforce Investment Board Feedback

- **Local Option 2 Comments:**

- New ideas, practices and innovation are needed to meet talent pipeline demand
- Need new collaboration, accountability and quality improvement



Local Workforce Investment Board Feedback

- **Regional Recommendation Comments:**

- Maintain TENCO as Local Area and Region because doing good work now
- Cumberland suggests being a region together with EKCEP
- EKCEP is a big enough region in and of itself and does great work



Community Stakeholders Feedback

- **Local Option 1 Comments:**

- BGADD believes audit findings should not impact boundaries discussion and supports the current local structure

- **Local Option 2 Comments:**

- Same message regarding SCKY value proposition
- Training provider indicates no referrals from system
- Mayor Gray communicates performance concerns and desire to address own workforce needs
- Commerce Lexington sees need & opportunity for change

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Community Stakeholders Feedback

- Non-profit and City Council express need to improve services for targeted populations

- **Other Local Input:**

- Concern that the discussion was not focused on the customers and need for system improvement
- Alternate option for local area including Fayette

- **Regional Recommendation Comments:**

- If it ain't broke, do not fix it...leave EKCEP alone

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Written Public Comment

- **Local Option 1 Comments:**

- Officials support – 1 WKY, 1 BR, 1 BG, 7 EKCEP
- Individual customer support – 7 BR, 4 unknown
- Others – 1 BR training provider, 1 WKY ADD Director, 1 BR Employer customer

- **Local Option 2 Comments:**

- Official support – 1 BG



Written Public Comment

- **Regional Recommendation Comments:**

- TENCO against – 1 WIB Director, 1 WIB member, 1 Chamber
- Western Kentucky – 7 WIB Members, 5 Officials, 1 ADD Director, 1 Economic Development
- All comments supported local areas as regions



System Transformation Under WIOA



System Transformation

- Fiscal agent being competitively procured
- Communication plan and technical assistance around the distinction between a local area and a region

Local Areas

- Met Initial Designation Criteria/LEOs Agree:
 - Cumberlands, Green River, Lincoln Trail, Northern Kentucky, TENCO and Western Kentucky
- KentuckianaWorks maintain configuration
- EKCEP maintain configuration
- Barren River/South Central Kentucky – no consensus
- Bluegrass/Lexington-Fayette/8 county – maintain current configuration



Regions

- 4 Intrastate Regions

