

I. GENERAL REQUIREMENTS FOR THE WIA TITLE I PROGRAM.**A. INDEX OF WIA DEFINITIONS. (PENDING)****B. ADMINISTRATION AND GOVERNANCE.**

8. Modification and Update Policy for Workforce Investment Act (WIA) Five-Year Plan. The WIA requires the Governor to establish procedures for modifying five-year local plans. Following are the reasons for modifying and updating WDB Five-Year Plan and the procedures to follow. In addition, a checklist is attached that summarizes the policy.

a. Reasons for Modifications**(1) Performance**

The WIA establishes three reasons for modifying a WDB local five-year plan for performance:

- When a WDB does not meet a performance core indicator or customer satisfaction indicator for two years in a row, a modification is required. The DWS and WDB must agree on a **corrective action plan** that will be included in the modification. In addition, the renegotiated performance level(s) will be written on form number DWSW-13549-E (attached) and submitted with the modification. Form DWSW-13549-E is also available in the local Planning Guidelines.
- When “circumstances arise that result in a significant change in the factors used to develop the original performance levels (TEGL 8-99),” a modification is required. Significant changes include economic conditions, changes in service mix, or changes in client characteristics. The DWS and WDBs will renegotiate performance levels. These new levels will be written on Form number DWSW-13549-E (attached) and submitted with the modification. In addition, the modification will describe any changes to the local five-year plan including the Program Services section. A corrective action plan is not required.
- The establishment of Performance Standards for PY03 and PY04 requires a modification. They are to be submitted with a modification. In addition, the modification will describe any changes to the local five-year plan including the Program Services section.

(2) Local Waiver

When DOL approves a state and or local waiver that impacts on activities described in the five-year plan, a modification is to be completed to reflect changes.

(3) WDA Economic Conditions

A modification is required when changes in local economic conditions result in the WDB's inability to follow through on activities described in its five-year plan. It needs to show any changes made to the vision, goals, strategies, program services, and performance in local five-year plan.

(4) Local Board and One Stop Operator Structure

When a local WDB changes its Board Structure or One Stop Operating Structure from what is described in the local five-year plan, a modification is to be completed. It needs to address changes to the local five-year plan description of the One-Stop Delivery System. This includes form numbers DWSW-13547-E and DWSW-13548-E, if appropriate.

(5) Percentage of Funding Allocation to Core, Intensive and Training

Changes to the percentage of funds being targeted to the three levels of WIA services (core, intensive, and training) requires a modification be completed showing new percentages.

(6) Individual Training Account (ITA) and other Policies

The WIA requires local five-year plans contain the WDB's up-to-date policy for ITAs. Any changes made to this and other local policies shall be identified in a modification and made a part of the five-year plan. The other policies include Priority of Services, Self-Sufficiency Definition, Supportive Services, and Need for Training.

(7) Youth Services

A modification is required if there are changes to the sixth youth eligibility criterion, a new definition for deficient in basic literacy skills, and a new eligibility definition for a disability. It needs to reflect the changes made to the policies.

(8) Memorandum of Understanding (MOU)

When significant changes occur that impact on the current MOU, a modification is required to reflect the changes. These changes include:

- addition of new partners to the MOU
- deletion or change in partners to the MOU
- revisions since the last MOU was submitted to DWS including 1) how core services are provided through the One Stop delivery system, 2) how access to intensive and training services are provided, 3) how the costs of services and operating costs of the system are funded, 4) methods of referral between the One Stop Operator and One Stop partners, and 5) duration of the MOU.

b. Reasons for Updates

(1) Membership Lists for Workforce Development Boards and Youth Councils

Because membership on Workforce Development Boards and Youth Councils changes frequently, a current and up-to-date list needs to be a part of the five-year local plan. Form numbers DWSW-13545-E and DWSW-13546-E of the local Planning Guidelines (attached) will be filled in with the updated membership and submitted at the time a WDB submits a modification. This update does not require a 30-day review and comment period.

(2) List of Youth Service Providers

A Change to a WDB's youth service provider list requires an update that is submitted at the time a modification is submitted. It does not require a 30-day review and comment period. Complete form number DWSW-13552-E to update the youth service provider list.

c. Procedures

- (1)** Modifications of local five-year plans will occur **at least annually**. They will be based on the reasons identified in I.B.8.a. of this policy. The DWS will issue an announcement and timetable for when a modification period will begin.
- (2)** Updates to the local five-year plan will be submitted at the same time a modification is submitted. The DWS announcement of when a modification period will begin will also include a reminder about updates. The updates are based on the reasons identified in I.B.8.b. of this policy. They do not require a 30-day review and comment period.
- (3)** All modifications are to be written following the Local Planning Guidelines dated November 1999. They are to address appropriate sections I – VII of the Guidelines including forms in the Attachments. The Guidelines are available at <http://www.dwd.state.wi.us/dwdwia/>. In case there is a need to address items not covered in the Guidelines, the Division of Workforce Solutions will issue separate guidance.
 - Modifications are to be written in the format and type instructed in the Guidelines.
 - All modification pages are to be numbered and correspond to the pages being replaced in the local five-year plan.
- (4) 30-Day Review and Comment**

For modifications, WIA requires a public review and comment period prior to submittal to the Governor. (Regs 661.345).

- Make copies of the proposed modification available to the public.
- Provide an opportunity for comment by members of the Local Board and members of the public including representatives of business and labor organizations.
- Submit any comments that express disagreement with the modification to the Governor along with the modification(s).

(5) DWD/DWS Approval

Completed modifications will be approved within 30 business days of their submission, unless the DWD/DWS determines in writing:

- There are deficiencies in local workforce investment activities that have not been addressed, or
- The modification is determined inconsistent with Title I and the regulations of WIA, including required public comment provisions.