

2024 MISSISSIPPI

WORKFORCE INNOVATION & OPPORTUNITY ACT

STATE PLAN





STATE WORKFORCE INVESTMENT BOARD
OFFICE OF THE GOVERNOR

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Appendix A: Workforce and Innovation Opportunity Act Memorandum of Understanding



STATE OF MISSISSIPPI WORKFORCE INNOVATION AND OPPORTUNITY ACT

Memorandum of Understanding

This Memorandum of Understanding ("MOU") is between the following parties as it pertains to the Mississippi Workforce Innovation and Opportunity Act (WIOA) Combined Plan ("State Workforce Plan" or "WIOA plan"): Mississippi Office of Workforce Development, Mississippi Community College Board, Mississippi Department of Employment Security, Mississippi Department of Human Services, Mississippi Department of Rehabilitation Services, Mississippi Department of Corrections, Mississippi Department of Education, Mississippi Development Authority, and the Local Workforce Development Areas, collectively referred to as the "Partners."

BACKGROUND

In 2020, Governor Tate Reeves and the Mississippi Legislature established the Office of Workforce Development, branded as AccelerateMS. The charter legislation charged AccelerateMS with a mission to review existing programs; provide information, guidance, and significant influence on how funding sources should be utilized for the purposes of workforce development; and serve as the coordinating entity for all workforce development stakeholder agencies in Mississippi. In 2021, Governor Reeves designated AccelerateMS as the coordinating entity for the WIOA plan. This WIOA combined plan represents the efforts of AccelerateMS to convene all state workforce and WIOA stakeholders around a unified vision that addresses the challenges workers face to gain credentials and skills to meet business and industry needs.

PURPOSE

This MOU serves as a functional tool for how the partners will work together to achieve the unified vision. The Partners agree to establish and maintain a framework of cooperation, collaboration, and communication in assisting the Governor to carry out the State Workforce Plan.

ROLES, RESPONSIBILITY AND GOVERNANCE STRUCTURE

AccelerateMS will serve as the coordinating entity for all workforce development partners and stakeholders to ensure alignment and effectiveness.

The Partners agree to work cooperatively to prevent duplication of services, and to streamline and coordinate services delivered throughout the workforce system.

The Partners shall continue to have statutory responsibilities relating to the administration of their respective programs outside of, and not contained in, WIOA, and certify that federal funds received to carry out core programs will not be expended for any purpose other than for activities authorized with respect to such funds.

The Partners agree to provide data necessary to the performance of a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal funds. Data provided should be in accordance with data sharing agreements in place amongst partners and the State Longitudinal Data System.

The Partners commit to cross-training of staff, as appropriate, and to providing other professional learning opportunities that promote continuous quality improvement.

IMPASSE-DISPUTE RESOLUTION

For the purposes of this MOU, in the event that a conflict should arise, each Partner expressly agrees to participate in good faith negotiations to reach a consensus. However, should a dispute arise among any Partners to this MOU in negotiations to amend or renew this MOU or in matters pertinent to WIOA operations or activities not addressed in this MOU, all Partners agree to utilize the process cited below. The Executive Directors or Agency Heads of applicable State agencies will designate an individual to negotiate and resolve any impasses involving state-level Partners. All Partners agree to enlist the following process for the resolution of disputes:

1. The Partners shall first attempt to resolve all disputes informally. Any Partner may call a meeting of all Partners to this MOU to discuss and resolve disputes.
2. Should information resolution efforts fail, the dispute shall be referred to Chairman of the State Workforce Investment Board ("SWIB"), who shall place the dispute on the agenda of a regular or special called meeting of the SWIB. The SWIB shall attempt to mediate and resolve the dispute. The SWIB will mediate and issue a written recommendation.

In the event that all reasonable attempts to resolve the impasse are unsuccessful, the SWIB will report the impasse to the Governor, who will intervene with the parties to resolve the disputed issue(s).

MODIFICATION OR AMENDMENT

This agreement shall not be modified, altered, or changed except by mutual consent of the Partners hereto. The Partners agree to renegotiate the agreement if federal and/or state revisions of any applicable laws or regulations make changes in this agreement necessary. Any modification or amendment shall be made in writing, clearly stating the changes being affected and shall be duly executed by an authorized representative of each Partner.

ASSIGNMENTS

It is expressly understood that commitments to be performed under this MOU shall not be subcontracted, assigned, transferred, or sublet without prior written approval of all Partners.

AUTHORITY

All activities under this MOU shall be subject to all applicable federal and/or state laws, rules, and regulations and construed in accordance with the laws of the State of Mississippi. All Partners shall comply with applicable federal, state, and local laws and regulations.

LIABILITY

Each Partner shall be responsible for any liability resulting from the actions/inactions of its

officers, agents, and employees, acting within the course and scope of their official duties, to the degree and within the parameters permitted under Mississippi law.

DURATION

This MOU is entered into on September 8, 2022. This MOU will become effective as of the date of signing by the final signatory below and remain in effect for five years or until all Partners agree in writing to cancel the terms of the MOU, whichever is sooner.

WIOA MOU STATE OF MISSISSIPPI

PARTNER REPRESENTATIVE SIGNATURES

Each of the undersigned individuals represents and warrants that he or she is expressly and duly authorized to execute this MOU and to legally bind each agency into this MOU. In witness whereof, the parties of this MOU certify that they have read, understood, and agreed to the terms and conditions of this MOU.



Tate Reeves
Governor

SEPTEMBER 8, 2022

Date



Patrick Sullivan
Chair, State Workforce Investment Board

9/8/22

Date



Ryan Miller
Executive Director, Accelerate MS

9/8/22

Date



Kell Smith
Interim Executive Director, Mississippi Community College Board

9/8/22

Date



Robin Stewart
Deputy Executive Director, Mississippi Department of Employment Security

9-8-22

Date



Bob Anderson
Executive Director, Mississippi Department of Human Services

9/8/22

Date

WIOA MOU STATE OF MISSISSIPPI

PARTNER REPRESENTATIVE SIGNATURES (Continued)



Chris Howard
Executive Director, Mississippi Department of Rehabilitation Services

8/8/22
Date



Kim Benton
Interim State Superintendent, Mississippi Department of Education

9/8/2022
Date



Laura Hipp
Deputy Executive Director, Mississippi Development Authority

9-8-22
Date



Mitzi Woods
Delta Local Workforce Development Area

9-8-22
Date



Terry Treadaway
Mississippi Partnership Local Workforce Development Area

9-8-22
Date



Robin Parker
Southcentral Mississippi Works Local Workforce Development Area

9/8/22
Date



Allison Hawkins
Twin Districts Local Workforce Development Area

9/8/22
Date

WIOA MOU STATE OF MISSISSIPPI

Appendix B: SLDS Governing Board Rules & Regulations

Title 10: Education Institutions and Agencies

Part 501: Statewide Longitudinal Data System Governing Board Rules & Regulations

Part 501 Chapter 1: STATUTORY AUTHORITY

Rule 1.1: Statutory Authority. The SLDS Governing Board was established effective July 1, 2013 through Mississippi Code Annotated § 37-154-1 and 37-154-3.

Source: Miss. Code Ann. §37-154-3

Rule 1.2: Organization and policy and procedure. Miss. Code Ann. §37-154-3 provides for the SLDS Governing Board to be composed of a representative designated from each agency or entity providing data to the system, and others as determined by the Board, in accordance with Board Rules and Regulations. The Chair of the SLDS Governing Board will serve a two-year term. The Chair will appoint a vice-chair. Half of all board members shall be a quorum. The chairman shall be responsible for ensuring official minutes of each meeting are kept.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 2: SYSTEM MANAGEMENT

Introduction: The SLDS Governing Board is authorized to contract with a third party to manage and maintain the system and to ensure the policies and procedures developed by the board are enforced. The system shall be referred to as LifeTracks. LifeTracks includes activities within three categories:

- A. Securing and managing data;
- B. Supporting, maintaining, and expanding the online reporting portal (www.lifetracks.ms.gov); and
- C. Developing research design and methodology for the purpose of conducting scientific research that addresses policy and research questions.

Rule 2.1: STATE DATA CLEARINGHOUSE. The SLDS Governing Board shall enter into a five-year memorandum of agreement with a third party to serve as the state data clearinghouse. The third-party contractor shall be a center of excellence and a research organization with a demonstrated track record of combining and extracting information from disparate large administrative data sets; creating, preserving, analyzing, and reporting on those data in a safe and secure manner; and building and sustaining partnerships with data contributors. The third party shall also be an organization with the knowledge and

experience necessary to provide flexible, streamlined services and to design and implement best practices for data integration and data security. The organization must have experience with SLDS-type architecture and data modeling, and be qualified to provide all necessary technical resources aligned with the scope and objectives of the SLDS.

Source: Miss. Code Ann. §37-154-3

Rule 2.2: APPLICATION HOST. The SLDS Governing Board shall select an entity to provide application hosting services for www.lifetracks.ms.gov. Any data residing on the application server shall have been de-identified so that the identities of subjects cannot be readily ascertained or otherwise associated with the data by any users. The SLDS Governing Board shall make provisions for this as part of the contract with the third-party contractor acting as the state data clearinghouse.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 3: DATA SCOPE

Rule 3.1: DATA SCOPE. All data transferred for LifeTracks shall flow to the third-party contractor in accordance with applicable SLDS Governing Board rules, regulations, policies and procedures and in accordance with applicable state and federal laws.

- A. Individual governmental entities shall transfer data to the third-party contractor for inclusion in LifeTracks that includes:
 - 1. All data transferred as part of the development of LifeTracks as specified in individual data dictionaries for each data stakeholder;
 - 2. All data required to meet the 12 elements of the America COMPETES Act (Public Law 110–69);
 - 3. Data necessary to provide decision makers a tool to develop policies to support objectives.
 - 4. All data necessary for the successful continuation, management, and development of the online reporting portal (www.lifetracks.ms.gov); and
 - 5. All data required to fulfill authorized ad hoc research and reporting requests.
- B. In an effort to maintain the highest degree of accuracy, LifeTracks shall adopt the business rules, logic, and calculation methodology of the contributing data provider. The third-party contractor shall maintain agency/entity specific LifeTracks data dictionaries defining data elements:

1. Included in the development and initial deployment of LifeTracks;
2. Necessary for maintaining the system as deployed; and
3. Necessary for future development.

Copies of all agency/entity specific data dictionaries will be available to the public on the LifeTracks website.

Source: Miss. Code Ann. §37-154-3

Rule 3.2: SOCIAL SECURITY NUMBERS. The SLDS Governing Board is cognizant of the fact that it is necessary to transmit and process personal information in the form of Social Security Numbers (SSNs) in order to conduct the business of the board. The SLDS Governing Board takes its responsibilities with respect to the use of SSNs seriously and seeks to provide functional secure systems for the appropriate handling of this information through the use of administrative, technical, and physical safeguards. To comply with Miss. Code Ann. §25-1-111, the following have been established:

- A. Individual governmental entities shall transfer the SSN to the third-party contractor for the purpose of creating a global unique identification number (GUID) that replaces the SSN and becomes the common link allowing all data in LifeTracks to be connected across different points in time. In regards to the Mississippi Department of Education, the specific method of transfer of data containing social security numbers or other unique identifiers is subject to written agreement by the SLDS Governing Board and the MDE.
- B. Destruction of SSN information that is no longer needed shall be handled in an approved manner and completed using accepted methods that will not enable inappropriate recovery of data.
- C. Individuals and entities are expected to comply with laws and policies pertaining to the collection and use of SSNs and are expected to take the steps necessary to protect this information.
- D. SSN information is exempt from inclusion as public record information and is never to be provided in response to such requests.

Source: Miss. Code Ann. §37-154-3

Rule 3.3: IDENTIFICATION NUMBERS. Agency/entity and/or program specific identification numbers shall also be transferred to the third-party contractor for the purpose of conducting data validation and quality control activities and to allow individual governmental entities contributing data to LifeTracks to use information from LifeTracks for internal

agency use.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 4: STANDARDS FOR PRIVACY, CONFIDENTIALITY & SECURITY OF DATA

Rule 4.1: SECURITY OF DATA. The third-party contractor will establish a framework to initiate and control the implementation of security policies and standards for the SLDS Governing Board. The Governing Board will ensure that the State Data Clearinghouse's security posture is adequate and compliant with the Department of Information Technology Services' Enterprise Information Security Plan and that an organizational structure is in place that focuses on information security.

In addition, the third-party contractor shall establish processes and procedures for incident reporting objectives, goals and deliverables identified in the ITS Enterprise Security Policy and ITS Enterprise Information Security Plan.

All data transferred from individual governmental entities contributing data to LifeTracks to the third-party contractor shall be held in a secure file location that is accessible only by authorized third party contractor personnel. This access limitation shall be enforced by third party contractor and board approved industry standard file access locks and an independent security system. The permissions structure shall be designed to only allow authorized users to access files. The independent security system shall be implemented to guard access to sensitive file storage areas and provide robust augmentation of security provided through file access locks and credentialing.

The third-party contractor shall perform appropriate background checks and screening of all employees that have any access to the clearinghouse data.

The third-party contractor shall employ technical safeguards to ensure personal information transmitted over an electronic communications network is not accessed by unauthorized persons or groups. Encryption shall be used when PII are in transmit or at rest. Unencrypted PII shall not be transmitted over public networks to third parties.

The third-party contractor shall employ data integrity procedures that protect PII including mechanisms to authenticate records and corroborate that they have not been altered or destroyed in an unauthorized manner.

The third-party contractor shall implement a risk assessment strategy plan that is updated annually which includes access and control processes, security risks, threats and vulnerabilities assessments, and methods for managing risks and incidents.

The third-party contractor shall maintain and update the incident response plan that establishes procedures to follow in case a breach occurs and processes for notifying organizations in the event of unauthorized acquisition of files or documents. The third-party contractor shall be subject to an annual external data security audit conducted by the Mississippi Office of the State Auditor.

Source: Miss. Code Ann. §37-154-3

Rule 4.2: DE-IDENTIFICATION OF DATA. All de-identification procedures shall be implemented with appropriate physical, technical, and administrative protections in place to maximize security, minimize risk, and ensure regulatory compliance. Data shall be de-identified through a process wherein a GUID is created that becomes the common link across all data in LifeTracks that ensures data can be reliably aligned over time and across governmental entities contributing data to LifeTracks. The SSN shall only be used for assigning the GUID.

Other internal identification numbers shall remain part of the transferred data to facilitate data validation and matching and to allow governmental entities contributing data to LifeTracks to use information from LifeTracks for internal agency use.

Source: Miss. Code Ann. §37-154-3

Rule 4.3: GUID PROCESS. A software generated global unique identification number (GUID) will be created for each record. For all data transferred from governmental entities contributing data to LifeTracks to the third-party contractor, the SSN shall be replaced with the GUID that becomes the common link allowing all data in LifeTracks to be connected across different points in time.

Source: Miss. Code Ann. §37-154-3

Rule 4.4: ADDITIONAL STANDARDS FOR PRIVACY AND CONFIDENTIALITY. Additional privacy and confidentiality safeguards shall include only releasing information generated from the data transferred from individual state agencies and state entities to the third-party contractor in tabular form via the online reporting portal (www.lifetracks.ms.gov) and applying appropriate data suppression techniques when cell sizes fail to meet minimum SLDS Governing Board defined reporting requirements.

The minimum allowable cell size or subgroup contained in any reports shall be not less than ten (10); any cell size or subgroup with a number smaller than ten (10) shall be suppressed.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 5: PROVIDING DATA

Introduction: All data provided to the SLDS shall be provided in accordance with local, state and federal laws governing the protection and sharing of such data.

Rule 5.1: DATA MANAGER. All governmental entities contributing data to LifeTracks shall designate a data manager to serve as the primary point of contact for all LifeTracks activities at the beginning of each state fiscal year and communicate this in writing to the SLDS Governing Board Chair and the designated third-party contractor.

The third-party contractor shall be subject to an annual external audit conducted by the Mississippi Office of the State Auditor for compliance with SLDS Governing Board rules and regulations.

Source: Miss. Code Ann. §37-154-3

Rule 5.2: MEMORANDUM OF UNDERSTANDING (MOU). Memorandums of understanding (MOUs) shall be executed between the governmental entity providing data and the third-party contractor to ensure the safety, quality, and integrity of data in accordance with state and federal law. At any such time as the third-party contractor shall change, new MOUs shall be executed between individual governmental entities contributing data to LifeTracks and the third-party contractor.

Source: Miss. Code Ann. §37-154-3

Rule 5.3: DATA TRANSFER. Data shall be transferred from individual governmental entities contributing data to LifeTracks as necessary to meet the requirements of Chapter 3 and in accordance with applicable MOUs but not less than annually and no later than October 15 of each calendar year.

All data shall be transferred from individual governmental entities contributing data to LifeTracks via an SLDS Governing Board approved secure file transfer solution chosen by the third-party contractor. The selected managed file transfer solution shall employ industry standard file transfer encryption and include the ability to assign private destination folders to each data exchange partner that shall be locked down with and credentialed to individual source users such that only they can see their own folder. All data received by LifeTracks shall be transferred to a secure work area that is only accessible to authorized staff.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 6: DATA VALIDATION

Rule 6.1: DATA INVENTORY. Governmental entities shall submit data in accordance with state and federal law. Upon receipt of data, the third-party contractor shall verify the list of

data elements received from data contributors within ten (10) working days of receipt.

Upon verification of the list of fields, tables, and relationships between tables by the data contributor, the data shall undergo the complete LifeTracks data inventory process. The complete data inventory process shall include updating or creating data dictionaries and program data mapping documents. Data dictionaries shall include metadata such as meaning, relationship to other data, origin, usage, and format. Program data mapping documents shall provide information on how data fields relate to other data fields across multiple data sets. The program data mapping document shall be used to compare and contrast data elements collected across multiple governmental entities and over time.

Source: Miss. Code Ann. §37-154-3

Rule 6.2: DATA VALIDATION. Data validation shall be the primary responsibility of the third-party contractor and undertaken in accordance with SLDS Governing Board rules and regulations and the terms of applicable MOUs. The business rules, logic, and calculation methodology provided by the governmental entity contributing the data shall be used for data validation. The objective of the data validation process shall be to verify that data transferred by governmental entities contributing data to LifeTracks mirrors data contributor internal data so that accurate reports can be produced across systems.

The data validation process shall entail individual data contributors working closely with the third-party contractor staff as part of a process designed to detect and correct inaccurate or incomplete records so that LifeTracks data will be consistent and reliable. Data validation diagnostics run to ensure high-quality, accurate, and complete data are available for LifeTracks shall include, but not be limited to:

- A. Checking that all tables, records, and fields, and the full contents of each field have been successfully transmitted and read;
- B. Comparing record counts between the source data and the data transmitted to the third-party contractor; and
- C. Producing a report with basic summary statistics for validation by the data contributor.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 7: REPORTS

Rule 7.2: AD HOC REQUESTS AND REPORTS. Data from LifeTracks shall be used to address requests that require data from multiple data contributors, and requests that are longitudinal in nature requiring data at different points in time.

Requests for reports involving data within a single state agency/entity shall be referred to the relevant state agency/entity.

Requests from the following entities will be provided as a result of state money appropriated to fund the maintenance and operation of the SLDS:

- A. Office of Workforce Development;
- B. Governor's Office;
- C. Lt. Governor and Senate Committee Chairs;
- D. Speaker of the House and House Committee Chairs;
- E. Mississippi Development Authority.

Third party contractor shall notice SLDS Governing Board members of all requests upon receipt of requests.

Notices to the SLDS Governing Board shall be made via email to Board members. The notifications shall include the feasibility of satisfying the request and, if feasible, a brief description of data sources required to meet the requests. The purpose of the notices to inform Board members of data requests on a timely basis and provide Board members an opportunity to inquire about or provide input to the third-party contractor concurrent with the production of the report.

Public agencies contributing data to the SLDS may request up to 5 reports per state fiscal year with additional reports provided upon approval from the Governing Board. Federally mandated reports required of the public agencies contributing data to the SLDS shall have priority over other requested reports.

Statewide elected officials may request reports from the third-party contractor. Upon request, third-party contractor shall provide the feasibility of completing the report, provide an estimate of time and cost to meet the request, and notify the Governing Board.

Requests may also be made by any other person or entity to the SLDS at public and private rates published on the official SLDS website, as approved by the SLDS. Upon request, third party contractor shall provide the feasibility of completing the report and an estimate of time and cost to meet the request. If work is completed under the estimated timeframe, cost shall decrease accordingly. If third party contractor is to exceed the estimated timeframe to perform the work, notice shall be provided to the requestor to determine if work shall proceed. The Governing Board shall be notified by the third-party contractor of all requests.

Source: *Miss. Code Ann. §37-154-3*

Chapter 8: ONLINE REPORTS. REPEALED. Effective 5/13/2023.

Part 501 Chapter 9: REPEALED. Effective 09/03/2021

Part 501 Chapter 10: PUBLIC RECORDS

Rule 10.1 Statutory authority and purpose. These public records rules are promulgated by the SLDS Governing Board in compliance with the Mississippi Public Records Act of 1983, Miss. Code Ann. §25-61-1, et seq., except as noted in 3-3.2-D of these regulations. “It is the policy of the Legislature that public records must be available for inspection by any person unless otherwise provided by this act. Furthermore, providing access to public records is a duty of each public body and automation of public records must not erode the right of access to those records.” Section 25-61-1, Miss. Code of 1972.

“[A]ll public records are hereby declared to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body in accordance with reasonable written procedures adopted by the public body concerning the cost, time, place and method of access, and public notice of the procedures shall be given by the public body.” Section 25-61-5, Miss. Code of 1972.

The act defines "public record" to include any "all books, records, papers, accounts, letters, maps, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function of any public body, or required to be maintained by any public body." Section 25-61-3(b).

The purpose of these rules is to establish the procedures the SLDS Governing Board will follow in order to provide full access to public records. These rules provide information to persons wishing to request access to public records of the SLDS Governing Board and establish processes for both requestors and SLDS Governing Board staff that are designed to best assist members of the public in obtaining such access.

The purpose of the act is to provide the public full access to public records concerning the conduct of government. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, the SLDS Governing Board will be guided by the provisions of the act describing its purposes and interpretation.

If the Contractor receives a public records request for information pertaining to SLDS or any data contributors, the third-party contractor shall immediately inform all SLDS Governing Board members.

Source: Miss. Code Ann. §37-154-3

Rule 10.2 Contact information. Any person wishing to request access to public records of the SLDS Governing Board, or seeking assistance in making such a request should make the request in writing to the third-party contractor. Information is also available on the LifeTracks website at www.lifetracks.ms.gov.

Source: Miss. Code Ann. §37-154-3

Rule 10.3 Availability of public records. Any person wishing to request access to public records of the SLDS Governing Board is encouraged to view the documents available on the LifeTracks website prior to submitting a records request. Meeting minutes shall be posted on Lifetracks.

- A. Any person wishing to inspect or copy public records of the SLDS Governing Board should make the request in writing to the third-party contractor and including the following information:
 - 1. Name of requestor;
 - 2. Address of requestor;
 - 3. Other contact information, including telephone number and any e-mail address;
 - 4. Identification of the public records adequate so that the record may be located; and
 - 5. The date and time of day of the request.
- B. If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. The SLDS Governing Board shall determine the cost of providing access to and/or copies of the records being requested. Upon receipt of the payment (cash, check, or money order) of the estimated costs in advance, the SLDS Governing Board will provide copies of the records.

Source: Miss. Code Ann. §37-154-3

Rule 10.4 Processing of public records requests. The SLDS Governing Board acknowledges that “providing access to public records is a duty” and that “any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record” in accordance with these rules (Miss. Code Ann. §25-61-1 and §25-61-5). The SLDS Governing Board will process requests in the order allowing the most requests to be processed in the most efficient manner.

- A. Acknowledging receipt of request. Within seven (7) business days of receipt of the request, the SLDS Governing Board designee shall provide an estimate of time required and associated cost to the requestor.
 - 1. Make the records available for inspection or copying;
 - 2. If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;
 - 3. Provide a reasonable estimate of when records will be available; for records that do not fall within the provisions of Mississippi Code Annotated §25-61-9 regarding third party notification requirements, the SLDS Governing Board designee will provide a written explanation if the records cannot be produced within the seven (7) business day period;
 - 4. If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The SLDS Governing Board designee may revise the estimate of when records will be available;
 - 5. Deny the request, with documentation to the requestor as to the reason for denial.
- B. Consequences of failure to respond. If the SLDS Governing Board designee does not respond in writing within seven (7) business days of receipt of the request for disclosure, the requestor should consider contacting the SLDS Governing Board designee to determine the reason for the failure to respond.
- C. Protecting rights of others. In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the SLDS Governing Board designee may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.
- D. Denial of request.
 - 1. Records exempt from disclosure. Some records are exempt from disclosure, in whole or in part. If the SLDS Governing Board designee believes that a record is exempt from disclosure and should be withheld, the SLDS Governing Board designee will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the SLDS Governing Board designee will redact

the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

2. Record does not exist or SLDS Governing Board does not have the record. The SLDS Governing Board must only provide access to public records in existence at the time of the request. If a public record is created or comes into the possession of the SLDS Governing Board after the request is received by the SLDS Governing Board, that record will not be provided. The requestor must make a new request to obtain subsequently-created public records.

- E. Inspection of records. Consistent with other demands and with prior written notice by the requestor to the SLDS Governing Board, it shall promptly provide space to inspect nonexempt public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the public body to copy.

The requestor must claim or review the assembled records within ten (10) business days of the SLDS Governing Board notification to him or her that the records are available for inspection or copying. The SLDS Governing Board will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the SLDS Governing Board to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the ten-day period or make other arrangements, the SLDS Governing Board may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

- F. Providing copies of records. After inspection is complete, the SLDS Governing Board shall make the requested copies or arrange for copying. The requestor must provide payment for copies at the time copies are made. Alternatively, the requestor may ask that the SLDS Governing Board provide the requested information directly to the requestor, in printed or electronic form, without prior inspection of the information by the requestor.
- G. Providing records in installments. When the request is for a large number of records, the SLDS Governing Board will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within ten (10) business days, the requestor fails to inspect the entire set of records or one or more of the installments, the SLDS Governing Board or designee may stop searching for the remaining records and close the request.
- H. Completion of inspection. When the inspection of the requested records is

complete and all requested copies are provided, SLDS Governing Board will indicate that it has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

- I. Closing withdrawn or abandoned request. When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay required fees, the SLDS Governing Board will close the request and indicate to the requestor that the SLDS Governing Board has closed the request.
- J. Later discovered documents. If, after the SLDS Governing Board has informed the requestor that it has provided all available records, the SLDS Governing Board becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor and data contributors of the additional documents and provide them on an expedited basis

Source: Miss. Code Ann. §37-154-3

Rule 10.5 Processing of public records requests for electronic records.

With the consent of the requestor, the SLDS Governing Board may provide customized access if the record is not reasonably locatable or not reasonably translatable into the format requested. The SLDS Governing Board may charge the actual cost for such customized access.

Source: Miss. Code Ann. §37-154-3

Rule 10.6 Exemptions. The Public Records Act, as well as other statutes and court decisions, provide that a number of types of documents are exempt from public inspection and copying. In addition, other statutes or rules of law, such as various privacy restrictions, may prohibit disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the SLDS Governing Board for inspection and copying. This list is provided for informational purposes only and may not be all- inclusive:

- Academic records exempt from public access, see § 37-11-51.
- Appraisal records exempt from access, see § 31-1-27.
- Archaeological records exempt from public access, see § 39-7-41.
- Attorney work product, examination, exemption, see § 25-1-102.
- Birth Defects Registry, see § 41-21-205.
- Bureau of vital statistics, access to records, see § 41-57-2.

- Charitable organizations, registration information, exemption from public access, see § 79-11-527.
- Concealed pistols or revolvers, licenses to carry, records, exemption, see § 45-9-101.
- Confidentiality, ambulatory surgical facilities, see § 41-75-19.
- Defendants likely to flee or physically harm themselves or others, see § 41-32-7.
- Environmental self-evaluation reports, public records act, exemption, see § 49-2-71.
- Hospital records, Mississippi Public Records Act exemption, see § 41-9-68.
- Individual tax records in possession of public body, exemption from public access requirements, see § 27-3-77.
- Insurance and insurance companies, risk based capital level requirements, reports, see § 83-5-415.
- Judicial records, public access, exemption, see § 9-1-38.
- Jury records exempt from public records provisions, see § 13-5-97.
- Licensure application and examination records exemption from Public Records Act, see § 73-52-1.
- Medical examiner, records and reports, see § 41-61-63.
- Personnel files exempt from examination, see § 25-1-100.
- Public records and trade secrets, proprietary commercial and financial information, exemption from public access, see § 79-23-1.
- Workers' compensation, access to records, see § 71-3-66.
- Records subject to privilege, such as Attorney/Client, Physician/Patient, etc.

SLDS Governing Board will describe why each withheld record or redacted portion of a record is exempt from disclosure.

Source: Miss. Code Ann. §37-154-3

Rule 10.7 Third-party information. Upon request to inspect or copy any third-party document, the SLDS Governing Board shall notify the third party who filed the document. Seven (7) working days after such notice, the document will be made available for public inspection and/or copying unless the third party shall have either (i) obtained a court order protecting such records as confidential pursuant to Section 25-61-9, Miss. Code of 1972 or (ii) furnished the SLDS Governing Board a copy of the filed petition for a protective court order, providing the petition was timely filed upon the third party's receipt of notification from the SLDS Governing Board regarding the request for information.

The third party must prove to the court's satisfaction that the record or portion of the records is exempt from disclosure and must deliver the court order preventing the release of all or part of the information to the SLDS Governing Board prior to the deadline to prevent

disclosure of the information. The third party must name the requestor as a party to any action to enjoin disclosure.

The SLDS Governing Board will not make a determination as to whether a requested record provided by a third party contains trade secrets or confidential commercial or financial information. The SLDS Governing Board will provide the third-party notice as outlined above and allow the court to determine if a protective order should be issued.

Documents are frequently produced by the SLDS Governing Board that contain specific information directly obtained from a third party and, as such, may be subject to third party notice as described above.

Source: Miss. Code Ann. §37-154-3

Rule 10.8 Costs for fulfilling a request. Costs of providing public records shall be determined in accordance with Miss. Code Ann. §25-61-7(1) that reads as follows: “Except as provided in subsection (2) of this section, each public body may establish and collect fees reasonably calculated to reimburse it for, and in no case to exceed, the actual cost of searching, reviewing and/or duplicating and, if applicable, mailing copies of public records.”

- A. A requestor may obtain standard black and white photocopies for 15 cents per page and color copies for 15 cents per page. Copy charges for some specific types of records are set by statute and may exceed the amount stated above. Before copies can be made and/or provided to the requestor, the requestor must pre-pay all reasonably estimated costs of copying all the records selected by the requestor. The SLDS Governing Board may also require the payment of the remainder of the copying costs before providing all the records in an installment before providing that installment. The SLDS Governing Board will not charge sales tax when it makes copies of public records.
- B. Costs for electronic records. The cost of electronic copies of records shall be specified as the media cost for a CD. The cost of scanning existing SLDS Governing Board paper or other non-electronic records will be calculated at the hourly service rate. There will be no charge for e-mailing electronic records to a requestor, unless another cost applies such as a scanning fee or system costs.
- C. Costs of mailing. The SLDS Governing Board may also charge actual costs of mailing, including the cost of the shipping container.
- D. Payment. Payment may be made by cash, check, or money order to the SLDS Governing Board for the amount specified.
- E. Charges for searching, reviewing and redacting. The actual cost of searching for and reviewing and, if necessary, redacting exempt information from public

records shall be based upon the hourly service rate multiplied by the actual time to complete the task.

Source: Miss. Code Ann. §37-154-3

Rule 10.9 Review by Ethics Commission. Pursuant to Section 25-61-13, if the SLDS Governing Board denies a requestor access to public records, the requestor may ask the Ethics Commission to review the matter. The Ethics Commission has adopted rules on such requests. They may be found at www.ethics.state.ms.us.

Any person whose request for public records was denied may institute a suit in the chancery court of Hinds County, seeking to reverse the denial, as set forth in Section 25-61-13.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 11: RULEMAKING ORAL PROCEEDINGS

Rule 11.1 Rulemaking oral proceedings. These rules apply to all oral proceedings held for the purpose of providing the public with an opportunity to make oral presentations or written input on proposed new rules, amendments to rules, and proposed repeal of existing rules for the SLDS Governing Board.

When a political subdivision, an agency, or ten (10) persons request an oral proceeding in regards to a proposed rule adoption, the requestor must submit a printed, typewritten, or legibly handwritten request.

- A. Each request must be submitted on 8-1/2" x 11" white paper.
- B. The request may be in the form of a letter addressed to the Chair of the SLDS Governing Board or in the form of a pleading as if filed with a court.
- C. Each request must include the full name, telephone numbers, and mailing address of the requestor(s).
- D. All requests shall be signed by the person filing the request, unless represented by an attorney, in which case the attorney may sign the request.

Notice of the date, time, and place of all oral proceedings shall be filed with the Secretary of State's Office for publication in the Administrative Bulletin. The SLDS Governing Board shall provide notice of oral proceedings to all persons requesting notification of proposed rule adoptions. The oral proceedings will be scheduled no earlier than twenty (20) days from the filing of the notice with the Secretary of State. The Chair of the SLDS Governing Board

or designee who is familiar with the substance of the proposed rule shall preside at the oral proceeding on a proposed rule.

Public participation shall be permitted at oral proceedings, as follows:

- A. At an oral proceeding on a proposed rule, persons may make statements and present documentary and physical submissions concerning the proposed rule.
- B. Persons wishing to make oral presentations at such a proceeding shall notify the Chair of the SLDS Governing Board at least three (3) business days prior to the proceeding and indicate the general subject of their presentations. The presiding officer in his or her discretion may allow individuals to participate that have not contacted the SLDS Governing Board prior to the proceeding.
- C. At the proceeding, those who participate shall indicate their names and addresses, identify any persons or organizations they may represent, and provide any other information relating to their participation deemed appropriate by the presiding officer.
- D. The presiding officer may place time limitations on individual presentations when necessary to assure the orderly and expeditious conduct of the oral proceeding. To encourage joint presentations and to avoid repetition, additional time may be provided for persons whose presentations represent the views of other individuals as well as their own views.
- E. Persons making presentations are encouraged to avoid restating matters that have already been submitted in writing. Written materials may be submitted at the oral proceeding.
- F. Where time permits and to facilitate the exchange of information, the presiding officer may open the floor to questions or general discussion. The presiding officer may question participants and permit the questioning of participants by other participants about any matter relating to that rule-making proceeding, including any prior written submissions made by those participants in that proceeding. No participant shall be required to answer any question.

Physical and documentary submissions presented by participants in an oral proceeding shall be submitted to the presiding officer. Such submissions become the property of the SLDS Governing Board, part of the rulemaking record, and are subject to the SLDS Governing Board public records request procedure. The SLDS Governing Board may record oral proceedings by stenographic or electronic means.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 12: DECLARATORY OPINIONS

Introduction. These rules and regulations govern the form, content, and filing of requests for declaratory opinion, the procedural rights of persons in relation to the written requests, and the SLDS Governing Board's procedures regarding the disposition of requests as required by Miss. Code Ann. §25-43-2.103.

Rule 12.1 Declaratory Opinions. The SLDS Governing Board will issue declaratory opinions regarding the applicability to specified facts of:

- A. A statute administered or enforceable by the SLDS Governing Board;
- B. A rule or regulation promulgated by the SLDS Governing Board; or,
- C. An order issued by the SLDS Governing Board.

A request must be limited to a single transaction or occurrence.

When a person with substantial interest, as required by Miss. Code Annotated §25-43-2.103, requests a declaratory opinion, the requestor must submit a printed, typewritten, or legibly handwritten request.

- A. Each request must be submitted on 8-1/2" x 11" white paper.
- B. The request may be in the form of a letter addressed to the Chair of the SLDS Governing Board or in the form of a pleading as if filed with a court.
- C. Each request must include the full name, telephone numbers, and mailing address of the requestor(s).
- D. All requests shall be signed by the person filing the request, unless represented by an attorney, in which case the attorney may sign the request.
- E. Each request must clearly state that it is a request for a declaratory opinion.

Any party who signs the request shall attest that the request complies with the requirements set forth in these rules, including but not limited to a full, complete, and accurate statement of relevant facts and that there are no related proceedings pending before any agency, administrative, or judicial tribunal.

Each request must contain the following:

- A. A clear identification of the statute, rule, regulation, or order at issue;
- B. The question for the declaratory opinion;

- C. A clear and concise statement of all facts relevant to the question presented;
- D. The identity of all other known persons involved in or impacted by the facts giving rise to the request including their relationship to the facts, and their name, mailing address, and telephone number; and,
- E. A statement sufficient to show that the requestor has a substantial interest in the subject matter of the request.

The SLDS Governing Board may, for good cause, refuse to issue a declaratory opinion. The circumstances in which declaratory opinions will not be issued include, but are not necessarily limited to the following:

- A. The matter is outside the primary jurisdiction of the SLDS Governing Board;
- B. There is a lack of clarity concerning the question presented;
- C. There is pending or anticipated litigation, administrative action or anticipated administrative action, or other adjudication which may either answer the question presented by the request or otherwise make an answer unnecessary;
- D. The statute, rule, or order on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented by the request;
- E. The facts presented in the request are not sufficient to answer the question presented;
- F. The request fails to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules;
- G. The request seeks to resolve issues which have become moot or are abstract or hypothetical such that the requestor is not substantially affected by the rule, statute, or order on which a declaratory opinion is sought;
- H. No controversy exists or is certain to arise which raises a question concerning the application of the statute, rule, or order;
- I. The question presented by the request concerns the legal validity of a statute, rule, or order;
- J. The request is not based upon facts calculated to aid in the planning of future conduct, but is, instead, based on past conduct in an effort to establish the effect of that conduct;
- K. No clear answer is determinable;

- L. The question presented by the request involves the application of a criminal statute or sets forth facts which may constitute a crime;
- M. The answer to the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure;
- N. The question is currently the subject of an Attorney General's opinion request;
- O. The question has been answered by an Attorney General's opinion;
- P. One or more requestors have standing to seek an Attorney General's opinion on the proffered question;
- Q. A similar request is pending before this agency, or any other agency, or a proceeding is pending on the same subject matter before any agency, administrative or judicial tribunal, or where such an opinion would constitute the unauthorized practice of law; or,
- R. The question involves eligibility for a license, permit, certificate, or other approval by the SLDS Governing Board or some other agency and there is a statutory or regulatory application process by which eligibility for said license, permit, or certificate or other approval may be determined.

Within forty-five (45) days after the receipt of a request for a declaratory opinion which complies with the requirements of these rules, the SLDS Governing Board shall, in writing:

- A. Issue an opinion declaring the applicability of the statute, rule, or order to the specified circumstances;
- B. Agree to issue a declaratory opinion by a specified time but no later than ninety (90) days after receipt of the written request; or,
- C. Decline to issue a declaratory opinion, stating the reasons for its action.

The forty-five (45) day period shall begin on the first business day after which the request is received by the SLDS Governing Board.

Declaratory opinions and requests for declaratory opinions shall be available for public inspection and copying at the expense of the viewer during normal business hours. All declaratory opinion and requests shall be indexed by name, subject, and date of issue. Declaratory opinions and requests which contain information which is confidential or exempt from disclosure under the Mississippi Public Records Act or other laws shall be exempt from this requirement and shall remain confidential.

Source: Miss. Code Ann. §37-154-3

Part 501 Chapter 13: REVIEW AND AUDIT

Rule 13.1 Review and Audit. These rules and regulations shall be subject to review by an SLDS Governing Board committee on annual basis as set forth by the SLDS Governing Board Chair. The SLDS Governing Board committee shall prepare a report including recommendations for any actions to be considered by the convened governing board.

Source: Miss. Code Ann. §37-154-3

Appendix C: Local Workforce Development Area Designation Policy. WIOA Policy #1

MISSISSIPPI
Policy Number 1
LOCAL WORKFORCE DEVELOPMENT AREA DESIGNATION POLICY
Workforce Innovation and Opportunity Act
Office of Grant Management

I. SCOPE AND PURPOSE

Section 106 of the Workforce Innovation and Opportunity Act (WIOA) requires the Governor to designate Local Workforce Development Areas within the state through consultation with the State Workforce Development Board and after consultation with the chief elected officials and comments from the general public as described in Section 102(b)(2)(E)(ii)(II). For the purposes of this policy, the term “Governor” shall mean the Governor or his designee.

The purpose of this policy is to provide guidance regarding the initial and subsequent designation of Local Workforce Development Areas in Mississippi.

II. REQUIREMENTS

WIOA provides for three types of local workforce development area designation: Initial Designation, Subsequent Designation, and Designation on Recommendation of the State Board. The Governor *shall* approve requests for initial and subsequent designation submitted by chief elected officials, provided the area under consideration meets the applicable eligibility criteria. Under the third designation type, the Governor *may* approve such requests from any unit of general local government on recommendation from the State Workforce Development Board.

A. Initial Designation [Section 106(b)(2)]:

During the first two (2) full program years following the date of enactment of the Act, July 22, 2014, the Governor *shall* approve a request for initial designation as a local area from any area that (a) was designated as a local area for purposes of the Workforce Investment Act of 1998 for the two-year period preceding the date of enactment of this Act, (b) has performed successfully, and (c) sustained fiscal integrity.

1. “The term “performed successfully,” used with respect to a local area, means the local area met or exceeded the adjusted levels of performance for primary indicators of performance described in section 116(b)(2)(A) (or, if applicable, core indicators of performance described in section 136(b)(2)(A) of the Workforce Investment Act of 1998, as in effect the day before the date of enactment of this Act) for each of the last 2 consecutive years for which data are available preceding the determination of performance under this paragraph.” *(The local area has achieved at least 80 percent of their local performance goal on each performance*

measure for Program Year 2012 and Program Year 2013 as stated in Section 106(e)(1) of the WIOA.)

2. "The term "sustained fiscal integrity," per Section 106(e)(2) is used with respect to a local area, means that the Secretary has not made a formal determination, during either of the last two (2) consecutive years preceding the determination regarding such integrity, that either the grant recipient or the administrative entity of the area misexpended funds provided under subtitle B (or, if applicable, Title I of the Workforce Investment Act of 1998 as in effect prior to the effective date of such subtitle B) due to willful disregard of the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration."

B. Subsequent Designation [Section 106(b)(3)]:

After the two full program years initial designation period, the Governor *shall* approve a request for subsequent designation from such local area, if such area –

1. performed successfully;
2. sustained fiscal integrity;
3. and in the case of a local area in a planning region, met the requirements described at Section 106(c)(1).

C. Governor Not Prohibited:

If justification exists to explain why a local area(s) did not meet or exceed the adjusted levels of performance under the Initial or Subsequent Designation clauses, the Governor *may* approve such local area designation.

Nothing in the requirements to approve certain initial or subsequent designations of local areas shall be construed as prohibiting the Governor from approving such areas as may be recommended by the State board or the chief elected officials and which conform to the majority but not all of the requirements.

D. Designation on Recommendation of State Board and Approval of Governor [Section 106(b)(1)]:

The Governor *may* approve a request for a local area designation from any unit of general local government or combination of such units if the State Board determines that such area should be so designated. In making the designation of local areas, the Governor must give considerations consisting of the extent to which the areas:

1. are consistent with labor market areas in the State;
2. are consistent with regional economic development areas in the State; and

3. have available the Federal and non-Federal resources necessary to effectively administer activities under subtitle B and other applicable provisions of WIOA, including whether the areas have the appropriate education and training providers such as institutions of higher education and area career and technical education schools.

E. Regions [Section 106(a)]:

Before the second full program year after the date of enactment of the Act, in order for a State to receive an allotment under Section 127(b) or 132(b) and as part of the process for developing the State Plan, a State *shall* identify regions in the State after consultation with the local boards and chief elected officials in the local areas and consistent with the considerations described in Section 106(b)(1)(B). The State *shall* also identify regions consistent with the requirements of Section 106 (a)(2).

F. State Appeals Process [Section 106(b)(5)]:

If an existing local workforce area under the WIA requests but is not granted designation as a local workforce development area under WIOA Section 106(b)(2) or Section 106(b)(3), the unit (or combination of units) of general local government or grant recipient may submit an appeal to the State Board under an appeal process established in the State Plan.

The written appeal must explain the appellant's opinion that the denial is contrary to the designation provisions of WIOA Section 106(b)(2) or 106(b)(3). Entities may not appeal a denial if their designation request does not meet the requirements of Section 106(b)(2) or 106(b)(3). The State Workforce Board will issue a determination within thirty (30) days of receipt of an appeal.

If the appeal to the State Board does not result in designation, the appellant, if appealing an initial designation under WIOA Section 106(b)(2) or subsequent designation under Section 106(b)(3), may request review by the Secretary of Labor. An appeal to the Secretary must be submitted by the appellant or grant recipient no later than 30 days after receipt of written notification from the State Board that the appeal has been denied. Appeals must be submitted by certified mail, return receipt requested, to the Secretary, U.S. Department of Labor, Washington, DC 20210, Attention: Assistant Secretary, Employment and Training Administration. A copy of the appeal must be simultaneously provided to the State Board.

If the Secretary determines that the appellant was not accorded procedural rights under the appeal process established under the above section, or that the area meets the requirements for initial or subsequent designation in WIOA Section 106(b)(2) or 106(b)(3), the Secretary may require that the area be designated as a workforce development area. The Secretary must issue a written decision to the Governor.

III. EFFECTIVE DATE

This policy shall be effective immediately upon signature.



Director
Office of Grant Management



Date

Appendix D: State and Regional Economic Analysis

Current Industry Structure, 2022

Table D1: Current Wholesale/Retail Trade Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
General Merchandise Retailers	36,153	20.7	\$26,721	1,214
Merchant Wholesalers, Durable Goods	19,328	11.1	\$74,277	2,839
Motor Vehicle and Parts Dealers	18,765	10.7	\$55,131	1,562
Food and Beverage Stores	18,725	10.7	\$23,722	1,136
Gasoline Stations and Fuel Dealers	15,277	8.7	\$24,195	2,290
Building Material and Garden Equipment and Supplies Dealers	14,354	8.2	\$36,139	888
Merchant Wholesalers, Nondurable Goods	14,199	8.1	\$63,878	1,532
Sporting Goods, Hobby, Musical Instrument, Book, and Miscellaneous Retailers	10,515	6.0	\$26,413	1,444
Health and Personal Care Retailers	10,313	5.9	\$40,408	1,151
Clothing, Clothing Accessories, Shoe, and Jewelry Retailers	9,629	5.5	\$22,702	1,294
Furniture, Home Furnishings, Electronics, and Appliance Retailers	5,766	3.3	\$38,399	753
Wholesale Electronic Markets and Agents and Brokers	1,660	1.0	\$87,322	690
Total	174,684	100.0	\$39,816	16,793

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Table D2: Current Manufacturing Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
Transportation Equipment	28,428	19.1	\$68,132	143
Food	23,893	16.1	\$42,503	228
Furniture and Related Products	16,802	11.3	\$39,985	198
Machinery	14,820	10.0	\$53,566	159
Fabricated Metal Product	10,238	6.9	\$56,361	357
Wood Product	9,396	6.3	\$56,944	244
Plastics and Rubber Products	8,758	5.9	\$54,570	119
Electrical Equipment and Appliances	6,073	4.1	\$54,803	40
Chemical Manufacturing	5,995	4.0	\$76,432	150
Primary Metal	4,210	2.8	\$81,235	38
Paper	4,194	2.8	\$73,366	57
Nonmetallic Mineral Product	3,125	2.1	\$58,407	168
Miscellaneous	2,498	1.7	\$48,088	158
Petroleum and Coal Products	2,471	1.7	\$141,623	34
Computer and Electronic Product	2,291	1.5	\$66,688	31
Apparel	1,345	0.9	\$41,716	26
Printing and Related Support Activities	1,158	0.8	\$43,296	175
Textile Mills	1,145	0.8	\$60,527	18
Textile Product Mills	826	0.6	\$34,955	42
Beverage and Tobacco Product	810	0.5	\$63,283	36
Leather and Allied Product	229	0.2	\$51,060	3
Total	148,705	100.0	\$57,305	2,424

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Table D3: Current Leisure and Hospitality Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
Food Services and Drinking Places	98,079	72.5	\$18,579	5,497
Accommodation	26,899	19.9	\$31,958	907
Amusement, Gambling, and Recreation Industries	8,424	6.2	\$20,430	618
Performing Arts, Spectator Sports, and Related Industries	1,055	0.8	\$36,746	155
Museums, Historical Sites, and Similar Institutions	832	0.6	\$36,480	75
Total	135,289	100.0	\$21,606	7,252

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Table D4: Current Healthcare and Social Assistance Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
Hospitals	59,484	33.6	\$61,457	183
Ambulatory Health Care Services	57,688	32.5	\$66,343	5,446
Social Assistance	33,257	18.8	\$25,112	2,154
Nursing and Residential Care Facilities	26,801	15.1	\$34,891	478
Total	177,230	100.0	\$52,210	8,261

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Table D5: Current Natural Resources and Mining Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
Crop Production	3,061	21.3	\$34,687	638
Forestry and Logging	2,860	19.9	\$47,798	444
Animal Production and Aquaculture	2,462	17.1	\$53,314	191
Support Activities for Agriculture and Forestry	2,410	16.7	\$48,037	375
Support Activities for Mining	2,018	14.0	\$82,876	289
Mining (except Oil and Gas)	899	6.2	\$69,267	54
Oil and Gas Extraction	399	2.8	\$126,444	50
Fishing, Hunting and Trapping	284	2.0	\$74,184	27
Total	14,393	100.0	\$54,953	2,068

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Current Occupations, 2022

Table D6: Top 10 Occupations in the Wholesale/Retail Trade Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Retail Salespersons	33,727	19.3	\$8.56	\$12.45	\$19.02
Cashiers	28,329	16.2	\$8.36	\$10.17	\$13.38
Stockers and Order Fillers	14,856	8.5	\$10.37	\$14.44	\$22.77
First-Line Supervisors of Retail Sales Workers	12,046	6.9	\$10.97	\$17.75	\$30.53
Laborers and Freight, Stock, and Material Movers, Hand	6,481	3.7	\$11.48	\$14.64	\$19.71
Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products	6,110	3.5	\$13.50	\$24.53	\$52.75
General and Operations Managers	5,311	3.0	\$15.27	\$32.65	\$77.78
Customer Service Representatives	4,303	2.5	\$11.49	\$14.76	\$21.95
Light Truck Drivers	3,923	2.2	\$10.31	\$17.92	\$35.06
Automotive Service Technicians and Mechanics	3,553	2.0	\$11.48	\$17.94	\$34.11
Total	118,639	67.8	\$9.95	\$14.77	\$24.81

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Wholesale/Retail Trade jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Table D7: Top 10 Occupations in the Manufacturing Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Miscellaneous Assemblers and Fabricators	13,554	9.1	\$11.29	\$17.07	\$26.86
Laborers and Freight, Stock, and Material Movers, Hand	8,775	5.9	\$11.48	\$14.64	\$19.71
Meat, Poultry, and Fish Cutters and Trimmers	6,961	4.7	\$10.87	\$17.94	\$19.38
First-Line Supervisors of Production and Operating Workers	5,631	3.8	\$15.95	\$28.85	\$48.76
Welders, Cutters, Solderers, and Brazers	5,170	3.5	\$15.86	\$23.50	\$30.49
Inspectors, Testers, Sorters, Samplers, and Weighers	4,072	2.7	\$12.37	\$17.62	\$28.49
Industrial Machinery Mechanics	3,443	2.3	\$17.95	\$25.45	\$39.76
Helpers--Production Workers	2,919	2.0	\$10.60	\$14.27	\$19.72
Industrial Truck and Tractor Operators	2,786	1.9	\$13.70	\$17.59	\$24.18
Maintenance and Repair Workers, General	2,597	1.7	\$11.08	\$17.44	\$27.95
Total	55,908	37.6	\$12.72	\$19.03	\$27.81

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Manufacturing jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Table D8: Top 10 Occupations in the Leisure and Hospitality Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Fast Food and Counter Workers	17,871	13.2	\$8.35	\$10.02	\$12.75
Waiters and Waitresses	17,112	12.6	\$7.42	\$8.79	\$15.37
Cooks, Fast Food	13,982	10.3	\$8.41	\$10.12	\$13.31
Cashiers	10,728	7.9	\$8.36	\$10.17	\$13.38
Cooks, Restaurant	9,688	7.2	\$9.05	\$13.14	\$16.30
First-Line Supervisors of Food Preparation and Serving Workers	9,159	6.8	\$10.00	\$13.86	\$22.58
Food Preparation Workers	5,889	4.4	\$8.89	\$10.57	\$15.23
Maids and Housekeeping Cleaners	4,360	3.2	\$8.34	\$10.47	\$13.75
Hosts and Hostesses, Restaurant, Lounge, and Coffee Shop	3,353	2.5	\$8.00	\$10.15	\$12.77
Hotel, Motel, and Resort Desk Clerks	2,928	2.2	\$8.30	\$10.40	\$13.02
Total	95,070	70.3	\$8.44	\$10.59	\$14.89

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Leisure and Hospitality jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Table D9: Top 10 Occupations in the Healthcare and Social Assistance Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Registered Nurses	26,701	15.1	\$24.03	\$30.45	\$40.40
Home Health and Personal Care Aides	20,645	11.7	\$9.00	\$10.52	\$13.67
Nursing Assistants	13,121	7.4	\$10.00	\$13.19	\$16.40
Licensed Practical and Licensed Vocational Nurses	9,370	5.3	\$17.43	\$21.99	\$26.82
Childcare Workers	4,712	2.7	\$8.32	\$9.83	\$13.15
Receptionists and Information Clerks	4,386	2.5	\$9.94	\$13.91	\$17.85
Medical Assistants	3,989	2.3	\$11.29	\$14.87	\$19.90
Nurse Practitioners	3,639	2.1	\$41.17	\$52.37	\$73.57
Clinical Laboratory Technologists and Technicians	3,368	1.9	\$12.88	\$19.26	\$31.73
Office Clerks, General	3,222	1.8	\$9.06	\$14.68	\$23.36
Total	93,153	52.8	\$15.80	\$20.17	\$26.80

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Healthcare and Social Assistance jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Table D10: Top 10 Occupations in the Natural Resources and Mining Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Farmworkers and Laborers, Crop, Nursery, and Greenhouse	1,901	13.2	\$8.40	\$16.50	\$21.63
Farmers, Ranchers, and Other Agricultural Managers	1,549	10.7	\$14.79	\$15.07	\$29.06
Farmworkers, Farm, Ranch, and Aquacultural Animals	1,247	8.7	\$9.58	\$17.92	\$25.73
Logging Equipment Operators	1,231	8.5	\$10.00	\$18.75	\$28.31
Heavy and Tractor-Trailer Truck Drivers	846	5.9	\$14.34	\$22.99	\$37.37
Roustabouts, Oil and Gas	435	3.0	\$14.85	\$19.00	\$24.72
Animal Trainers	348	2.4	\$8.64	\$10.47	\$16.21
First-Line Supervisors of Farming, Fishing, and Forestry Workers	314	2.2	\$14.23	\$23.78	\$47.31
Bookkeeping, Accounting, and Auditing Clerks	286	2.0	\$11.87	\$18.03	\$27.55
First-Line Supervisors of Construction Trades and Extraction Workers	275	1.9	\$18.20	\$29.06	\$45.09
Total	8,432	58.5	\$11.58	\$18.04	\$28.01

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Natural Resources and Mining jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

New and Emerging Sectors, 2022

Table D11: Current Advanced Manufacturing Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
Transportation Equipment	28,428	31.6	\$68,132	143
Furniture and Related Product	16,802	18.7	\$39,985	198
Machinery	14,820	16.5	\$53,566	159
Plastics and Rubber Products	8,758	9.7	\$54,570	119
Electrical Equipment, Appliance, and Components	6,073	6.8	\$54,803	40
Chemical	5,995	6.7	\$76,432	150
Primary Metal	4,210	4.7	\$81,235	38
Petroleum and Coal Products	2,471	2.8	\$141,623	34
Computer and Electronic Products	2,291	2.5	\$66,688	31
Total	89,848	100.0	\$61,395	912

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Table D12: Current Healthcare Support Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
General Warehousing and Storage	21,527	81.0	\$45,069	230
Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers	2,086	7.9	\$95,712	389
Pharmaceutical Preparation Manufacturing	1,061	4.0	\$60,185	22
Drugs and Druggists Sundries Merchant Wholesalers	1,044	3.9	\$148,378	291
Surgical and Medical Instrument Manufacturing	350	1.3	\$57,860	4
Surgical Appliance and Supplies Manufacturing	206	0.8	\$61,824	18
Dental Laboratories	166	0.6	\$45,776	29
Ophthalmic Goods Manufacturing	132	0.5	\$52,481	2
Total	26,572	100.0	\$54,047	985

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

Table D13: Current Tourism Industry Structure

Industry	Employment	Percent	Average Annual Wages	Establishment
Food Services and Drinking Places	98,079	48.5	\$18,579	5,497
Administrative and Support Services	66,739	33.0	\$33,331	4,930
Accommodation	26,899	13.3	\$31,958	907
Amusement, Gambling, and Recreation Industries	8,424	4.2	\$20,430	618
Performing Arts, Spectator Sports, and Related Industries	1,055	0.5	\$36,746	155
Motion Picture and Sound Recording Industries	906	0.4	\$29,507	109
Total	202,102	100.0	\$25,452	12,216

Source: U.S. Bureau of Labor Statistics, QCEW 2022 Annual Averages; Mississippi Department of Employment Security, 2023.

New and Emerging Occupations, 2022

Table D14: Top 10 Occupations in the Advanced Manufacturing Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Miscellaneous Assemblers and Fabricators	11,441	12.7	\$11.29	\$17.07	\$26.86
Welders, Cutters, Solderers, and Brazers	4,210	4.7	\$15.86	\$23.50	\$30.49
First-Line Supervisors of Production and Operating Workers	3,502	3.9	\$15.95	\$28.85	\$48.76
Laborers and Freight, Stock, and Material Movers, Hand	3,058	3.4	\$11.48	\$14.64	\$19.71
Inspectors, Testers, Sorters, Samplers, and Weighers	2,699	3.0	\$12.37	\$17.62	\$28.49
Upholsterers	2,285	2.5	\$12.19	\$18.00	\$22.95
Electricians	1,852	2.1	\$17.20	\$26.27	\$33.36
Engine and Other Machine Assemblers	1,820	2.0	\$14.17	\$17.04	\$22.08
Industrial Machinery Mechanics	1,808	2.0	\$17.95	\$25.45	\$39.76
Machinists	1,749	1.9	\$13.82	\$19.50	\$30.16
Total	34,424	38.2	\$13.43	\$20.00	\$29.71

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Advanced Manufacturing jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Table D15: Top 10 Occupations in the Healthcare Support Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Stockers and Order Fillers	5,107	19.2	\$10.37	\$14.44	\$22.77
Laborers and Freight, Stock, and Material Movers, Hand	4,151	15.6	\$11.48	\$14.64	\$19.71
Industrial Truck and Tractor Operators	4,073	15.3	\$13.70	\$17.59	\$24.18
Shipping, Receiving, and Inventory Clerks	1,787	6.7	\$12.71	\$17.12	\$23.41
First-Line Supervisors of Transportation and Material Moving Workers, Except Aircraft Cargo Handling Supervisors	1,069	4.0	\$16.12	\$24.80	\$39.25
Heavy and Tractor-Trailer Truck Drivers	838	3.2	\$14.34	\$22.99	\$37.37
Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products	579	2.2	\$13.50	\$24.53	\$52.75
First-Line Supervisors of Office and Administrative Support Workers	486	1.8	\$14.68	\$22.45	\$38.37
General and Operations Managers	429	1.6	\$15.27	\$32.65	\$77.78
Maintenance and Repair Workers, General	381	1.4	\$11.08	\$17.44	\$27.95
Total	18,900	71.0	\$12.39	\$17.37	\$26.71

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Healthcare Support jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Table D16: Top 10 Occupations in the Tourism Industry

Occupation	Employment	Percent*	Hourly Wage		
			PCT10**	Median	PCT90***
Fast Food and Counter Workers	18,190	9.0	\$8.35	\$10.02	\$12.75
Waiters and Waitresses	17,114	8.5	\$7.42	\$8.79	\$15.37
Cooks, Fast Food	13,983	6.9	\$8.41	\$10.12	\$13.31
Cashiers	10,875	5.4	\$8.36	\$10.17	\$13.38
Cooks, Restaurant	9,692	4.8	\$9.05	\$13.14	\$16.30
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	9,625	4.8	\$8.87	\$11.54	\$16.31
First-Line Supervisors of Food Preparation and Serving Workers	9,216	4.6	\$10.00	\$13.86	\$22.58
Security Guards	7,830	3.9	\$8.99	\$12.01	\$19.26
Customer Service Representatives	6,173	3.1	\$11.49	\$14.76	\$21.95
Food Preparation Workers	5,920	2.9	\$8.89	\$10.57	\$15.23
Total	108,618	53.9	\$8.71	\$11.04	\$15.89

Source: U.S. Bureau of Labor Statistics, OEWS 2022 Data; Mississippi Department of Employment Security, 2023.

*Percent of all Tourism jobs. ** Hourly 10th percentile wage. *** Hourly 90th percentile wage.

Appendix E: Characteristics of Individuals with Employment Barriers

Table E1: Demographic and Economic Characteristics of People with Disabilities

Statewide		
	Number	Percent
Total Disabled Population	487,068	-
Total Age 18-64	262,580	-
RACE (All Ages)		
White	176,985	36.3
Black	292,805	60.1
American Indian	2,128	0.4
Other	15,150	3.1
GENDER (Ages 18-64)		
Female	134,950	51.4
Male	127,630	48.6
AGE (Ages 18-64)		
18-34	57,318	21.8
35-64	205,262	78.2
EDUCATION (Ages 25+)		
Less than High School Graduate	102,617	23.9
High School Diploma/GED	146,412	34.1
Some College/Associate Degree	180,331	42
ECONOMIC CHARACTERISTICS		
Employment Rate	-	88.8
Median Earnings	-	\$23,501
TYPE OF DISABILITY* (Ages 18-64)		
Hearing Difficulty	45,248	17.2
Vision Difficulty	63,634	24.2
Cognitive Difficulty	75,851	28.9
Ambulatory Difficulty	125,190	47.7
Self-care Difficulty	39,860	15.2
Independent Living Difficulty	77,721	29.6

Source: U.S. Census Bureau, American Community Survey, 2015-2019 5-Year Estimates.

Note: May not total to 100 percent due to rounding. * Individuals may have more than one type of disability, so these numbers and percentages, when added, may be greater than the total number of individuals and 100 percent, respectively.

Table E2: Characteristics of Temporary Assistance for Needy Family (TANF) Program Work-Eligible Recipients

Statewide		
	Number	Percent
Total TANF Recipients	5,340	-
Total Ages 18-64	558	-
RACE (Ages 18-64)		
Black	506	90.7
White	41	7.3
American Indian	<10	-
Others	<10	-
GENDER (Ages 18-64)		
Female	539	96.6
Male	19	3.4
AGE (Ages 18-64)		
18 - 25	158	28.3
26 - 35	312	55.9
36 - 45	70	12.5
46 - 64	18	3.2
EDUCATION (Ages 18-64)		
Less than High School Graduate	167	29.9
High School Diploma/GED	55	9.9
Some College	266	47.7
Not Available	70	12.5
ECONOMIC CHARACTERISTICS (Ages 18-64)		
Employment Rate for the cohort 2023*	-	74.4
Median Earnings for the cohort 2023*	-	\$17,313
Employment Rate One Year After Exit for the cohort 2022*	-	79.4
Average Earnings One Year After Exit for the cohort 2022*	-	\$15,725

Source: Mississippi Department of Human Services, Temporary Assistance for Needy Families, 2023; Mississippi Department of Employment Security, 2023.

Note: May not total to 100 percent due to rounding.

*: This data is preliminary, which may be revised.

Table E3: Characteristics of Supplemental Nutrition Assistance Program (SNAP) Recipients

Statewide		
	Number	Percent
Total SNAP Recipients	570,637	-
Total Ages 18-64	218,532	-
RACE (Ages 18-64)		
Black	132,318	60.5
White	80,608	36.9
American Indian	1,182	0.5
Other	4,424	2
GENDER (Ages 18-64)		
Female	140,161	64.1
Male	78,371	35.9
AGE (Ages 18-64)		
18 - 25	35,074	16
26 - 35	44,467	20.3
36 - 45	50,638	23.2
46 - 64	88,353	40.4
EDUCATION (Ages 18-64)		
Less than High School Graduate	37,608	17.2
High School Diploma/GED	17,863	8.2
Some College	55,700	25.5
Not Available	107,361	49.1
ECONOMIC CHARACTERISTICS (Ages 18-64)		
Employment Rate for the cohort 2023*	-	42.7
Median Earnings for the cohort 2023*	-	\$21,784
Employment Rate One Year After Exit for the cohort 2022*	-	59.7
Average Earnings One Year After Exit for the cohort 2022*	-	\$22,397

Source: Mississippi Department of Human Services, 2023; Mississippi Department of Employment Security, 2023.

Note: May not total to 100 percent due to rounding

*: This data is preliminary, which may be revised.

Table E4: Characteristics of Ex-Offenders

Statewide		
	Number	Percent
Total Ex-Offenders	5,818	-
Total Ages 18-64	5,674	-
RACE (Ages 18-64)		
Black	2,822	49.7
White	2,773	48.9
American Indian	12	0.2
Other	67	1.2
GENDER (Ages 18-64)		
Female	752	13.3
Male	4,922	86.7
AGE (Ages 18-64)		
18 - 25	472	8.3
26 - 35	1,938	34.2
36 - 45	1,888	33.3
46 - 64	1,376	24.3
EDUCATION (Ages 18-64)		
Less than High School Graduate	2,140	37.7
High School Diploma/GED	454	8
Some College	758	13.4
Not Available	2,322	40.9
ECONOMIC CHARACTERISTICS (Ages 18-64)		
Employment Rate for the cohort 2023*	-	23.1
Median Earnings for the cohort 2023*	-	\$21,853

Source: Mississippi Department of Corrections, 2023; Mississippi Department of Employment Security, 2023.

Note: May not total to 100 percent due to rounding.

*: This data is preliminary, which may be revised.

Appendix F: Labor Market Trends

Table F1: Top 20 Occupations in Advanced Manufacturing Industry with the Highest Job Growth

Occupation	10-Year Projected Openings	Job Openings in FY2023
Miscellaneous Assemblers and Fabricators	611	<10
Welders, Cutters, Solderers, and Brazers	229	951
Laborers and Freight, Stock, and Material Movers, Hand	215	822
First-Line Supervisors of Production and Operating Workers	167	530
Inspectors, Testers, Sorters, Samplers, and Weighers	115	212
Electricians	106	154
Electrical, Electronic, and Electromechanical Assemblers, Except Coil Winders, Tapers, and Finishers	96	91
Upholsterers	91	367
Machinists	85	349
Sewing Machine Operators	81	110
Industrial Machinery Mechanics	79	129
Shipping, Receiving, and Inventory Clerks	75	294
Packaging and Filling Machine Operators and Tenders	72	216
Engine and Other Machine Assemblers	70	130
Helpers--Production Workers	66	750
Production, Planning, and Expediting Clerks	66	96
Maintenance and Repair Workers, General	57	321
Plumbers, Pipefitters, and Steamfitters	56	536
Coating, Painting, and Spraying Machine Setters, Operators, and Tenders	52	<10
Industrial Engineers	51	348
Total	2,440	6,406

Sources: Mississippi Department of Employment Security, 2023; Mississippi Works, Job Openings in FY2023.

Table F2: Top 20 Occupations in Healthcare Support Industry with the Highest Job Growth

Occupation	10-Year Projected Openings	Job Openings in FY2023
Laborers and Freight, Stock, and Material Movers, Hand	514	14
Stockers and Order Fillers	466	<10
Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products	290	21
Industrial Truck and Tractor Operators	230	55
Heavy and Tractor-Trailer Truck Drivers	146	<10
Light Truck Drivers	121	<10
Shipping, Receiving, and Inventory Clerks	119	17
Miscellaneous Assemblers and Fabricators	95	<10
First-Line Supervisors of Transportation and Material Moving Workers, Except Aircraft Cargo Handling Supervisors	94	<10
General and Operations Managers	82	85
Office Clerks, General	72	<10
Bookkeeping, Accounting, and Auditing Clerks	65	<10
First-Line Supervisors of Non-Retail Sales Workers	62	18
Customer Service Representatives	61	14
Driver/Sales Workers	56	<10
First-Line Supervisors of Production and Operating Workers	49	48
Computer Numerically Controlled Tool Operators	44	<10
Maintenance and Repair Workers, General	42	33
Secretaries and Administrative Assistants, Except Legal, Medical, and Executive	42	<10
Chemical Equipment Operators and Tenders	41	<10
Total	2,691	315

Sources: Mississippi Department of Employment Security, 2023; Mississippi Works, Job Openings in FY2023.

Table F3: Top 20 Occupations in Tourism Industry with the Highest Job Growth

Occupation	10-Year Projected Openings	Job Openings in FY2023
Fast Food and Counter Workers	2,161	<10
Waiters and Waitresses	1,897	568
Cooks, Fast Food	1,031	262
Cooks, Restaurant	974	877
Cashiers	921	666
First-Line Supervisors of Food Preparation and Serving Workers	832	1,013
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	757	1,134
Security Guards	590	902
Food Preparation Workers	567	578
Hosts and Hostesses, Restaurant, Lounge, and Coffee Shop	459	259
Maids and Housekeeping Cleaners	413	798
Laborers and Freight, Stock, and Material Movers, Hand	396	678
Customer Service Representatives	382	2,410
Landscaping and Groundskeeping Workers	332	899
Hotel, Motel, and Resort Desk Clerks	276	201
Bartenders	269	167
Food Servers, Non-restaurant	248	300
Gambling Dealers	242	126
Dining Room and Cafeteria Attendants and Bartender Helpers	194	92
Miscellaneous Assemblers and Fabricators	190	<10
Total	13,131	11,930

Sources: Mississippi Department of Employment Security, 2023; Mississippi Works, Job Openings in FY2023.

Table F4: Job Growth in Well-Established Industries

Occupation	10-Year Projected Openings
Wholesale/Retail Trade	
Building Material and Garden Equipment and Supplies Dealers	981
Clothing, Clothing Accessories, Shoe, and Jewelry Retailers	626
Food and Beverage Stores	1,482
Health and Personal Care Retailers	586
Merchant Wholesalers, Durable Goods	1,010
Motor Vehicle and Parts Dealers	1,106
Sporting Goods, Hobby, Musical Instrument, Book, and Miscellaneous Retailers	791
Wholesale Electronic Markets and Agents and Brokers	113
Finance	
Funds, Trusts, and Other Financial Vehicles	<10
Real Estate	446
Rental and Leasing Services	216
Securities, Commodity Contracts, and Other Financial Investments and Related Activities	57
Non-Advanced Manufacturing	
Fabricated Metal Product Manufacturing	521
Nonmetallic Mineral Product Manufacturing	172
Textile Mills	50
Transportation and Warehousing	
Couriers and Messengers	483
Support Activities for Transportation	251
Transit and Ground Passenger Transportation	110
Truck Transportation	1,177
Warehousing and Storage	1,119
Water Transportation	47
Natural Resources	
Crop Production	367
Forestry and Logging	214
Mining (except Oil and Gas)	39
Healthcare	
Ambulatory Health Care Services	2,583
Hospitals	2,728
Nursing and Residential Care Facilities	1,519
Social Assistance	2,124
Education Services	
Education Services	6,025
Total	26,946

Sources: Mississippi Department of Employment Security, 2023.

Table F5: Top 20 Occupations in Well-Established Industries with the Highest Job Growth

Occupation	10-Year Projected Openings	Job Openings in FY2023
Retail Salespersons	1,799	1,284
Home Health and Personal Care Aides	1,489	<10
Heavy and Tractor-Trailer Truck Drivers	997	1,345
Cashiers	977	4,213
Laborers and Freight, Stock, and Material Movers, Hand	910	647
Nursing Assistants	857	<10
Registered Nurses	842	4,779
Stockers and Order Fillers	827	<10
Teaching Assistants, Except Postsecondary	545	<10
Passenger Vehicle Drivers, Except Bus Drivers, Transit & Intercity	532	<10
Elementary School Teachers, Except Special Education	506	16
Cooks, Institution and Cafeteria	485	294
Childcare Workers	476	293
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	441	311
Office Clerks, General	422	208
First-Line Supervisors of Retail Sales Workers	421	809
Light Truck Drivers	420	446
Secretaries and Administrative Assistants, Except Legal, Medical, and Executive	413	131
Licensed Practical and Licensed Vocational Nurses	390	1,431
Secondary School Teachers, Except Special and Career/Technical Education	359	<10
Total	14,108	16,216

Sources: Mississippi Department of Employment Security, 2023; Mississippi Works, Job Openings in FY2023.

Appendix G: Performance Goals for Core Programs

	Program Year:		Program Year:	
	Negotiated Level	Expected Level	Negotiated Level	Expected Level
Employment (Second Quarter after Exit)	81	75	82	76
Employment (Fourth Quarter after Exit)	75	72	77	74
Median Earnings (Second Quarter after Exit)	5600	5200	5800	5300
Credential Attainment Rate	52	48	54	50
Measurable Skill Gains	Baseline	Baseline	Baseline	Baseline

	Program Year:		Program Year:	
	Negotiated Level	Expected Level	Negotiated Level	Expected Level
Employment (Second Quarter after Exit)	74	70	75	71
Employment (Fourth Quarter after Exit)	65	68	67	70
Median Earnings (Second Quarter after Exit)	5100	5000	5200	5100
Credential Attainment Rate	50	48	52	50
Measurable Skill Gains	Baseline	Baseline	Baseline	Baseline

	Program Year:		Program Year:	
	Negotiated Level	Expected Level	Negotiated Level	Expected Level
Employment (Second Quarter after Exit) 21	74	72	75	73
Employment (Fourth Quarter after Exit) 22	71	70	72	72
Median Earnings (Second Quarter after Exit)	Baseline	Baseline	Baseline	Baseline
Credential Attainment Rate	71	70	72	70.50
Measurable Skill Gains	Baseline	Baseline	Baseline	Baseline

	Program Year:		Program Year:	
	Negotiated Level	Expected Level	Negotiated Level	Expected Level
Employment (Second Quarter after Exit)	46 %		47 %	
Employment (Fourth Quarter after Exit)	46 %		47 %	
Median Earnings (Second Quarter after Exit)	2,948.00		2948.00	
Credential Attainment Rate	600		700	
Measurable Skill Gains	51 %		52 %	

	Program Year:		Program Year:	
	Negotiated Level	Expected Level	Negotiated Level	Expected Level
Employment (Second Quarter after Exit)	65	65	66	66
Employment (Fourth Quarter after Exit)	65	65	65	65
Median Earnings (Second Quarter after Exit)	3950	3900	4000	3900
Credential Attainment Rate	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Measurable Skill Gains	Not Applicable	Not Applicable	Not Applicable	Not Applicable

	Program Year:		Program Year:	
	Negotiated Level	Expected Level	Negotiated Level	Expected Level
Employment (Second Quarter after Exit) 22	Baseline	Baseline	Baseline	Baseline
Employment (Fourth Quarter after Exit) 22	Baseline	Baseline	Baseline	Baseline
Median Earnings (Second Quarter after Exit 23)	Baseline	Baseline	Baseline	Baseline
Credential Attainment Rate 22	Baseline	Baseline	Baseline	Baseline
Measurable Skill Gains				

	All WIOA Core Programs			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Effectiveness in Serving Employers	Not applicable	Not applicable	Not applicable	Not applicable

Additional Indicators of Performance	
1.	
2.	
3.	
4.	
5.	
6.	

Appendix H: Sample WIOA Allocation Communication



Mississippi Department of Employment Security

Tate Reeves
Governor

Robin Stewart
Interim Executive Director

WIOA COMMUNICATION NUMBER: 22-004

DATE: May 8, 2023

SUBJECT: Program Year 2023 WIOA Local Area Allocations

I. BACKGROUND:

A. State Allocations

The U.S. Department of Labor has published TEGL 15-22 which announces the Workforce Innovation and Opportunity Act (WIOA) state allocation for Program Year (PY) 2023. States are required to distribute the PY 2023 allotment for WIOA Youth, Adult, and Dislocated to local workforce development areas. The amount available for the Governor's reserve has been appropriated at 15 percent. Local Workforce Development Boards should refer to TEGL 15-22 for additional guidance and explanation.

SOURCE	TOTAL STATE	STATE ACTIVITIES	LOCAL ACTIVITIES
Adult	\$ 9,171,420	\$ 1,375,713	\$ 7,795,707
Youth	\$ 9,566,263	\$ 1,434,939	\$ 8,131,324
Dislocated Worker	\$ 12,778,348	\$ 5,111,339	\$ 7,667,009
TOTAL	\$ 31,516,031	\$ 7,921,991	\$ 23,594,040

The allocations to the local areas are calculated based on the formulas described below. The allocation worksheets will be provided via e-mail upon request.

Helping Mississippians Get Jobs

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Post Office Box 1699 • Jackson, Mississippi 39215-1699 • (601) 321-6000

MDES is an Equal Employment Opportunity Employer

B. Adult

The WIOA allows the following allocation process:

1. Standard Allocation Formula

- a. 33 1/3 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each area, compared to the total number of unemployed individuals in areas of substantial unemployment in all areas. The term “area of substantial unemployment” means any area that is of sufficient size and scope to sustain a program of workforce investment activities carried out under this subtitle and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months.
- b. 33 1/3 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each area, compared to the total excess number of unemployed individuals in all areas. The term “excess number” means, used with respect to the excess number of unemployed individuals within a State, a higher of (1) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force; or (2) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment.
- c. 33 1/3 percent shall be allotted on the basis of the relative number of disadvantaged adults in each area, compared to the total number of disadvantaged adults in all areas. The term “disadvantaged adult” means an adult who received income, or is a member of a family that received a total family income that, in relation to family size, does not exceed that higher of: (1) the poverty line; or (2) 70 percent of the lower living standard income level.

2. Transfer Authority

Under WIOA, DOL allows transfer of up to 100% of funds between Dislocated Worker and Adult funding streams.

3. Availability

Approximately 20 percent of funds described below will be available for expenditure no earlier than July 1, 2023. The remaining 80 percent will be available for expenditure no earlier than October 1, 2023.

4. Allocation

The following allocation was calculated based on the formula described above. The allocation worksheets will be provided via e-mail upon request.

WIOA ADULT			
Local Workforce Development Area	Local Allocation	Available July 1, 2023	Available October 1, 2023
Delta	\$ 1,764,745	\$ 347,080	\$ 1,417,665
MS Partnership	\$ 2,078,715	\$ 408,831	\$ 1,669,884
Southcentral MS	\$ 1,725,564	\$ 339,375	\$ 1,386,189
Twin Districts	\$ 2,226,683	\$ 437,931	\$ 1,788,752
TOTAL	\$ 7,795,707	\$ 1,533,217	\$ 6,262,490

C. Youth

The WIOA allows for the following allocation process:

1. Standard Allocation Formula

- 33 1/3 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each area, compared to the total number of unemployed individuals in areas of substantial unemployment in all areas;
- 33 1/3 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each area, compared to the total excess number of unemployed individuals in all areas; and
- 33 1/3 percent shall be allotted on the basis of the relative number of disadvantaged youth in each area, compared to the total number of disadvantaged youth in all areas.

2. Availability

One hundred percent of the funds described below will be available for expenditure no earlier than April 1, 2023.

3. Allocation

The following allocation was calculated based on that formula described above. The allocation worksheets will be provided via e-mail upon request.

WIOA YOUTH		
Local Workforce Development Area	Local Allocation	Available April 1, 2023
Delta	\$ 1,860,955	\$ 1,860,955
MS Partnership	\$ 2,184,798	\$ 2,184,798
Southcentral MS	\$ 1,736,581	\$ 1,736,581
Twin Districts	\$ 2,348,990	\$ 2,348,990
TOTAL	\$ 8,131,324	\$ 8,131,324

D. Dislocated Workers

1. Allocation Formula

The State shall allocate not less than 60 percent based on an allocation formula prescribed by the Governor. The formula shall use the most recent available information and shall include:

- Insured unemployment data,
- Unemployment concentrations,
- Plant closing and mass layoff data,
- Declining industries,
- Farmer-rancher economic hardship data,
- Long term unemployment data.

The formula used by the state is as follows:

ALLOCATION FACTOR	WEIGHT ASSIGNED IN FORMULA
Insured Unemployment Data	10%
Unemployment Concentrations Data	25%
Plant Closing and Mass Layoff Data	10%
Declining Industries Data	20%
Farmer-Rancher Economic Hardship Data	5%
Long-Term Unemployment Data	30%

- Under WIOA, DOL allows transfer of up to 100% of funds between Dislocated Worker and Adult funding streams

3. Availability

Approximately 21.5 percent of the funds described below will be available for expenditure no earlier than July 1, 2023. The remaining 78.5 percent will be available for expenditure no earlier than October 1, 2023.

4. Rapid Response

The allocation does not include funds set aside for Rapid Response personnel at the local area. Requests for Rapid Response funds should be directed to the Office of Grant Management.

5. Allocation

WIOA DISLOCATED WORKER			
Local Workforce Investment Area	Local Allocation	Available July 1, 2023	Available October 1, 2023
Delta	\$ 1,540,386	\$ 332,193	\$1,208,193
MS Partnership	\$ 1,894,039	\$ 408,461	\$ 1,485,578
Southcentral MS	\$ 1,995,921	\$ 430,432	\$ 1,565,489
Twin Districts	\$ 2,236,663	\$ 482,350	\$1,754,313
TOTAL	\$ 7,667,009	\$1,653,436	\$ 6,013,573

E. Funds Availability

The funds described above will be available to the Local Workforce Development Board for expenditure upon receipt of a Notice of Funds Availability (NFA) from the Office of Grant Management.

II. **REQUIRED ACTION AND DUE DATE:** Comments and questions on the allocation process should be provided to the Office of Grant Management (OGM) in writing by June 15, 2023.

III. **CONTACT:** Questions concerning this instruction should be addressed to Robert DeYoung at 601-321-6477 or rdeyoung@mdes.ms.gov or Jeffrey Crump at 601-321-5481 or jcrump@mdes.ms.gov.


Robert DeYoung, Director
Office of Grant Management

Appendix I: Assurances/Compliances

Section I1. Common Assurances

I1A. Conflict of Interest Policy, State Policy #5

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
State Policy Number 5
CONFLICT of INTEREST
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

This policy sets forth the requirements to ensure that individuals or representatives of organizations entrusted with public funds do not personally or professionally benefit from the award or expenditure of such funds. Individuals or representatives of organizations entrusted with public funds, as referenced above, shall hereinafter be understood to include a State Workforce Development Board (SWDB) member, SWDB staff, a Local Workforce Development Board (LWDB) member, and local workforce area staff.

The SWDB and each LWDB must develop a conflict of interest policy that incorporates MDES State Policy Number 5 and meets the minimum federal and state requirements described in Section III, herein.

II. LAWS GOVERNING CONFLICTS OF INTEREST

A. Federal Requirements

The laws governing conflicts of interest under WIOA are found at *Workforce Innovation and Opportunity Act, 113 P.L. 128, Section 101(f) and 101(h)*. These sections state as follows:

A member of a State board may not:

(1) vote on a matter under consideration by the State Board (A) regarding the provision of services by such member (or by an entity that such member represents); or (B) that would provide direct financial benefit to such member or the immediate family of such member; or (2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

A member of a local board may not:

(1) vote on a matter under consideration by the local board (A) regarding the provision of services by such member (or by an entity that such member represents); or (B) that would provide direct financial benefit to such member or the immediate family of such member; or (2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

B. State Requirements

State law is more proscriptive than federal law; therefore, the policies of the SWDB or individual LWDBs should include additional State requirements, as outlined below. References to the Ethics Commission Opinions are provided for further clarification.

1. State Law

Mississippi Code Annotated §25-4-105(1) (1972), prohibits a public servant from using his position in government to obtain pecuniary benefit for himself, certain relatives or a “business with which he is associated.” A public servant may avoid using his position, and therefore avoid a violation of *Section 25-4-105(1)*, by recusing himself from the matter giving rise to the conflict of interest. An abstention is considered a vote with the majority and is *not* a recusal.

Section 109 of the Mississippi Constitution of 1890, and its statutory parallel, *Mississippi Code Annotated §25-4-105(2)*, prohibit a member of a public board from having any direct or indirect interest in a contract with the government funded or otherwise authorized by that board during his or her term or for one year thereafter.

A recusal will *not* prevent or ameliorate a violation of *Section 109* and *Section 25-4-105(2)*, as these sections do not require any affirmative act by an individual member to give rise to a conflict, but merely action by the board. Accordingly, recusal by the affected SWDB or LWDB member will not prevent a violation of these sections.

2. Mississippi Ethics Commission Opinion 13-014-E

In Advisory Opinion 13-014-E, the Mississippi Ethics Commission interpreted the application of Section 109 and Section 25-4-105(2) as follows:

The LWDB is a public board subject to statutory sections. If the LWDB funds a contract in which a member of that board has a prohibited interest, that member will be in violation of these sections. Any contract, which violates either section, is null and void.

The owner and CEO of a business will have an interest in all contracts entered by the business. Employees of these businesses also presumably have an interest in all contracts entered by their employer. Accordingly, a business whose owner, CEO, or employee

serves on an LWDB is prohibited by *Section 109* and *Section 25-4-105(2)* from receiving any contract that is funded by the LWDB. This prohibition applies to all contracts funded during the LWDB member's term and for one year after the LWDB member's term.

A recusal will not prevent or ameliorate a violation of Section 109 and Section 25-4-105(2), as these sections do not require any affirmative act by an individual member to give rise to a conflict, but merely action by the board. Accordingly, recusal by the affected SWDB or LWDB member will not prevent a violation of these sections. *See also* Ethics Commission Opinion 06-099-E & 04-076-E.

MDES notes that advisory opinions from the Mississippi Ethics Commission, including No. 13-014-E, are merely advisory and they are merely opinions. They do not have the force of law possessed by a statute or a court decision.

3. Recusal

A total and complete recusal requires that the public servant not only avoid debating, discussing or taking action on the subject matter during official meetings or deliberations, but also avoid discussing the subject matter with staff or any other person. This includes casual comments, as well as detailed discussions, made in person, by telephone or by any other means.

Furthermore, the minutes or other record of the meeting should state the recusing member left the room before the matter came before the public body and did not return until after the vote.

III. POLICY REQUIREMENTS

The SWDB and each LWDB shall have a conflict of interest policy, which at a minimum meets the requirements shown below:

1. A written code of standards or conduct governing the performance of persons engaged in the award and administration of WIOA contracts and subgrants.
2. No individual in a decision-making capacity shall engage in any activity, including participation in the selection, award, or administration of a subgrant or contract supported by WIOA funds, if a conflict of interest (real, implied, or apparent) would be involved.

3. No member of the SWDB or LWDB shall cast a vote, or participate in any decision-making capacity, on the provision of services by such member (or any organization which that member directly represents), or on any matter which would provide any direct financial benefit to the member, the immediate family of such member, or to the member's organization.

A conflict of interest under paragraphs 2 or 3 would arise when one of the following persons or groups has a financial or other interest, either through ownership or employment, and participates in the selection or award of funding for themselves, their family, or that organization or firm.

- An individual; i.e., employee, officer, or agent,
 - Any member of the individual's immediate family (parent, spouse, children, or siblings),
 - The individual's business partner, or
 - An organization which employs, or is about to employ any of the above individuals (individual has received a job offer from the organization),
4. The officers, employees, agents, or members of the SWDB or LWDB making the awards will neither solicit nor accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other parties to agreements.
 5. Reference the Mississippi Ethics in Government Laws and their applicability to members of the SWDB and LWDB, including a statement that advises members of all relevant opinions from the Mississippi Ethics Commission and the proper procedure for recusal.
 6. The code of conduct shall contain penalties, sanctions, or other disciplinary actions in accordance with state and local law for violations of the provisions against conflict of interest.

IV. REQUIRED ACTION

- A. In accordance with Training and Employment Guidance Letter 35-10, issued by the United States Department of Labor, SWDB and LWDB members are encouraged to regularly review and be aware of the relevant Federal, state, and board rules guiding procurement decisions and other board responsibilities.
- B. The SWDB and LWDB must develop a conflict of interest policy that incorporates State Policy Number 5. The SWDB or LWDB policy may be more proscriptive, at the discretion of the board. In either case, the policy and the background information should be reviewed regularly with state and local

boards, and all boards should include this guidance in orientations for new board members.

- C. The SWDB and LWDB must develop a Conflict of Interest Acknowledgement form that must be signed by each member of the SWDB and LWDB and local workforce area staff stating that they have been made aware of the federal and state conflict of interest requirements, and will abide by those requirements in the service of these boards.

V. REFERENCES

29 U.S.C. 2821(f) (1998)
29 U.S.C. 2832 (g) (1998)
U.S. Department of Labor TEGL 35-10
Section 109, Mississippi Constitution of 1890
Section 25-4-103, Mississippi Code of 1972
Mississippi Ethics Commission Opinion 13-014-E
Mississippi Ethics Commission Opinion 06-099-E
Mississippi Ethics Commission Opinion 04-076-E

VI. EFFECTIVE DATE

This policy shall be effective as of July 1, 2015.



Jacqueline A. Turner
Deputy Executive Director, CFO

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
State Policy Number 4
SUNSHINE PROVISION POLICY
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

This policy sets forth the requirements to conduct business in an open manner as mandated by the Workforce Innovation and Opportunity Act (WIOA). Conducting business in an open manner involves making the activities of the State Workforce Development Board (SWDB) and the Local Workforce Development Boards (LWDB) available to the public (including individuals with disabilities) on a regular basis via electronic means and open meetings.

II. STATUTES GOVERNING SUNSHINE PROVISIONS AND APPLICABLE ACTS

A. Federal Requirements

The legislation outlining the Sunshine Provision under WIOA, as prescribed for the SWDB, is found in *Workforce Innovation and Opportunity Act, 113 P.L. 128, Section 101(g)*.

“Sunshine Provision. – The State board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the State board, including information regarding the State plan, or a modification to the State plan, prior to submission of the plan or modification of the plan, respectively, information regarding membership, and, on request, minutes of formal meetings of the State board.”

The legislation outlining the Sunshine Provision under WIOA, as prescribed for the LWDBs, is found in *Workforce Innovation and Opportunity Act, 113 P.L. 128, , Section 107(e)*.

“Sunshine Provision. – The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of

youth workforce investment activities, and on request, minutes of formal meetings of the local board.”

The laws governing open meeting accessibility for the disabled are found at *Title III of the Americans with Disabilities Act (ADA)*, 42 USC § 12181 et seq. More specifically, the relevant sections, *28 CFR § 36.201(a) (2010)*, *28 CFR § 36.104 (2010)*, *28 CFR § 36.303(a) (2010)*, *28 C.F.R. § 36.104 (2010)*[U.S. Department of Justice Regulation to Title III of the Americans with Disabilities Act, 56 Fed. Reg. 35544 (July 26, 1991)] are as follows:

“No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any private entity who owns, leases (or leases to), or operates a place of public accommodation.” *28 CFR § 36.201(a) (2010)*

“Public accommodation means a private entity that owns, leases [or leases to], or operates a place of public accommodation.” *28 CFR § 36.104 (2010)*

“A public accommodation shall take those steps that may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless the public accommodation can demonstrate that taking those steps would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations being offered or would result in an undue burden, i.e., significant difficulty or expense.” *28 CFR § 36.303(a) (2010)*

“Qualified interpreter means an interpreter who is able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialized vocabulary.” *28 C.F.R. § 36.104 (2010)*

B. State Requirements

The policies of the SWDB and individual LWDBs must also include State requirements as prescribed in Mississippi’s Open Meetings Acts, *Title 25, Chapter 41, Mississippi Code of 1972* and in Mississippi’s Public Records Act, *Title 25, Chapter 61, Mississippi Code of 1972*. These acts collectively govern public bodies, state and local, that hold meetings on public matters, and ensure the public’s right to access public records. The Mississippi Ethics Commission is given authority to hold hearings, take complaints, issue subpoenas, hold hearings and issue orders subsequent to alleged violations of the Open Meetings Act and the Public Records Act.

1. **State Law- The Open Meetings Act**

Miss. Code Ann. § 25-41-3(a), defines a “public body” as any executive or administrative board, commission, authority, council, department, agency, bureau or any other policy making entity, or committee thereof, of the State of Mississippi, or any political subdivision or municipal corporation of the state, whether such entity be created by statute or executive order, which is supported wholly or in part by public funds or expends public funds, and any standing, interim or special committee of the Mississippi Legislature.

Miss. Code Ann. § 25-41-5, outlines official meetings of public bodies specifically as follows:

“(1) All official meetings of any public body, unless otherwise provided in this chapter or in the Constitutions of the United States of America or the State of Mississippi, are declared to be public meetings and shall be open to the public at all times unless declared an executive session as provided in Section 25-41-7.

(2) A public body may conduct any meeting through teleconference or video means. A quorum of a public body as prescribed by law may be at different locations for the purpose of conducting a meeting through teleconference or video means provided participation is available to the general public at one or more public locations specified in the public meeting notice.

(3)(a) Notice of any meetings held pursuant to subsection (2) of this section shall be provided at least five (5) days in advance of the date scheduled for the meeting. The notice shall include the date, time, place and purpose for the meeting and shall identify all locations for the meeting available to the general public. All persons attending the meeting at any of the public meeting locations shall be afforded the same opportunity to address the public body as persons attending the primary or central location. Any interruption in the teleconference or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access restored.

(b) Five-day notice shall not be required for teleconference or video meetings continued to address an emergency as provided in subsection (5) of this section or to conclude the agenda of a teleconference or video meeting of the public body for which the proper notice has been

given, when the date, time, place and purpose of the continued meeting are set during the meeting prior to adjournment.

(4) An agenda and materials that will be distributed to members of the public body and that have been made available to the staff of the public body in sufficient time for duplication and forwarding to all locations where public access will be provided shall be made available to the public at the time of the meeting. Minutes of all meetings held by teleconference or video means shall be recorded as required by Section 25-41-11. Votes taken during any meeting conducted through teleconference or video means shall be recorded by name in roll-call fashion and included in the minutes. In addition, the public body shall make an audio recording of the meeting, if a teleconference medium is used, or an audio/visual recording, if the meeting is held by video means. The recording shall be preserved by the public body for a period of three (3) years following the date of the meeting and shall be available to the public.

(5) A public body may meet by teleconference or video means as often as needed if an emergency exists and the public body is unable to meet in regular session. Public bodies conducting emergency meetings through teleconference or video means shall comply with the provisions of subsection (4) of this section requiring minutes, recordation and preservation of the audio or audio/visual recording of the meeting. The nature of the emergency shall be stated in the minutes.”

Miss. Code Ann. § 25-41-9, states that the public body convening the meeting may make and enforce rules and regulations pertaining to the conduct of attendees.

Miss. Code Ann. § 25-41-11, sets parameters defining minutes and their recording as follows:

“(1) Minutes shall be kept of all meetings of a public body, whether in open or executive session, showing the members present and absent; the date, time and place of the meeting; an accurate recording of any final actions taken at such meeting; and a record, by individual member, of any votes taken; and any other information that the public body requests be included or reflected in the minutes. The minutes shall be recorded within a reasonable time not to exceed thirty (30) days after recess or adjournment and shall be open to public inspection during regular business hours.

(2) Minutes of a meeting conducted by teleconference or video means shall comply with the requirements of Section 25-41-5.

(3) Minutes of legislative committee meetings shall consist of a written record of attendance and final actions taken at such meetings.”

Miss. Code Ann. § 25-41-13, states that notice of public meetings will contain the place, date, hour and subject matter, but if a public body has regularly scheduled meetings at certain times and places mandated by statute, then no additional notice is required unless a meeting is recessed, or adjourned. In the case that there is an interim meeting or special meeting called, notice must be posted, in a publicly accessible place, preferably in the building in which the meeting will be held, within one (1) hour of the start of the meeting. This notice must be included in the minutes or other records of the public body. This section also prescribes that public bodies without statutory provisions in place detailing times and places of meetings must detail in the minutes the upcoming times, places and procedure by which its meetings will be held.

2. State Law- The Public Records Act

Miss. Code Ann. § 25-61-2, defines the public records policy of the State of Mississippi as allowing the public, unless otherwise specified, access to all non-classified public records. The responsibility of providing access to these records is a duty of each public body. No person, due to automation, shall be denied access to public records. With an increase in technological use and advances, public bodies must provide reasonable access to electronically maintained records, subject to retention policies.

III. PROPOSED POLICY REQUIREMENTS

In order to comply with WIOA’s transparency mandates to conduct business in an open manner and make activities of the board available to the public and to garner public trust, the SWDB and each LWDB shall have a sunshine provision policy which, at a minimum, meets the requirements shown below:

1. A written code of standards or conduct governing the procedural direction of all meetings held by or relating to SWDB and LWDBs as prescribed by WIOA.
 - a. Specifically that these meetings shall be conducted on a regular basis and as open meetings.

- b. Direction of meetings will specifically address the activities of the SWDB and LWDBs in relation to State and local plan activities and modifications. These activities must be addressed, in open meetings, prior to the submission of the plan or modification of the plan, respectively.
- 2. The SWDB and each LWDB shall establish written protocols defining the collection of meeting minutes, whether held in person, via teleconference or video, or any combination of the aforementioned.
 - a. Parameters for storage of these minutes, must also be cited, identified and maintained in a publicly accessible place, preferably in an online format.
 - b. Notation of and information regarding all members of SWDB and each LWDB must be identified and made available and easily accessed by the public.
 - c. Priority must be given to public accessibility.
 - d. All information must also be ADA compliant.
- 3. Each LWDB shall publicly identify the designation and certification of one-stop operators for the public, accessible at all times.
- 4. Each LWDB shall publicly provide all information regarding the award of grants or contracts to eligible providers of youth workforce investment activities.
- 5. The SWDB and each LWDB shall have the ability to provide minutes of formal meetings upon request. All requests for information in braille must be made two weeks in advance to meet the production requirements of the information.
- 6. No meeting shall be held by either the SWDB or any LWDB in a closed capacity, or in any way deny access to the public. This includes making reasonable accommodations for the disabled as outlined in the ADA requirements outlined in this document.
- 7. The officers, employees, agents, and members of the SWDB and LWDBs will make every effort to comply with the transparency requirements as defined by WIOA with the intent of establishing trust among all individuals, agencies and entities involved in the State of Mississippi's workforce development system.


8. The code of conduct shall contain penalties, sanctions, or other disciplinary actions in accordance with state and local law for violations of the provisions against open meetings and the public information.

IV. REQUIRED ACTION

- A. The SWDB or LWDB must develop a sunshine provision policy that incorporates this State Policy Number 4. The SWDB or LWDB policy may be more proscriptive, at the discretion of the board. In either case, the policy and the background information should be reviewed regularly with state and local boards, and all boards should include this guidance in orientations for new board members.
- B. The State shall include in its monitoring of local areas a review of local adherence to the requirements described in this guidance.
- C. The State shall verify and ensure SWDB adherence to the requirements described in this guidance.

V. EFFECTIVE DATE

This policy shall be effective as of July 1, 2015.



Jacqueline A. Turner
Deputy Executive Director, CFO

MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY
State Policy Number 8, Revised February 2018
WIOA PROGRAMMATIC and FISCAL MONITORING
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

This policy sets forth requirements for the monitoring of all entities receiving Workforce Innovation and Opportunity Act (WIOA) funds in accordance with Sections 183(a-c) of the Act and Federal regulations 2 CFR Part 200.330 – 200.332, and Federal Acquisition Regulation (FAR) 31.2 of the Final Rule.

Audit Regulations, 2 CFR 200.501-512, shall be applicable for non-profit and for-profit entities who expend \$750,000 a year in federal awards from all sources.

Each Local Workforce Development Area and State sub-recipient shall develop a policy to govern its monitoring activities. This document provides guidelines for developing the policy and describes the minimum elements to be included in the policy.

II. STATE REQUIREMENTS

A. State Monitoring Policy

The Office of Grant Management (OGM) is responsible for monitoring all Local Workforce Development Areas and State sub-recipients. On-site and/or desk reviews will be conducted pursuant to established standard operating procedures to ensure compliance with the WIOA, Federal regulations, State laws, contractual agreements, State policies, OMB circulars, cost principles, and, when applicable, Federal Acquisition Regulations (FAR).

1. Monitoring Review Process

- An on-site and/or desk review is conducted consisting of:
- An entry conference or written notification of desk review, as appropriate, to brief agency officials on the scope of the review and to make appropriate arrangements;
- A review of administrative, fiscal, equal opportunity, and programmatic systems and transactions;
- Performance of test work, based on a review and examination of WIOA records and interviews; and
- An exit conference for on-site reviews to inform agency officials of monitoring results.

2. Monitor the following, as applicable:

- program goals and objectives

- program quality
- procurement
- fiscal accountability
- labor standards
- audit/audit resolution
- actual expenditures against cost categories and limitations
- grievance procedures
- equal opportunity
- provisions of the Americans with Disabilities Act
- eligibility verification as applicable
- property management
- internal monitoring of entity's sub-recipients
- administrative procedures
- program performance
- other programmatic areas
- programmatic accountability

3. Monitoring Report

After each review, a monitoring report will be prepared by OGM detailing the results of the monitoring visit. The report will be completed within three weeks of completion of the review. Indexed working papers will also be prepared to provide supporting documentation for test work performed and for any findings. The monitoring report will be transmitted to the entity for review, and appropriate corrective action will be requested, if necessary.

4. Corrective Action Response

If any findings were noted during the review, a corrective action response will be required within 45 days from date of the monitoring report. Upon receipt of the entity's corrective action plan, the monitors will review the response and comment on the acceptability of the proposed corrective action. If the corrective action plan is deemed acceptable, the file will be closed. If the corrective action plan or any part thereof is unacceptable, additional corrective action shall be requested. The file will remain open until all corrective action has been accepted.

5. Acceptance/Non-acceptance of Corrective Action

Notice of acceptance or non-acceptance of the sub-recipient's proposed corrective action plan will be forwarded by OGM to the sub-recipient within 30 working days of receipt of the plan. If the proposed plan is not accepted, OGM may require submission of a subsequent

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plan to be received within 30 days from the date of the notice.

If the subsequent plan is deemed unacceptable, OGM may again request submission of a new plan within a specified timeframe or take other action as deemed appropriate relevant to the circumstances.

6. Monitoring Files

A monitoring file will be maintained by OGM for each monitoring visit or desk review.

7. Follow-up Visits and Verification of Corrective Action

Follow-up visits will be conducted by OGM, if deemed necessary.

8. Unannounced Visits

Unannounced visits may be conducted by OGM, if deemed necessary.

III. LOCAL WORKFORCE DEVELOPMENT AREA/ STATE SUB-RECIPIENT REQUIREMENTS

A. Local Workforce Development Area/State Sub-recipient Monitoring Policy

WIOA Section 107(d)(8) requires the local board, in partnership with the chief elected official, to conduct monitoring with respect to local programs of youth activities authorized under section 129(c), adult and dislocated worker local employment and training activities authorized under section 134(b), (c), and (d), and the one-stop delivery system in the local area.

WIOA Section 184(a) (3&4) and 2 CFR 200 parts 330-332 of the Federal regulations require each recipient and sub-recipient of WIOA Title I funds to conduct monitoring of the WIOA activities of its sub-recipients in order to:

- Determine whether expenditures have been made against the cost categories and within the cost limitations specified in WIOA and Federal regulations;
- Determine whether there is compliance with all applicable requirements; and
- Provide technical assistance as necessary and appropriate.

1. Scope

The Local Workforce Development Area (LWDA) or State sub-recipient shall develop a monitoring policy describing the procedures that will be implemented to ensure compliance with WIOA, Federal regulations, State laws, contractual agreements, State policies, OMB circulars, cost principles, and Federal Acquisition Regulation (FAR).

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Local fiscal monitoring of sub-recipients may consist of one of the following: 1) on-site; 2) desk review; 3) both on-site and desk review for the same period. The method used to conduct the monitoring and the frequency required for each shall be based on the LWDA or State sub-recipient's determination of "risk" and other factors which should consider whether the sub-recipient is subject to the Single Audit Act; when the most recent previous on-site review was conducted; previous findings or corrective actions required; etc.

LWDA or State sub-recipient programmatic compliance and equal opportunity monitoring of sub-recipients may consist of one of the following: 1) on-site; 2) desk review; 3) both on-site and desk review for the same period. The method used to conduct the monitoring and the frequency required for each shall be based on the LWDA's determination of "risk" and other factors which should consider the type of WIOA activity performed by the sub-recipients; when the most recent previous on-site review was conducted; previous findings or corrective actions required; the existence of current reviews conducted by the state or its authorized representative that adequately address all criteria in the LWDA or State sub-recipient monitoring instrument, etc.

Monitor the following, as applicable:

- program goals and objectives
- program quality
- procurement
- fiscal accountability
- labor standards
- audit/audit resolution
- actual expenditures against cost categories and limitations
- grievance procedures
- equal opportunity
- provisions of the Americans with Disabilities Act
- eligibility verification as applicable
- property management
- internal monitoring of entity's sub-recipients
- administrative procedures
- program performance
- other programmatic areas
- programmatic accountability

2. Frequency

The policy shall include procedures to ensure monitoring is completed in a

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timely manner. Each sub-recipient or State sub-recipient shall be monitored at least once per year during the program year or during the sub-award period.

B. Local Workforce Development Area/State Sub-recipient Monitoring Procedures

1. Annual Monitoring Schedule

The policy shall include procedures to ensure an annual monitoring schedule is prepared. The schedule should include sub-recipient names and addresses, contact numbers, planned dates of reviews, and names of individuals to perform the reviews. Annual monitoring schedules shall be submitted to OGM.

2. Review Notification

The policy shall include procedures to ensure that written notification of the scheduled review is provided to the entity in advance of the actual review, except when unannounced monitoring visits are deemed necessary.

3. Desk Review Instrument

A written desk review monitoring instrument must be prepared and should precede an on-site monitoring visit. This process will ensure that all pertinent records are reviewed prior to each visit. The policy shall describe the procedures for completing a desk review instrument before the on-site visit.

4. Monitoring Instrument

The policy shall include procedures for the development of an objective monitoring instrument for use in monitoring reviews to ensure that pertinent data can be collected and analyzed for all program activities.

5. Documentation of Findings

The policy shall include procedures to ensure findings are adequately documented and include a written description of the deficiency or violation.

6. Monitoring Report

The policy shall include procedures to ensure a monitoring report is prepared following each on-site or desk review. The report should be completed within three weeks of the review and should include the following elements:

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- A face page signed by the monitor(s) and the signature of supervisory level staff or the executive director (applicable to on-site visits only);
- The dates of the review and areas covered during the review.
- A listing of findings, if applicable that consists of a narrative description of the deficiency or violation noted; and
- For each finding, a recommendation which sets forth the most appropriate action to correct the deficiency or violation noted.

7. Corrective Action

The policy shall include procedures to ensure monitoring reports are forwarded to the sub-recipient with a transmittal letter. If findings were noted in the report, the transmittal letter shall require a written corrective action plan from the sub-recipient within 45 days from the date of the report.

8. Acceptance/Non-acceptance of Corrective Action

The policy shall describe the procedures that will be used to determine the acceptance or non-acceptance of the sub-recipient corrective action plan. Notification of the determination shall be provided to the sub-recipient within 30 working days of receipt of the proposed corrective action plan.

9. Follow-up Monitoring and Verification of Corrective Action

The policy shall include procedures for follow-up monitoring reviews determined by the risk of the finding and the sub-recipient response to the finding. The policy shall include procedures to determine if corrective action measures taken were adequate to resolve the noted deficiencies.

9. Unannounced Visits

The policy shall describe the procedures for conducting unannounced visits of sub-recipients when such visits are deemed necessary.

10. Monitoring Files

The policy shall include procedures establishing and maintaining the monitoring files. A separate file shall be maintained for each monitoring review. At a minimum, the files shall contain the following records:

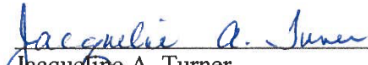
- notification of monitoring dates;
- completed desk review instrument;

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- signed monitoring report;
- completed monitoring instrument;
- transmittal letter, and if applicable, request for a corrective action plan;
- response from sub-recipient, when appropriate;
- letter to sub-recipient accepting/rejecting corrective action; and
- working paper file to include supporting documentation.

IV. EFFECTIVE DATE

This policy shall be effective as of February 1, 2018.



Jacqueline A. Turner
Deputy Executive Director, CFO

Revised 1/2018

11D. One-Stop Certification Policy

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
State Policy Number 16
ONE-STOP CERTIFICATION
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

To provide guidance, process, and deadlines for the certification of one-stop centers and the one-stop delivery system that is to be conducted by local workforce development boards, and to set criteria for the development of a local policy for one-stop certification.

II. BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) specifies in section 101(d)(6) and 121 (g)(1) that the State Workforce Development Board (SWDB) shall establish the minimum criteria for certification of one-stop centers and the one-stop delivery system. Certification is required to be done by Local Workforce Development Boards (LWDBs) at least once every three years in order for one-stop centers and the one-stop delivery system to receive infrastructure funding.

LWDBs must assess the effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers and the one-stop delivery systems using the criteria in these guidelines. The LWDB may establish additional criteria, or set higher standards for service coordination, than those set by the State criteria. Both State and local WDBs must review and update the criteria every two years as part of the review and modification of the State and local planning process as described in 20 CFR 676.580.

When the local area is the one-stop operator as described in 20 CFR 679.410, the State Workforce Investment Board must certify the one-stop center (20 CFR 678.800).

III. CERTIFICATION CRITERIA

In order to be certified, one-stop centers and the one-stop delivery system must meet or exceed the standards established for each of the following areas:

A. Effectiveness

Evaluations of effectiveness must include how well the one-stop center integrates available services for participants and businesses, meets the workforce development needs of participants and the employment needs of local employers, operates in a cost-efficient manner, coordinates services among the one-stop partner programs, and provides access to partner program services to the maximum extent practicable, including providing services outside of regular business hours where there is a workforce need, as identified by the LWDB.

B. Programmatic and Physical Accessibility

These evaluations must take into account feedback from one-stop customers. They must also include evaluations of how well the one-stop center ensures equal opportunity for individuals, regardless of disability or cultural background, to participate in or benefit from one-stop center services. These evaluations must include criteria evaluating how well the centers and delivery systems take actions to comply with the disability-related regulations implementing WIOA sec. 188 and 29 CFR Part 38. Such actions include, but are not limited to:

1. Providing reasonable accommodations for individuals with disabilities;
2. Making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination against persons with disabilities;
3. Administering programs in the most integrated setting appropriate;
4. Communicating with persons with disabilities as effectively as with others;
5. Providing appropriate auxiliary aids and services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity; and
6. Providing for the physical accessibility of the one-stop center to individuals with disabilities.

All one-stop centers must comply with applicable physical and programmatic accessibility requirements, as set forth in 29 CFR part 38, the implementing regulations of WIOA sec. 188.

C. Continuous Improvement

Evaluations of continuous improvement must include how well the one-stop center supports the achievement of the negotiated local levels of performance for the indicators of performance for the local area that it serves. Other continuous improvement factors may include a regular process for identifying and responding to technical assistance needs, a regular system of continuing professional staff development, and having systems in place to capture and respond to specific customer feedback.

LWDBs are responsible for assessing the one-stop centers and the one-stop delivery system using the criteria outlined in Attachment A and submitting a record of the assessment and certification determination via email to the Director of the Office of Grant Management within 10 days of completing the certification determination.

Local boards are required to have policies and procedures in place for assessing the one-stop centers and the one-stop delivery system. This State policy requires local workforce boards to develop policies and procedures by June 30, 2017. The policies and procedures:

- Must include the criteria outlined in these guidelines;

- May include additional criteria beyond the items outlined in this policy; and
- Must be incorporated into the Local Area Plans.

Certification should be completed by the local board prior to the end of program year 2016 and at least every three years thereafter. One-stop centers that are certified by the local board within the prescribed timeframes shall be eligible to receive required infrastructure funding.

IV. INQUIRIES


Inquiries regarding this policy may be directed to Laura Ring, lring@mdes.ms.gov or 601-321-6017.

V. REFERENCES

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, WIOA Section 101(d)(6), 121(e), and 121(g).
- 20 CFR 678 Subpart F
- TEGL 16-16

VI. EFFECTIVE DATE

This policy shall be effective as of April 1, 2017.


 Jacqueline A. Turner
 Deputy Executive Director, CFO



APPLICATION FOR WIN JOB CENTER CERTIFICATION

Organization Name:

Date:

Contact Person/Title:

Phone:

Email:

Site to be certified:

Address:

Website

Hours of Operation

Current Certification:

- ☐ Comprehensive ☐ Affiliate ☐ Sector Training
Plus Comprehensive ☐ None

If requesting a different certification level, check level requested:

- ☐ Comprehensive ☐ Affiliate ☐ Sector Training
Plus Comprehensive

specific centers. To achieve the goal of increased access, the State of Mississippi recognizes three levels of sites that can be certified within the one-stop service delivery system.

Comprehensive One-Stop Center

- Accessible to the general public during regular business days, as well as physically and programmatically accessible to individuals with disabilities
- Portal site for electronic access
- Provider of **basic and individualized career services, and training services**
- **Provider of business services**
- Representation of **five** mandated core partner programs (WIOA Titles I-IV, TANF)
- Additional related employment and training resources

Affiliate One-Stop Center

- Accessible to the general public and physically and programmatically accessible to individuals with disabilities
- Portal site for electronic access
- Provider of **basic career services**
- Representation of **one** or more mandated partners
- Additional related employment and training resources
- Established working relationship as part of an integrated system of WIN Job Center sites

Sector Training Plus Comprehensive One-Stop Center

- Provides access to all of the services in the Comprehensive Services
- Provider of **basic and individualized career services, and sector-related training services**
- Additional related employment and training resources
- Established working relationship as part of an integrated system of WIN Job Center sites

Sites seeking certification as a Comprehensive Center, Affiliated, or Sector Training Plus Comprehensive One-Stop Center are required to submit an application and receive a site visit from the Local Workforce Development Board (LWDB) One-Stop Certification Committee. Staff will answer questions about their site and how it functions to add value and provide customers with quality services as a part of the WIN Job Center system. This Committee is comprised of LWDB members and staff as well as other community partners who have specific expertise in serving populations with barriers. Note: In areas where the LWDB functions as the Site Operator, LWDB staff will only serve in an administrative support role to the Certification Committee and will ensure that the process is conducted objectively. Following the site visit, interviews, and final responses to any follow up questions, the Certification Committee will provide a written response within 30 days indicating one of three outcomes:

Attachment A
One-Stop Certification Checklist

REQUIRED PROGRAMS/PARTNERS	ON-SITE (AVERAGE HOURS/WEEK)	OFF-SITE ELECTRONIC CONNECTION	OFF-SITE BASIC CAREER SERVICES MADE AVAILABLE IN ANOTHER MANNER
WIOA Title 1-B Adult Services			
WIOA Title 1-B Dislocated Worker Services			
WIOA Title 1-B Youth Services			
Wagner-Peyser Title III – Mississippi Department of Employment Security (MDES)			
Adult Education and Family Literacy Title II (ABE)			
Rehabilitation Act Title IV – Mississippi Division of Vocational Rehabilitation (VR)			
Rehabilitation Act Title IV – Mississippi Department of Services for the Blind			
Title V – Older Americans Act/ Senior Community Service Employment Program (SCSEP)			
TANF – Mississippi Department of Human Services (MDHS)			
Trade Adjustment Assistance – Mississippi Department of Employment Security			
Veterans Employment Services – Mississippi Department of Employment Security			
Unemployment Compensation			

CAREER SERVICES CHECKLISTS

In the column named “On-Site”, check the basic career, individualized career, and training services that are currently available on-site for all job seeking customers who come into the WIN Job Center Comprehensive Site, Affiliate Site, or Sector Training Plus Comprehensive Site.

BASIC CAREER SERVICES	ON-SITE	BASIC CAREER SERVICES	ON-SITE	BASIC CAREER SERVICES	ON-SITE
Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs;		Outreach, intake and orientation to the information and other services available through the one-stop delivery system		Eligibility determination	
Labor exchange services, including job search and placement assistance, career counseling, provision of information on in-demand industry sectors and occupations, provision of information on nontraditional employment		Appropriate recruitment and other business services on behalf of employers, including small employers, which may include providing information and referral to specialized business services not traditionally offered through the one-stop delivery system		Referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and other workforce development programs	

Attachment A
One-Stop Certification Checklist

INDIVIDUALIZED CAREER SERVICES	ON-SITE	INDIVIDUALIZED CAREER SERVICES	ON-SITE	INDIVIDUALIZED CAREER SERVICES	ON-SITE
Comprehensive and specialized evaluation to identify barriers to employment and employment goals		Development of Individual Employment Plan (IEP)		Group Counseling	
Individual Counseling		Career / Vocational Planning		Short-Term Pre-Employment/ Vocational Services	
Internships and Work Experiences		Workforce preparation activities		Financial Literacy Services	
Out-of-Area Job Search		English Language acquisition and integrated education and training programs		Follow Up Services	
<i>(Insert other Individualized Services as needed)</i>		<i>(Insert other Individualized Services as needed)</i>		<i>(Insert other Individualized Services as needed)</i>	

BUSINESS SERVICES	On-Site
Establish and develop relationships and networks with large and small employers and their intermediaries	
Develop, convene, or implement industry or sector partnerships	
Customized screening and referral of qualified participants in training services to employers	
Customized services to employers, employer associations, or other such organizations, on employment-related issues	
Customized recruitment events and related services for employers including targeted job fairs	
Human resource consultation services, e.g., writing/reviewing job descriptions and employee handbooks; Developing performance evaluation and personnel policies; Creating orientation sessions for new workers; Honing job interview techniques for efficiency and compliance; Analyzing employee turnover; or Explaining labor laws to help employers comply with wage/hour and safety/health regulations;	
Customized labor market information for specific employers, sectors, industries or clusters	
Customized assistance or referral for assistance in the development of a registered apprenticeship program	

Attachment A
One-Stop Certification Checklist

- **Functional and Programmatic Integration** - It is critical for WIOA in Mississippi that its partners think and act as an integrated system. Workforce partners ensure that client services are aligned to common goals and the customer experience is seamless – regardless of funding streams. Each customer is mutually regarded as a shared customer, with all staff and programs operating at the site having a vested stake in that customer’s success. Integration of programs is incorporated into planning, intake, assessment, registration, and service processes, information sharing, resource decisions, actions, results, and analyses.

Check the box where you think the site is with regard to Functional and Programmatic Integration.

☐ 5 ☐ 4 ☐ 3 ☐ 2 ☐ 1

Describe your site’s approach to integrated service delivery and the use of functional teams to deliver career services to all customers.

Include a detailed diagram of customer flow, services available, assessment and referrals, and describe how the MS Works and the WIOA Hub System are used to facilitate shared customer management across partner programs.

Describe the procedure used to ensure timely follow-up on partner referrals.

Please list any best practices to highlight and share for continuous improvement.

- **Performance and Accountability** - Results and outcomes for the public investment in the Mississippi workforce system are essential to the system’s relevance. The effectiveness of the workforce system for employers and job seekers is evident in system performance and service delivery decisions are based on data. On an ongoing basis, customer data from one-stop partners and regional economic data is collected, analyzed, and shared with all workforce system staff and community stakeholders. Plans for improvement, enhancement, or adjustment are established and acted upon.

Check the box where you think the site is with regard to Performance and Accountability.

☐ 5 ☐ 4 ☐ 3 ☐ 2 ☐ 1

Describe how you measure, analyze, review, and improve workforce system performance through the use of data and information.

Attachment A
One-Stop Certification Checklist

Describe your wireless internet infrastructure.

How are the needs of populations with barriers met through staff-assisted and other means?

Please list any best practices to highlight and share for continuous improvement.

- **Customer Satisfaction** - Performance and value are ultimately judged by customers – businesses and job seekers. Customer-centered design relies upon satisfying customer needs, identifying shortcomings and responding accordingly on a timely and ongoing basis. Tools to obtain feedback are appropriate for each customer's use take into consideration factors including literacy levels, use of technology, disability, and language.

Check the box where you think the site is with regard to Customer Satisfaction.

☐ 5 ☐ 4 ☐ 3 ☐ 2 ☐ 1

Describe how the voice of the customer is listened to and how your site incorporates both job seeker and business customer feedback as part of continuous quality improvement? How are the voices of populations with barriers heard and brought to the table when designing services and facilities? How do you inform customers of how their feedback was reviewed and any action taken from their feedback? What metrics are used to show improvement and success?

Please list any best practices to highlight and share for continuous improvement.

- **Staff Competence and Staff Training Participation** - Professional development is a key feature in order to ensure that staff are aware of the implications of recent evidence-based research and can implement the latest policies and procedures established at the local, State and Federal levels. Also of vital importance is the use of labor market information by staff to better inform customers' career and training decision-making. The investment in staff development is substantial, ongoing, and focused on cross-training with partner programs, overall skill development, and use of labor market information. Every member of the one-stop staff has the ability and authority to meet customer needs, either directly or, where appropriate, by helping the customer make the right connections to the expertise he or she seeks. Participation in one-stop-sponsored training is required.

Check the box where you think the site is with regard to Staff Proficiency and Staff Training Participation.

☐ 5 ☐ 4 ☐ 3 ☐ 2 ☐ 1

- **Employer Engagement** – Business is one of our primary customers and one-stop partners work collaboratively to deliver value-added services and eliminate duplication. Business services staff from all one-stop partners have a comprehensive understanding of labor market conditions, economic development activities, skill needs of the workforce and are connected to regional and local business partnership activities and sector strategies. Employers’ human capital needs are communicated to and acted upon by the workforce system. Business services are coordinated to the maximum extent possible to limit duplication and streamline the employer experience.

Check the box where you think the site is with regard to Employer Engagement.

☐ 5 ☐ 4 ☐ 3 ☐ 2 ☐ 1

Describe how partners work to deliver seamless business services. How do business services staff use and share labor market information? What strategies are used to involve employers in identifying skill gaps and developing solutions to meet their workforce needs?

Describe how regional and local sector strategies are used to target services and resources to focus workforce efforts on investments and improve outcomes.

How are career pathways and training modalities such as industry-recognized credentials, apprenticeship, on-the-job training, and other work-based learning opportunities aligned with employers’ needs and marketed to support talent development?

Please list any best practices to highlight and share for continuous improvement.

Section 12. Adult, Dislocated Worker, and Youth Program Requirements and Assurances.

12A. WIOA Eligible Training Provider Certification. State Policy #9

MISSISSIPPI
Policy Number 09, Revision 2
WIOA ELIGIBLE TRAINING PROVIDER CERTIFICATION
Workforce Innovation and Opportunity Act

I. SCOPE AND PURPOSE:

This Policy sets forth the State of Mississippi's requirements for Workforce Innovation and Opportunity Act (WIOA) Title I Training Provider Eligibility, the State's List of Eligible Training Providers, and programs. WIOA and its regulations established the allowable types of training, including both work-based and classroom instruction, with the goal of ensuring provider performance, job-driven training, informed consumer choice, continuous improvement, and cost-effective investment of public funds. This policy guidance focuses on the requirements for providing certain training with contracts, establishing initial provider and program eligibility and continued eligibility for use of ITAs, establishing roles and responsibilities of the State of Mississippi and Local Workforce Development Areas for maintaining the ETP list, disseminating the ETP list, and addressing unique requirements for Registered Apprenticeship Programs (RAPs).

II. Types of Training Allowed by this policy under WIOA Title I:

WIOA authorizes various funding mechanisms for allowable participant training. Allowable types of training include:

1. Occupational skills training, including training for nontraditional employment;
2. On-the-Job Training (OJT);
3. Incumbent Worker Training (IWT);
4. Programs that combine workplace training with related instruction, which may include cooperative education programs;
5. Training programs operated by the private sector;
6. Skill upgrading and retraining;
7. Entrepreneurial training;
8. Job readiness training provided in combination with the training services described in (a) through (g) of this chart or transitional jobs;
9. Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services provided in any of clauses (a) through (g); and
10. Customized training conducted with a commitment by an employer or group

of employers to employ an individual upon successful completion of the training.

These mechanisms include direct contracts for services and individual training accounts (ITAs). An ITA may be used to pay for any allowable type of training, as long as the program of training service (also referred to as "program of study") is on the state list of eligible training providers (ETP list). Direct contracts for training services with employers and the state or Local Workforce Development Area (Local Area) may be for OJT, IWT, and customized training. A state or Local Area, when it is determined most appropriate, may also establish a contract with an institution of higher education or other provider of training services for a group of WIOA participants concurrently training in in-demand industry sectors or occupations, provided that the contract does not limit customer choice. As long as training services are chosen in a manner that achieves the goals outlined in the purpose section of this policy, select training services may also be provided using a contract between the provider and the Local Workforce Development Board (Local Board). For these select training services, participants can receive the training from a program that is not on the ETP list.

III. Exempt Training Services:

Training services that are exempt from the Section 122(a) through (f) eligibility requirements include:

1. On-the-job training; customized training; incumbent worker training, transitional employment; or
2. Training provided under the circumstances described at WIOA Section 134(c)(3)(G)(ii) and 20 CFR 680.320, where the Local Board determines that:
 - There is an insufficient number of ETPs in the Local Area to accomplish the purposes of a system of ITAs;
 - There is a training services program with demonstrated effectiveness offered in the Local Area by a community-based organization or other private organization to serve individuals with barriers to employment;
 - It would be most appropriate to award a contract to an institution of higher education or other provider of training services to facilitate the training of multiple individuals in one or more in-demand industry sectors or occupations, and such contract does not limit customer choice; or
 - When the Local Board provides training services through a pay-for-performance contract.

For training programs that are exempt from the Section 122(a) through (f) eligibility requirements, the Governor may establish performance criteria those providers must meet to receive funds under the adult or dislocated worker programs. Local Boards must collect this information, if required, and determine whether the providers meet the Governor's performance criteria before entering into contracts with training providers that meet these criteria.

IV. Types of Entities Eligible to Apply to be Eligible Training Providers:

Only the entities listed below may apply for inclusion on the ETP list, and these are the only entities eligible to provide training for participants who enroll in a WIOA Title I-funded program of training services, except as discussed above in section II of this policy. Training provider entities eligible to apply for inclusion on the ETP list include:

1. Institutions of higher education that provide a program that leads to a recognized postsecondary credential;
2. Apprenticeship programs, including Registered Apprenticeship Programs (RAP) in accordance with the language below and in forthcoming guidance on RAPs and WIOA;
3. Other public or private providers that provide training, which may include community-based organizations (CBOs) and joint labor-management organizations;
4. Eligible providers of adult education and literacy activities under WIOA Title II if such activities are provided in combination with training services described in
5. 20 CFR § 680.350; and
6. Local Board, if they meet the conditions of WIOA Section 107(g)(1).

ETPs are subject to the equal opportunity and nondiscrimination requirements contained in Section 188 of WIOA and implementing regulations at 29 CFR part 38.

V. Eligible Programs of Training Services (programs of study):

A program of study is defined as one or more courses or classes, or a structured regimen that provides job-driven training services and leads to a recognized post-secondary credential, as defined in WIOA Section 3(52), which includes an industry-recognized certificate or certification, a certificate of completion of a registered apprenticeship, a license recognized by the state involved or Federal Government, a postsecondary credential, secondary school diploma or its equivalent, employment, or measurable skill gains toward a recognized postsecondary or secondary school diploma or its equivalent credential or employment. These training services could be

delivered in person, online, or in a blended approach.

VI. Registered Apprenticeship Program (RAP) Sponsors:

Registered Apprenticeship Programs are automatically eligible to be included on the ETP list and are exempt from state and local ETP eligibility requirements. This policy requires the state to have a process for adding RAPs that imposes minimal burden on the RAP. This process may require that the RAP provide the following basic information:

- Occupations included within the RAP;
- The name and address of the RAP sponsor;
- The name and address(es) of the Related Technical Instruction provider(s) and the location(s) of instruction if different from the program sponsor's address;
- The method and length of instruction; and
- The number of active apprentices.

For RAPs that opt for inclusion on the ETP list, states and Local Area must add them without applying any additional eligibility requirements that they might otherwise apply to other types of training providers. Furthermore, states must maintain RAPs on the list until:

- The RAP program notifies the state agency it no longer wants to be included on the list;
- The program becomes deregistered under the National Apprenticeship Act;
- The program is determined to have intentionally supplied inaccurate information; or,
- A determination is made that the RAP substantially violated any provision of Title I of WIOA or the WIOA regulations, including 29 CFR part 38.

Similar to the RAP exemption from the eligibility requirements, RAPs also are exempt from ETP performance reporting requirements in WIOA Sections 116(d)(4) and 122, including any additional ETP reporting requirements that have been added by the state or Local Area. This also means that the states and Local Areas must not establish any RAP specific performance reporting requirements; however, RAPs may voluntarily report performance outcomes. States may require only the information necessary to verify the registration status for the RAP, in accordance with procedures established by the state in consultation with the state office of apprenticeship.

VII. Eligible Training Provider (ETP) List Requirements and Responsibilities:

Required State Responsibilities:

- A. The Mississippi Department of Employment Security (MDES) must develop and maintain the ETP list (providers and their programs of study):**
1. The state eligible training provider list must be accompanied by appropriate information to assist participants in choosing employment and training activities. Such information must include the following, disaggregated by Local Areas served, as applicable:
 - a. Recognized post-secondary credential(s) offered;
 - b. Provider information supplied to meet the state's eligibility procedure;
 - c. Performance and cost information; and,
 - d. Additional information as the state determines appropriate, such as the number of units (for example, credits, hours or semesters) needed to earn the credentials offered.
 2. The state eligible training provider list must be accompanied by relevant performance and cost information.
 3. The state eligible training provider list must be widely available to the public (including all Local Board) through electronic means, including websites and searchable databases, as well as any other means states use to disseminate information to consumers, and easily understood.
 - a. MDES must disseminate the list to the Local Boards, the one-stop system, its partner programs, the public, and the state's secondary and postsecondary education system.
 - b. The state eligible training provider list must be accessible to individuals with disabilities, individuals seeking information on training outcomes, and individuals participating in employment and training programs funded under WIOA.
 - c. The State eligible training provider list must not reveal personally identifiable information about individual participants.
- B. The state must establish a minimally burdensome mechanism for adding Registered Apprenticeship programs (RAPs) to the list and verifying registration status at least every two years.**
- C. The Governor must work with the State Workforce Development Board to develop procedures, information requirements, and criteria for determining eligibility (including clarifying state and Local Board responsibilities).**
1. Initial eligibility requirements must:

- a. Include required initial eligibility components listed on Eligibility Policy Checklist as described in Training and Employment Guidance Letter 8-19 Attachment III;
 - b. Require providers seeking initial eligibility to provide verifiable program specific performance information;
 - c. Require providers to submit required information for the programs to be considered for initial eligibility in accordance with the state's procedure; and,
 - d. Only permit initial eligibility to last for one year for each program of study.
 - e. *Exempt from eligibility determinations: RAPs.*
 - f. If a RAP expresses interest in being on the state eligible training provider list, the state must request the RAPs provide the following information to the state:
 - Occupations included within the RAP;
 - The name and address of the RAP sponsor;
 - The name and address of the Related Technical Instruction provider, and the location of instruction if different from the program sponsor's address;
 - The method and length of instruction; and,
 - The number of active apprentices.
2. Continued eligibility requirements must:
- a. Establish an application procedure for training providers to maintain their eligibility and the eligibility of their programs;
 - b. Establish a procedure that ensures that all providers are subject to review and renewal of their eligibility within a year of their initial eligibility determination and at least every two years thereafter, which can establish minimum standards;
 - c. Describe the application procedure for continued eligibility in the State Plan , and outline the roles of the state and Local Areas in receiving and reviewing provider applications, and in making eligibility determinations;
 - d. Include the continued eligibility components listed on Eligibility Policy Checklist as described in Training and Employment Guidance Letter 8-19 Attachment III; and
 - e. Take into account whether the provider accurately and timely submitted all of the information required for completion of eligible training provider performance reports (WIOA section 116(d)(4)) and all of the information required for initial and continued eligibility.

- f. Information requirements for continued eligibility established by the Governor must require eligible training providers to submit appropriate, accurate, and timely information for participants receiving training under WIOA title I. That information must include:
 - The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;
 - The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;
 - The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
 - The percentage of program participants who obtain a recognized postsecondary credential, or secondary school diploma or its recognized equivalent during participation in or within 1 year after exit from the program;
 - Information on recognized postsecondary credentials received by program participants;
 - Information on cost of attendance, including costs of tuition and fees, for program participants; and
 - Information on the program completion rate for such participants.
3. The policies and procedures must include RAP sponsors requesting ETP list inclusion as long as the program is registered or until the program sponsor notifies the state that it no longer wants to be included on the list, until the program is deregistered, or until they are determined to have intentionally supplied inaccurate information or have substantially violated a provision of Title I of WIOA or its regulations.
4. The policies and procedures must not subject RAPs to the same application and performance information requirements or to a period of initial eligibility or continued eligibility procedures.
5. The Governor and State Workforce Development Board must work with the federal Office of Apprenticeship (OA) state director, or if the state oversees the apprenticeship system, with the SAA to develop a mechanism to contact all RAPs within the state in order to allow them to indicate interest.

D. For initial and continue eligibility procedures, the Governor must:

1. During a designated time period, solicit and consider recommendations from Local Boards and training providers regarding the procedures.
2. Provide an opportunity for public comment regarding the initial and continued eligibility procedures.

- E. The designated state entity must determine whether the provider submitted accurate information for the eligibility criteria and performance levels, and take enforcement actions as needed if the provider intentionally submitted inaccurate information or substantially violated the requirements of WIOA or initial and continue eligibility procedures, the Governor must:**
1. The Governor's procedures must include what the Governor considers to be a substantial violation of the requirement to timely and accurately submit all of the information required for completion of the eligible training provider performance reports required under WIOA Section 116(d)(4) and all of the information required for initial and continued eligibility.
 - a. These procedures must take into account exceptional circumstances beyond the provider's control such as natural disasters, unexpected personnel transitions, and unexpected technology-related issues.
 - b. Providers who substantially violate the requirement to timely and accurately submit all required information must be removed from the ETP list.
- F. The designated state entity must ensure that state-established minimum performance levels for initial and/or continued eligibility are met (if applicable) including verifying the accuracy of the information.**
- G. The Governor must establish procedures for removing a provider from the list. Such procedures must:**
1. Remove programs that do not meet established eligibility criteria or state established minimum performance levels (if applicable).
 2. Identify which entity is responsible for revoking a provider's eligibility (Local Board or state agency).
 3. Ensure that revocation is for a period not less than two years for providers that intentionally supply inaccurate information or substantially violate any provision of WIOA or its regulations and that the training provider is liable to repay all adult and dislocated worker training funds received during the period of noncompliance.
 4. Providers removed from the statewide ETP list, or from a particular Local Area list of eligible training providers, must be afforded the opportunity to appeal the removal.
 5. Establish an appeals procedure for providers of training to appeal a denial of eligibility. The procedure must include an opportunity for a hearing

and must explain the appeals process for denial or termination of eligibility of a provider of training services.

- H. The Governor must establish a procedure by which a provider can demonstrate that providing state-required additional performance and cost information would be unduly burdensome or costly. If the state determines that providers have demonstrated such extraordinary costs or undue burden:**
1. The state must provide access to cost-effective methods for the collection of the information.
 2. The state may provide additional resources to assist providers in the collection of the information from funds for statewide workforce investment activities reserved under WIOA secs. 128(a) and 133(a)(1); or
 3. The state may take other steps to assist eligible training providers in collecting and supplying required information such as offering technical assistance.
- I. The Labor Market Information Division (LMI) of the Mississippi Department of Employment Security (MDES) will establish a list of demand occupations for the State. LMI data can be found at <http://www.mdes.ms.gov/information-center/labor-market-information/>. Each Local Board will establish and maintain a list of local demand occupations in response to local labor market needs.**

Allowable State Responsibilities:

- A. Governors may require any additional performance information (such as the information described at WIOA Section 122(b)(1)) that the Governor determines to be appropriate for eligibility or to better inform consumers.
- B. Governors may establish minimum performance standards for initial and continued eligibility, based on the performance information required for each.
- C. The Governor may establish procedures and timeframes for providing technical assistance to eligible training providers who are not intentionally supplying inaccurate information or who have not substantially violated any of the requirements under this section but are failing to meet the criteria and information requirements due to undue cost or burden.
- D. State policies and procedures may provide for reciprocal or other agreements established with another state to permit eligible training providers in a state to accept ITAs provided by the other state.

Required Local Board Responsibilities:

- E. Local Boards must ensure that there are sufficient numbers and types of providers of training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the Local Area and providing the services involved in a manner that maximizes consumer choice and leads to competitive integrated employment for individuals with disabilities.
- F. Local Boards must complete other responsibilities delegated to the Local Boards by the state (state may not delegate responsibilities specifically designated as a state responsibility unless explicitly stated in this guidance, the WIOA Final Rule, or WIOA statute). For example, Local Boards must collect such performance information as the state may require and determine whether the providers meet the state's performance criteria.
- G. Local Boards must remove ETPs that fail to meet local performance standards (if applicable) from the local ETP list, in accordance with state and local policies and procedures. This process must allow for appeals in accordance with the state's appeals procedure for providers of training to appeal a denial of eligibility from the local list of eligible training providers.
- H. Local Boards must ensure that the state's ETP list is disseminated publicly through the local one-stop system, including in formats accessible to individuals with disabilities, and its partner programs.
- I. The policies and procedures established by each Local Board must meet the minimum requirements of the guidelines set by the State. Local Boards may adopt more restrictive policies.

Allowable Local Board Responsibilities:

- A. The Local Board may, except with respect to registered apprenticeship programs:
 - 1. Require additional criteria and information from local providers as criteria to become or remain eligible in that Local Area; and
 - 2. Set higher levels of performance than those required by the state as criteria for local programs to become or remain eligible to provide services in that Local Area.
- B. Local Boards may supplement the criteria and information requirements established by the Governor in order to support informed consumer choice and the achievement of local performance indicators. However, the Local Board may not do so for registered apprenticeship programs.

This additional information may include:

3. Information on programs of training services that are linked to occupations in demand in the Local Area;
 4. Performance and cost information, including program- specific performance and cost information, for the local outlet(s) of multi-site eligible training providers;
 5. Information that shows how programs are responsive to local requirements; and
 6. Other appropriate information related to the objectives of WIOA.
- C. Local Boards may make recommendations to the Governor on the procedure used to determine eligibility of providers and programs.

Training Provider Responsibilities:

- A. Training providers must submit accurate and timely performance data and cost information for both initial eligibility and continued eligibility at least every two years, according to procedures established by the Governor.
- B. Training providers must deliver results and provide accurate information in order to retain status as an ETP.
- C. RAPs must submit the information necessary to indicate interest in being on the ETP list according to procedures established by the state, after being contacted by the state. These items should include the items in the checklist in as described in Training and Employment Guidance Letter 8-19 Attachment III.
- D. Intermediaries serving as RAPs who are employers using an outside instructional provider must identify their instructional provider in accordance with requirements established by their Local Board.
- E. The training provider will be bonded, registered by the applicable state agency, and licensed to do business in Mississippi.
- F. Eligible training providers who choose to seek continued eligibility of existing training course(s) during the annual open enrollment and recertification period beginning April 1 of each year and ending at midnight April 15 of each year will be monitored annually.

Registered Apprenticeship Program (RAP) Required Information for ETP List

- A. RAPs approved under National Program Standards must submit to ETA the following information to be added to ETP list(s):
 1. Occupations included within the RAPs;
 2. The name and address of the Registered Apprenticeship program sponsor;

3. The name and address(es) of the Related Technical Instruction provider(s), and the location(s) of instruction if different from the program sponsor's address; (Note: If the provider of Related Technical Instruction is different from the program sponsor, cost of the instruction may be requested);
4. The method and length of instruction; and
5. The number of active apprentices.

VIII. INITIAL ELIGIBILITY DETERMINATION POLICY

A. Initial Eligibility Application Process

1. The Initial Application Process for Eligible Training Providers is automated in the State's ETPL system and is a two-part process. The first application, also known as the registration process, is to provide to the LWDBs and the State a training provider profile, contact and user information, location(s) of training, and all necessary documentation required to show proof of registration, bonding, and etcetera.
2. The State has developed the following registration procedure for use by the State ETPL Administrators and LWDBs in determining the eligibility for all Training Providers of training as described in WIOA section 134(a). The registration application is an automated, on-line form and is located in the State's ETPL system at <https://etpl.mdes.ms.gov/MaintNewProviderRequest.aspx?usrAction=Add>
 - Registration applications that are completed and submitted as prescribed in the initial on-line application are assigned by the ETPL system to the appropriate Local Board(s) and its designee(s) based on the information the eligible training provider selects at the time the application is made. Each LWDB selected on the registration template will receive a copy of the application for review. The applicant must ensure that the required documents are sent to each of the LWDBs selected on the registration application. The ETPL system will assign a temporary three-digit code to the eligible training provider's registration application.
 - The LWDBs will look for: Factors concerning whether the provider is in a partnership with business; Factors that indicate high-quality training, including factors related to the quality of a training program, including programs of training that lead to a recognized postsecondary credential; and Factors concerning alignment of the training with in-demand industry sectors and occupations, to the extent practicable.
 - The LWDBs will review all registration applications forwarded to them by the ETPL system, assure that the providers meet the requirements of WIOA law and local policies, including required performance data (where applicable), and will approve eligible training provider's initial registration application and all training program(s) of study associated with the ETPL system.

- If the LWDB denies the initial registration application, the LWDB will send a letter to the eligible training provider explaining why the initial application was denied. (For appeal instructions, please see additional information in the Appeal section of this policy.) If the LWDB grants an approval on the application, the ETPL system will notify the ETPL Administrator via a system generated email and the ETPL Administrator at the State Office will assign a permanent provider code to the eligible training provider, activate the user ID(s), and send an email notice to the eligible training provider that their registration application was approved and access has been granted to the ETPL system. At this time, the eligible training provider can make initial application for their program(s) of study.
 - A State review to verify performance data may be required.
3. Once the eligible training provider has received notice from the State's ETPL Administrator via email that the registration application has been approved, that a permanent provider coded has been granted, and the user(s) identified in the aforementioned application template have been given access to the ETPL System, the eligible training provider can then log into the ETPL system at <https://etpl.mdes.ms.gov/Login.aspx> and enter the initial training course application(s). The eligible training provider will use the automated, on-line application form at <https://etpl.mdes.ms.gov/NewEPLAppEntry.aspx?usrAction=Add>.
- a. All eligible training providers will provide the following institution and program information:
- i. Name, mailing address, and physical address of the training facility;
 - ii. Name and description of the program(s) of study;
 - iii. Total hours of instruction associated with the program of study;
 - iv. Cost of the training program, including tuition, fees, books, and any required tools, uniforms, equipment or supplies, as well as all unmet needs costs;
 - v. Detailed description of the training program;
 - vi. Information on whether students in the program are eligible for Title IV of the Higher Education Act funding (e.g., Pell Grant);
 - vii. Signed assurance that **no more than 75%** of your class/course enrollment are WIOA-funded on an annualized basis;
 - Providers with greater than 75% of their class/course annual enrollment being funded by WIOA must show justification and an action plan to correct the imbalance to the LWDB,
 - The LWDB may issue an exception to the provider, if it feels the imbalance is justified.

- The LWDB may choose to locally increase the ratio of non-WIOA to WIOA-funded participants.
- viii. Documentation of licensure to provide training or instruction and to do business in the state in which the training will be provided, and from the appropriate oversight agency or department, if required;
 - This includes, but is not limited to, the Bureau of Apprenticeship and Training, the Southern Association of Colleges and Schools, the Mississippi Commission on Proprietary School and College Registration, the Mississippi Department of Education, the Mississippi State Boards of Nursing, Cosmetology, Massage Therapy, or Barber Examiners, and/or other generally recognized national, regional, state, or local certifying bodies.
 - Non-Profit training providers, Community-Based Organizations (CBOs), Faith-Based Organizations (FBOs), or any other provider not otherwise licensed or certified as required above in paragraph h) i., must be registered with the Mississippi Commission on Proprietary School and College Registration (CPSCR), a division of the Mississippi Community College Board. The minimum requirements for registration shall include:
 - Submitting Federal Tax Identification Number,
 - Posting of minimum bond amount of \$50,000 as prescribed by Mississippi Community College Board (MCCB),
 - Having a refund policy in place that conforms to the minimum standards set forth by law (75-60-18, MS Code of 1972), or adopting the refund policy developed by the State (Attachment C), and
 - Other requirements as prescribed by MCCB
<http://www.mccb.edu/program/psDefault.aspx>.
 - Registration with the Secretary of the State of Mississippi.
- ix. Documentation of Certification to teach the subject matter for the program of training, if required, i.e. Microsoft, ISO9000, or similar certification generally recognized by employers; and
- x. Any additional information required by the LWDB.
- b. Performance Data for eligible training providers' programs of study applications must include (with the exception of Registered Apprenticeship sponsors) the following:
 - i. Standard Performance Data (Section J – All Participants)
The number of ALL participants who entered training and were scheduled to complete during the 12-month program year date range is to be provided for each training program by the eligible training provider and annotated in

Section J of the on-line training course application in the State's ETPL system @ www.etpl.mdes.ms.gov, both in the initial application and annually during each open enrollment and recertification period held beginning April 1 and ending April 15 of each year. The ETPL administrator will send an ETPL system generated email to all active users prior to the open enrollment and recertification period to remind the eligible training providers that the open enrollment and recertification period is approaching and to inform eligible training providers of the 12-month data range. Additionally, the following information should be kept for each training course or program for review by the LWDB:

- The program completion rates for individuals participating in the program(s);
- The percentage of individuals participating in the program(s) who obtained unsubsidized employment; and
- Wages at placement in employment of individuals participating in the program(s).

iii. **Provided Performance Data (Section K – WIOA Participants)**

Prior to the open enrollment and recertification period, the ETPL Administrator will determine the 12-month program year date range and request a data extract from the State's ETPL financial tracking system to identify the participants who received WIOA training funds with a training completion that falls within the identified 12-month program year date range. The data file extract will include, at minimum, the participant's first and last name, social security number, the name of the eligible training provider, and name of the training course. This data file will be used to match all trained participants to the state and national wage data bases using the State's Unemployment Insurance Wage Records and the State Wage Interchange System (SWIS), respectively. Once the wage data has been compiled, the State will determine the following information for each training course in the State's ETPL system and The ETPL Administrator will key the following data on each training course application where WIOA activity occurs:

- The number of participants who entered training;
- The number of participants who completed training;
- The number of participants who entered employment;
- The percentage of program participants who are in unsubsidized employment during the **second quarter after exit** from the program;
- The percentage of program participants who are in unsubsidized employment during the **fourth quarter after exit** from the program;
- The median earnings of program participants who are in unsubsidized

employment during the second quarter after exit from the program;

- The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (vi)), during participation in or within 1 year after exit from the program;
- The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.

On July 22, 2014, the Workforce Innovation and Opportunity Act (WIOA) was signed into law and provides comprehensive legislation that reforms and modernizes the public workforce system. As a result, the State is mandated by WIOA law to provide an annual report to the U.S. Department of Labor's (DOL) Employment and Training Administration (ETA) a 3-year report card on all WIOA approved eligible training providers and their approved programs of study for all participants who participated in the program of study. This instruction can be found in Training and Employment Guidance Letter (TEGL) 10-16 and report template ETA 9171. The first report is due to DOL October 1, 2017 and annually on this date each year that follows. For purposes of meeting the DOL's reporting requirements, the State will provide additional information and instructions to WIOA approved eligible training providers regarding the data that is required of the participants served through their institution.

c. Assurances

No Training Provider will be placed on the Eligible Training Provider List until a signed Certificate of Assurances is received by either the LWDA, the State office or both confirming that they will comply fully with all nondiscrimination, equal opportunity, all performance indicators, and all provisions of the laws listed below. This document is found at <https://etpl.mdes.ms.gov/Assurances.pdf>.

- i. WIOA section 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity;
- ii. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- iv. The Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination against qualified people with disabilities based on disability;

- v. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
- vi. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
- vii. 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance;
- viii. WIOA trainees shall make up no more than 75% of each class;
- ix. As an eligible training provider to WIOA participants you will provide industry-recognized certificates and certifications, offer quality programs of training that lead to recognized postsecondary credentials, and provide indicators that you provide training to individuals who are employed and individuals with barriers to employment;
- x. As an approved WIOA eligible training provider you will provide indicators of effectiveness in serving employers, factors that indicate high-quality training, factors concerning alignment of the training with in-demand industry sectors and occupations, and you are in partnership with businesses.

B. Initial Application Timeline and Requirements

1. Advertisement: Local Areas shall provide adequate notice through public advertisement of the upcoming enrollment and subsequent eligibility period held annually during April 1 -15.
2. State of Mississippi Community Colleges, Higher Education Act and/or National Apprenticeship Act Providers, Other Public and Private Training Providers:
 - a. Applications will only be accepted during the open enrollment and recertification period of April 1 – 15 each year. The ETPL system will open for eligible training providers to make application and modify existing training courses during this period. This enrollment allows for initial and continued eligibility processes to take concerning eligible training providers' programs of study. No additional applications or modifications will be accepted after midnight April 15th of each year.
 - b. Beginning on April 16th of each year following the open enrollment and continued eligibility, the ETPL Administrator will begin the automated processes which will update required information and assign the applications to the respective LWDB for review.

- c. The LWDB will review the application(s) in the ETPL system and annotate on the application either an approval or denial. If the LWDB annotates a denial in the ETPL system, the ETPL system will automatically generate an email notification to the eligible training provider stating the reason or reasons for denial (only one reason is needed for denial), provide the timeline in which the appeal is required, and to whom the appeal is to be directed.
 - d. During the review period, the LWDB, the State or its designated representative(s) may make an on-site visit to the eligible training provider's program sites.
 - e. All approved course applications will be included as part of the system data upload by July 15th of the current year and becomes the new eligible training provider and course list made available to the public via the State's online ETPL system @ [http://mdes.ms.gov/i-need-a-job/job-searching-resources/training-education/eligible-training-provider-list-\(etpl\)-system/](http://mdes.ms.gov/i-need-a-job/job-searching-resources/training-education/eligible-training-provider-list-(etpl)-system/).
 - f. Any courses not recertified through the previously described process or approved by the LWDB will be removed from the ETPL list.
3. State Acceptance:
- a. For applications from Community Colleges, Higher Education Act and/or National Apprenticeship Act, the LWDB's approval is the final decision. The State's ETPL Administrator will place the eligible training provider program(s) on the Statewide Eligible Training Provider List online system prior to July 15th of the current year after the April 1- 15 open enrollment and continued eligibility period.
 - b. For applications from all other public and private providers of a training program, the LWDB's approval is the final decision. The State's ETPL Administrator will place the eligible training provider program(s) on the Statewide Eligible Training Provider List online system prior to July 15th of the current year after the April 1- 15 open enrollment and continued eligibility period.
 - c. Registered Apprenticeships do not require LWDB approval to be placed on the ETPL list.

IX. CONTINUED ELIGIBILITY DETERMINATION POLICY

A. Continued Eligibility Determination Process

Program of study applications must be submitted via the State's online system at www.etpl.mdes.ms.gov during the open enrollment and continued eligibility period held between April 1 – 15 each year, at such time, in such a manner, and containing such information as necessary to adequately fulfill the LWDB's and State's performance information requirements for each training program of study. The continued eligibility process is required of each eligible training provider. The Registered Apprenticeship program sponsors are exempt from the performance indicators and outcome measures. On April 16, the ETPL Administrator will administer the online processes to assign the training course applications to the respective LWDBs for review.

1. Training providers, regardless of their previous eligibility status, who wish to apply for continued eligibility, must meet the initial eligibility criteria as previously stated in this policy. Failure to meet the revised criteria for initial eligibility will result in that provider's removal from the Eligible Training Provider List web based system.
2. To remain eligible, all training providers must undergo an annual eligibility determination by the LWDBs. This determination will include a review of program-specific performance and cost information as well as a review of actual performance compared to performance levels established by the Governor (See Attachment A). An onsite review may be part of the process.
3. The eligible training provider should keep verifiable, program-specific performance information for each program of study. This information must be available for each program to be considered for continued eligibility and may be reviewed by the LWDB or State:
 - a. Outcomes for all individuals participating in the program:
 - i. Program completion rates;
 - ii. Percentage who obtained unsubsidized employment; and
 - iii. Average wage at placement in employment.
 - iv. Signed assurance that **no more than 75%** of your class/course participants are WIOA-funded, on an annualized basis;
 - Providers with greater than 75% of their course's annual participants being funded by WIOA must show justification and an action plan to correct the imbalance to the LWDB,
 - The LWDB may issue an exception to the provider, if they feel the imbalance is justified; and will forward the exception to the State for final approval.
 - The LWDB may choose to locally increase the ratio of non-WIOA to WIOA-funded participants.

- Where appropriate, the rates of licensure or certification, attainment of academic degrees or equivalents, or attainment of other measures of skills of the graduates of the program.
- b. Outcomes for WIOA participants in each program of study where a participant was granted an Individual Training Account will be provided by the State's ETPL Administrator and staff: (Section K – WIOA Participants)
- i. The number of participants who entered training;
 - ii. The number of participants who completed training;
 - iii. The number of participants who entered employment;
 - iv. The percentage of program participants who are in unsubsidized employment during the **second quarter after exit** from the program;
 - v. The percentage of program participants who are in unsubsidized employment during the **fourth quarter after exit** from the program;
 - vi. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
 - vii. The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (vi)), during participation in or within 1 year after exit from the program;
 - viii. The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment. Percentage who have completed the program and are placed in unsubsidized employment; and
 - ix. Information on program costs (e.g., tuition, fees, books, supplies, tools, room and board, personal and transportation) for each program. Each LWDB will determine which elements of program cost, other than tuition and fees may be covered by an Individual Training Account (ITA).

4. All approved program of study course application(s) will be included as part of the system data upload on or before July 15th of the current year and becomes the new eligible training provider course list made available to the public via the State's online ETPL system at [http://mdes.ms.gov/i-need-a-job/job-searching-resources/training-education/eligible-training-provider-list-\(etpl\)-system/](http://mdes.ms.gov/i-need-a-job/job-searching-resources/training-education/eligible-training-provider-list-(etpl)-system/). No log in or user access is required to view the list of eligible training providers and their respective courses approved by the LWDBs. Public access is also provided via the MDES website at www.mdes.ms.gov and selecting the Customer/Public Access link in the bottom right corner. The public may search by selecting the Local Area map, the certified training course list by course name, training provider, etc.
5. The LWDB and the State may accept program-specific performance information consistent with the requirements for eligibility under Title IV of the Higher Education Act of 1965 from the provider for purposes of enabling the provider to fulfill the requirements for continued eligibility determination if the information is substantially similar to the information required.
6. Alternate procedures may be used to collect and verify supplemental outcome training performance information.

B. Performance Measures

The LWDB shall annually adopt its standards within 90 calendar days after the State issues its standards of performance. LWDB standards must meet or exceed the standards adopted by the State. The baseline State Performance Measures are included as Attachment A of this policy.

C. Continued Eligibility Timeline

1. Continued eligibility certification will be performed annually at the anniversary of the initial eligibility application. As of April 1, 2013, the State will have one continued eligibility period each year. The continued eligibility period will be held April 1 – 15 each year. Failure to apply for continued eligibility of training course(s) or programs of study will result in the expiration of the current certification and removal from the statewide approved training provider list. The course will then be stored in the ETPL system archives as an inactive course. The training provider may request to activate inactive programs of study outside of the continued eligibility period, but only with the prior consent of the LWDA. Once the LWDA agrees that the course(s) may be modified, the LWDA must notify the ETPL Administrator at etpladmin@mdes.ms.gov that approval has been granted by the LWDA. The ETPL Administrator will ensure that the processes are initiated that move the course(s) to an active status.
2. Eligible training providers seeking continued eligibility certification will key the total number of participants who entered training in Section J of each training course application. Upon request, performance data for the most recent 12-month period as described in the first section of attachment A of this policy should be

made available to the LWDA or MDES for each program of study application for continued eligibility

3. The LWDB shall review and certify the performance data of all registrations and applications as soon as possible following the close of the application period (midnight April 15 of each year) and shall annotate such approval or denial on each training course application in the State's ETPL system. The ETPL system will automatically generate an email notification to each active user for the eligible training provider stating the reason or reasons for denial (only one reason is needed for denial), and provide the timeline in which the appeal is required, and to whom it is to be directed.
4. During the review period, the LWDA or its designated representative(s) may, as determined reasonable by the LWDA, make an on-site visit to the eligible training provider program sites for the purpose of confirming information.
5. Once all of the LWDA's have annotated their approvals in the ETPL system for each training course application assigned, and the 10 day window for appeal has expired, the ETPL Administrator will conduct the upload of the new list and data for each program of study application on or before July 15th of the current year.
6. State Acceptance:
 - a. For applications from Community Colleges, Higher Education Act and/or National Apprenticeship Act, the LWDB's approval is the final decision. The State's ETPL Administrator will place the eligible training provider program(s) on the Statewide Eligible Training Provider List online system prior to July 15th of the current year after the April 1- 15 open enrollment and subsequent eligibility period.
 - b. For applications from all other public and private providers of a training program, the LWDB's approval is the final decision. The State's ETPL Administrator will place the eligible training provider program(s) of study on the Statewide Eligible Training Provider List online system prior to July 15th of the current year after the April 1- 15 open enrollment and subsequent eligibility period.

D. LWDB Considerations in Determining Subsequent Eligibility

1. The Local Board should have established criteria for determining subsequent eligibility, so that decisions are not arbitrary. [20 CFR 663.535(f)(1)&(2).] Such factors may include, but are not limited to:
 - a. Specific economic, geographic, and demographic factors in the Local Area(s) in which the provider seeking eligibility is located;
 - b. Characteristics of the population(s) served by the provider seeking eligibility, including the demonstrated difficulties in serving such population(s), where applicable;
 - c. Current and projected occupational demand within the Local Area;

- d. Performance of a provider of a program(s) of training, including the extent to which the annual standards of performance established by the LWDB have been achieved;
 - e. Cost of training;
 - f. Involvement of employers in the establishment of skill requirements for the training program;
 - g. Feedback of employers who employ individuals who recently completed WIOA-supported training to verify that the training provided produced the expected skills; and,
 - h. Number of individuals considered in calculated percentages for performance measures.
2. The LWDB may require enhancements to programs or courses to meet local industry needs as a contingency for subsequent eligibility.

X. DENIAL AND APPEAL PROCESSES

A. Denial Process

1. LWDB Denials

- a. Upon a determination by the LWDB that an application by a training provider for a specific program does not meet the eligibility requirements set forth in WIOA or State/local policy, or does not meet the established criteria for determining subsequent eligibility, the LWDB shall annotate that the course is denied on the electronic application in the State's ETPL system with at least one reason why the course has been denied.
- b. The ETPL system will automatically send a system generated email to the active users for the eligible training provider and shall comply with the following requirements:
 - i. Notification by email to each active user in the ETPL system for the eligible training provider;
 - ii. Indicate the "date mailed" on the system generated email denial notice;
 - iii. Identify the program and project code that was denied;
 - iv. Describe the specific reason or reasons for the denial; and
 - v. Inform the training provider of the appeal process as outlined below.
- c. LWDB policy shall determine the circumstances under which reconsideration may be afforded to a provider that was denied initial eligibility determination. An entity whose initial application for certification was denied may not reapply until the following year of initial applications.

2. State Denials

- a. The State's ETPL Administrator will move all of the initial and subsequent eligible training provider training course applications that have been disapproved or denied to a historical archive file in the ETPL system as an inactive course on or before July 15th of the current year. All information and data on the application will remain in the system. Once the training course application becomes inactive, it is not available for view by the public and is not available for the ITA staff to generate an obligation of WIOA funds.
- b. In denying or removing a training program from the Eligible Training Provider List, the State shall follow the guidelines as outlined in the WIOA federal regulations.

B. Appeal Process

1. The training provider has ten (10) working days from the date of the ETPL system generated email in which to file an appeal to the originator of the notice, which is the LWDA.
2. The request for appeal must clearly indicate that the training provider wants to appeal the denial and must clearly identify the training program being denied.
3. The request for appeal must be submitted in writing, signed, dated and postmarked no later than 10 working days from the ETPL system generated notice, and must include a factual basis for the appeal.
4. The LWDB will review the request for appeal and, based on this review, may reverse their original decision if an administrative error was made or if additional information submitted by the training provider changes the basis on which the original decision was issued.
5. Additional information regarding appeals can be found in the MDES agency policy number 32 entitled Programmatic Grievance and Complaints Policy.
6. Decision Reversals
 - a. If the LWDB reverses a prior decision, the LWDB will make the reversal on the application in the ETPL system. A system generated email will be sent to all active users of the eligible training provider informing the provider of the reversal. If the course(s) was not included in the mass data upload on or before July 15th of the current year, the course(s) will be uploaded to an active status immediately after the reversion is noted on the training course application by the LWDB.
 - b. If the State reverses a prior decision, the State will notify both the LWDB and the training provider of the reversal and will follow the appropriate procedures to include the training course in the State's system upload so that the course becomes active and is available for public viewing, and ITA staff for the purpose of obligating WIOA funds.

XI. COMPLIANCE AND REQUIREMENTS

A. Local

The Local Areas shall be responsible for:

1. accepting, reviewing, and approving or denying eligible training providers' applications of programs of study;
2. compiling a Local Demand Occupation List, based on the Statewide Demand Occupation List;
3. monitoring of the eligible training providers to ensure compliance with WIOA Rules and Regulations, including Program Performance information, with applicable OMB Circulars, and with the Performance and Enrollment requirements as stated in this and other State Policies.

B. Statewide

The State shall compile a single Eligible Training Provider List from all Local Areas in the State and disseminate such list, and the performance information and program cost information, to the One-Stop service delivery systems within the State. This List and information shall be made widely available to participants in employment and training activities and other customers through the One-Stop service delivery system. The eligible training provider, their respective courses, training locations etcetera can be accessed by the public at [http://rmdes.ms.gov/i-need-a-job/job-searching-resources/training-education/eligible-training-provider-list-\(etpl\)-system/](http://rmdes.ms.gov/i-need-a-job/job-searching-resources/training-education/eligible-training-provider-list-(etpl)-system/).

C. Regulatory Requirements


1. Accuracy of information: If the LWDB and/or designated State agency, after consultation with the Local Board involved, determines that an eligible training provider or individual(s) supplying information on behalf of the provider intentionally supplies inaccurate information under this section, the agency shall terminate the eligibility of the provider to receive funds described in subsection (a) for any program for a period of not less than two years.
2. Noncompliance: If the designated State agency, or the Local Board working with the State agency, determines that an eligible training provider described in subsection (a) substantially violates any requirement under this Act, the agency, or the Local Board working with the State agency, may terminate the eligibility of such provider to receive funds described in subsection (a) for the program involved or take such other action as the agency or Local Board determines to be appropriate.
3. Repayment: A provider whose eligibility is terminated under paragraph (1) or (2) for a program shall be liable for repayment of all funds described in subsection (a) received for the program during any period of noncompliance described in such paragraph.
4. Conflict of Interest:
 - a. As stated in 20 CFR 667.200(a)(4)(i), a Local Board member or Youth Council member must neither cast a vote on, nor participate in, any decision-

making capacity on the provision of services by the member (or any organization the member directly represents), nor on any matter that would provide direct financial benefit to the member or a member of his immediate family.

- b. As stated in 20 CFR 667.200(a)(4)(ii), neither membership on the Local Board or the Youth Council nor the receipt of WIOA funds to provide training and related services, by itself, violates the conflict of interest provisions.

XII. EFFECTIVE DATE

This policy is effective immediately.

Designed by

 CDA TECHNOLOGIES

1/28/2022

Robin Stewart
Interim Executive Director

Date _____

Attachments: A – State Performance Levels
B – State Refund Policy
C – System Access Confidentiality Agreement

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
State Policy Number 7
PRIORITY of SERVICE for
WIOA ADULT PROGRAM PARTICIPANTS
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

To establish a policy for determining priority of services for adults receiving direct, monetary services such as support services or training under the Workforce Innovation and Opportunity Act (WIOA).

II. REQUIREMENTS

WIOA section 134(c)(3)(E) establishes the need for the local Workforce Investment Area to have a system of priority for services to adults:

“With respect to funds allocated to a local area for adult employment and training activities ... priority shall be given to recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of career services ... and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.”

Proposed § 680.600(b) requires States and local areas to establish criteria for providing priority to individualized career services and training services with WIOA adult funds under title I. The criteria may include other resources and funds for providing career and training-related services in the local area, as well as the needs of specific groups in the local area, as well as other factors the local areas determines appropriate.

Proposed § 680.600(c) clarifies that while priority must be given under WIOA adult funds to low-income individuals, public assistance recipients, or individuals who are basic skills deficient for individualized career services and training services, the Local Board and Governor may establish a process that also gives priority to other individuals.

A. Background

The Adult Program under Title I of WIOA provides workforce development services to adults to increase their employment, retention in employment, and earnings and also support their occupational skill attainment and career advancement. Local workforce development boards are charged with strategic

planning and oversight activities in support of workforce and economic development.

WIOA specifies that services for adults will be provided through One-Stop Career Centers. Services such as career guidance and workforce information may also be provided virtually. WIOA authorizes two types of service that are potentially available to job seekers:

1. Career Services - includes outreach, job search and placement assistance, provision of labor market information, comprehensive assessments, development of individual employment plans, counseling and career planning, and other services specified in §134(c)(2).
2. Training Services - includes Occupational Skills Training, On-the-Job Training activities, Customized Training, Individual Training Accounts, and other training services specified in §134(c)(3)(D).

Priority for both career and training services must be given recipients of public assistance, other low income individuals, and individuals who are basic skills deficient in accordance with the federal requirements specified in Section II, above.

Funds allocated for WIA Dislocated Workers or TAA eligible individuals are not subject to this Policy.

B. Compliance with the Jobs for Veterans Act

Mississippi's workforce system will provide priority of service to veterans and eligible spouses, as specified in the Jobs for Veterans Act and its implementing regulations at 20 CFR part 1010, and articulated in State Policy Number 6 - Priority of Service for Veterans and Eligible Spouses.

When Veterans Priority is applied in conjunction with Priority of Service for WIOA Adult Program Participants, veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient will receive first priority. The second priority would be recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient who are not veterans or eligible spouses.

C. Local Board Requirements

Local Workforce Development Boards are required to develop and include in their local plan, policies that implement Priority of Service for WIOA Adult Program Participants for the one Stop Centers and a service delivery plan for the local training providers.

III. EFFECTIVE DATE

This policy shall be effective as of July 1, 2015.

IV. APPROVAL



Jacqueline A. Turner
Deputy Executive Director, CFO

MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY
State Policy Number 11
WIOA ALLOCATION POLICY
Workforce Innovations and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

The purpose of this policy is to provide guidance and information to Local Workforce Development Areas regarding the Workforce Innovation and Opportunity Act (WIOA) Title 1 allotments for operating Adult, Dislocated Worker, Youth and Rapid Response activities. The funds allocated to the local areas for youth, adult, and dislocated worker activities will be allocated based on the formulas specified in WIOA Section 128(b)(2)(A)(I) and 132(b)(2)(A)(I), respectively. The State will consult with the State Workforce Development Board (SWDB) on the development of allocation formulas for the distribution and operation of approved WIOA activities.

II. REQUIREMENTS FOR WIOA ALLOCATION AND DISTRIBUTION

A. Adult

The WIOA allows the following allocation process:

1. **Standard Allocation Formula**
 - a. 33 1/3 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each area, compared to the total number of unemployed individuals in areas of substantial unemployment in all areas. The term “area of substantial unemployment” means any area that is of sufficient size and scope to sustain a program of workforce investment activities carried out under this subtitle and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months.
 - b. 33 1/3 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each area, compared to the total excess number of unemployed individuals in all areas. The term “excess number” means, used with respect to the excess number of unemployed individuals within a State, a higher of: (1) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force; or (2) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment.
 - c. 33 1/3 percent shall be allotted on the basis of the relative number of disadvantaged adults in each area, compared to the total number of disadvantaged adults in all areas. The term “disadvantaged adult” means

an adult who received income, or is a member of a family that received a total family income that, in relation to family size, does not exceed the higher of: (1) the poverty line; or (2) 70 percent of the lower living standard income level.

B. Youth

The WIOA allows for the following allocation process:

1. Standard Allocation Formula

- a. 33 1/3 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each area, compared to the total number of unemployed individuals in areas of substantial unemployment in all areas;
- b. 33 1/3 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each area, compared to the total excess number of unemployed individuals in all areas; and
- c. 33 1/3 percent shall be allotted on the basis of the relative number of disadvantaged youth in each area, compared to the total number of disadvantaged youth in all areas.

C. Dislocated Worker

1. Allocation Formula

The State shall allocate not less than 60 percent based on an allocation formula prescribed by the Governor. The formula shall use the most recent available information and shall include:

- a. Insured unemployment,
- b. Unemployment concentrations,
- c. Plant closing and mass layoff,
- d. Declining industries,
- e. Farmer-rancher economic hardship,
- f. Long term unemployment.

ALLOCATION FACTOR	WEIGHT ASSIGNED IN FORMULA
Insured Unemployment Data	10%
Unemployment Concentrations Data	25%
Plant Closing and Mass Layoff Data	10%
Declining Industries Data	20%
Farmer-Rancher Economic Hardship Data	5%
Long-Term Unemployment Data	30%

2. Transfer Authority

DOL allows transfer of up to 100% of funds between Dislocated Worker and Adult funding streams.

D. Distribution of Rapid Response Funds

As described in WIOA Part 682, the State will reserve up to 25% of dislocated worker funds for rapid response activities. Once the State has reserved adequate funds for rapid response activities, the remainder of the funds may be used by the state to provide funds to local areas that experience increased numbers of unemployed individuals due to natural disasters, plant closings, mass layoffs or other events for provision of direct services to participants.

III. EFFECTIVE DATE

This policy is effective July 1, 2015.


Jacqueline A. Turner
Deputy Executive Director, CFO

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
State Policy Number 6
PRIORITY OF SERVICE
For VETERANS and ELIGIBLE SPOUSES
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

The purpose of this policy is to articulate the procedures for providing priority of service to veterans and the eligible spouses of veterans with respect to qualified job training programs.

II. REQUIREMENTS

The requirement to provide priority of service applies to all Workforce Innovation and Opportunity Act (WIOA) and Wagner-Peyser funded activities, including technology-assisted activities; the Senior Community Service Employment Program (SCSEP); Indian and Native American Programs (INAP); National Farmworker Jobs Training Programs (NFJP); Trade Adjustment Assistance Programs (TAA); job training programs funded through the Women's Bureau, and any other current or future qualified job training program.

Additionally, all program operators are required to ensure that priority of service is applied by all sub-recipients of DOL funds. All program activities issued or executed by program operators, regardless of how they are procured, must be administered in compliance with priority of service requirements.

A. Background

The Jobs for Veterans Act (JVA), Public Law (P.L.) 107-288 was signed into law in November 2002, establishing a priority of service requirement for covered persons, as defined by this statute, in qualified job training programs.

The Department of Labor, in December 2008, published 20 CFR Part 1010 to reflect the statutory requirement of section 605 of the Veteran's Benefits, Health Care, and Information Technology Act of 2006, (P.L. 109-461), implementing priority of service via regulation.

The Final Rule took effect in January 2009, stating that recipients of funds subject to these regulations should review and, if necessary, enhance their current policies to ensure adequate protocols are in place.

B. Definitions

1. Priority of Service

With respect to any qualified job training program, a covered person shall be given priority over a non-covered person for the receipt of employment training and placement services provided under that program.

2. Covered Person

As defined in Federal Rule (20 CFR Part 1010), a covered person means a veteran or eligible spouse of a veteran.

3. Veteran

A veteran is defined as a person who served in the active military, naval, or air service, who was discharged or released under conditions other than dishonorable.

4. Eligible Spouse

- a. The spouse of any persons who died of a service-connected disability
- b. The spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - missing in action
 - captured in the line of duty by hostile force; or
 - forcibly detained or interned in the line of duty by a foreign government or power
- c. The spouse of any persons who have a total disability permanent in nature resulting from a service-connected disability; or
- d. The spouse of a veteran who died while a disability so evaluated was in existence.

The United States Department of Labor (USDOL) has indicated for clarification concerning (a) and (d) above that the re-marriage of the spouse would not terminate their eligibility. However, if a spouse

becomes divorced from a veteran under (b) and (c) above, eligibility for priority of service is terminated.

It is further understood that this policy does not exclude from eligibility spouses who were not citizens at the time that the veteran was discharged or retired, nor does it stipulate that a spouse had to be married to a veteran at the time of his or her discharge or retirement.

5. Qualified Job Training Program

Any program or service for workforce preparation, development or delivery that is directly funded, in whole or in part, by the USDOL.

C. Implementing Priority of Service

The regulations provide that priority of service means the right of eligible covered persons to take precedence over eligible non-covered persons in obtaining services. They further specify that taking precedence may mean:

- The covered person receives access to the service or resource earlier in time than the non-covered person; or
- If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.

The regulations specify how priority of service is to be applied across three different types of qualified job training programs:

- Universal access programs that do not target specific groups;
- Discretionary targeting programs that focus on certain groups but are not mandated to serve target group members before other eligible individuals; and,
- Statutory targeting programs that are mandated by federal law to provide priority or preference to certain groups.

D. Identifying and Informing Covered Persons

All recipients of funds for qualified job training programs are required to identify covered persons at the point of entry to programs to enable them to take full advantage of priority of service. The USDOL will not prescribe how this is to be done. Program operators are reminded, however, that self-registration systems are not, at this stage, to require documents to be produced that verify status, unless the point of entry is also the point at which program eligibility determination and registration or enrollment takes place. Even then, the

applicant should be permitted to enroll and follow-up subsequently with the verification of his or her status. Point of entry will include physical locations as well as websites and other virtual service delivery resources.

Protocol should require that the receptionist or office manager ask each applicant if he or she is a veteran or eligible spouse. Staff should also explain to each applicant that veterans and eligible spouses get priority of service, and describe any eligibility requirements for those services or programs.

E. Local Board Requirements

Local Workforce Development Boards are required to develop and include in their local plan, policies which implement priority of service for the one Stop Centers and a service delivery plan for the local training providers.

III. EFFECTIVE DATE

This policy shall be effective as of July 1, 2015.

IV. APPROVAL


Jacqueline A. Turner
Deputy Executive Director, CFO

I2E. WIOA Programmatic and Fiscal Monitoring

MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY
State Policy Number 8, Revised February 2018
WIOA PROGRAMMATIC and FISCAL MONITORING
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

This policy sets forth requirements for the monitoring of all entities receiving Workforce Innovation and Opportunity Act (WIOA) funds in accordance with Sections 183(a-c) of the Act and Federal regulations 2 CFR Part 200.330 – 200.332, and Federal Acquisition Regulation (FAR) 31.2 of the Final Rule.

Audit Regulations, 2 CFR 200.501-512, shall be applicable for non-profit and for-profit entities who expend \$750,000 a year in federal awards from all sources.

Each Local Workforce Development Area and State sub-recipient shall develop a policy to govern its monitoring activities. This document provides guidelines for developing the policy and describes the minimum elements to be included in the policy.

II. STATE REQUIREMENTS

A. State Monitoring Policy

The Office of Grant Management (OGM) is responsible for monitoring all Local Workforce Development Areas and State sub-recipients. On-site and/or desk reviews will be conducted pursuant to established standard operating procedures to ensure compliance with the WIOA, Federal regulations, State laws, contractual agreements, State policies, OMB circulars, cost principles, and, when applicable, Federal Acquisition Regulations (FAR).

1. Monitoring Review Process

- An on-site and/or desk review is conducted consisting of:
- An entry conference or written notification of desk review, as appropriate, to brief agency officials on the scope of the review and to make appropriate arrangements;
- A review of administrative, fiscal, equal opportunity, and programmatic systems and transactions;
- Performance of test work, based on a review and examination of WIOA records and interviews; and
- An exit conference for on-site reviews to inform agency officials of monitoring results.

2. Monitor the following, as applicable:

- program goals and objectives

- program quality
- procurement
- fiscal accountability
- labor standards
- audit/audit resolution
- actual expenditures against cost categories and limitations
- grievance procedures
- equal opportunity
- provisions of the Americans with Disabilities Act
- eligibility verification as applicable
- property management
- internal monitoring of entity's sub-recipients
- administrative procedures
- program performance
- other programmatic areas
- programmatic accountability

3. Monitoring Report

After each review, a monitoring report will be prepared by OGM detailing the results of the monitoring visit. The report will be completed within three weeks of completion of the review. Indexed working papers will also be prepared to provide supporting documentation for test work performed and for any findings. The monitoring report will be transmitted to the entity for review, and appropriate corrective action will be requested, if necessary.

4. Corrective Action Response

If any findings were noted during the review, a corrective action response will be required within 45 days from date of the monitoring report. Upon receipt of the entity's corrective action plan, the monitors will review the response and comment on the acceptability of the proposed corrective action. If the corrective action plan is deemed acceptable, the file will be closed. If the corrective action plan or any part thereof is unacceptable, additional corrective action shall be requested. The file will remain open until all corrective action has been accepted.

5. Acceptance/Non-acceptance of Corrective Action

Notice of acceptance or non-acceptance of the sub-recipient's proposed corrective action plan will be forwarded by OGM to the sub-recipient within 30 working days of receipt of the plan. If the proposed plan is not accepted, OGM may require submission of a subsequent

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plan to be received within 30 days from the date of the notice.

If the subsequent plan is deemed unacceptable, OGM may again request submission of a new plan within a specified timeframe or take other action as deemed appropriate relevant to the circumstances.

6. Monitoring Files

A monitoring file will be maintained by OGM for each monitoring visit or desk review.

7. Follow-up Visits and Verification of Corrective Action

Follow-up visits will be conducted by OGM, if deemed necessary.

8. Unannounced Visits

Unannounced visits may be conducted by OGM, if deemed necessary.

III. LOCAL WORKFORCE DEVELOPMENT AREA/ STATE SUB-RECIPIENT REQUIREMENTS

A. Local Workforce Development Area/State Sub-recipient Monitoring Policy

WIOA Section 107(d)(8) requires the local board, in partnership with the chief elected official, to conduct monitoring with respect to local programs of youth activities authorized under section 129(c), adult and dislocated worker local employment and training activities authorized under section 134(b), (c), and (d), and the one-stop delivery system in the local area.

WIOA Section 184(a) (3&4) and 2 CFR 200 parts 330-332 of the Federal regulations require each recipient and sub-recipient of WIOA Title I funds to conduct monitoring of the WIOA activities of its sub-recipients in order to:

- Determine whether expenditures have been made against the cost categories and within the cost limitations specified in WIOA and Federal regulations;
- Determine whether there is compliance with all applicable requirements; and
- Provide technical assistance as necessary and appropriate.

1. Scope

The Local Workforce Development Area (LWDA) or State sub-recipient shall develop a monitoring policy describing the procedures that will be implemented to ensure compliance with WIOA, Federal regulations, State laws, contractual agreements, State policies, OMB circulars, cost principles, and Federal Acquisition Regulation (FAR).

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Local fiscal monitoring of sub-recipients may consist of one of the following: 1) on-site; 2) desk review; 3) both on-site and desk review for the same period. The method used to conduct the monitoring and the frequency required for each shall be based on the LWDA or State sub-recipient's determination of "risk" and other factors which should consider whether the sub-recipient is subject to the Single Audit Act; when the most recent previous on-site review was conducted; previous findings or corrective actions required; etc.

LWDA or State sub-recipient programmatic compliance and equal opportunity monitoring of sub-recipients may consist of one of the following: 1) on-site; 2) desk review; 3) both on-site and desk review for the same period. The method used to conduct the monitoring and the frequency required for each shall be based on the LWDA's determination of "risk" and other factors which should consider the type of WIOA activity performed by the sub-recipients; when the most recent previous on-site review was conducted; previous findings or corrective actions required; the existence of current reviews conducted by the state or its authorized representative that adequately address all criteria in the LWDA or State sub-recipient monitoring instrument, etc.

Monitor the following, as applicable:

- program goals and objectives
- program quality
- procurement
- fiscal accountability
- labor standards
- audit/audit resolution
- actual expenditures against cost categories and limitations
- grievance procedures
- equal opportunity
- provisions of the Americans with Disabilities Act
- eligibility verification as applicable
- property management
- internal monitoring of entity's sub-recipients
- administrative procedures
- program performance
- other programmatic areas
- programmatic accountability

2. Frequency

The policy shall include procedures to ensure monitoring is completed in a

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timely manner. Each sub-recipient or State sub-recipient shall be monitored at least once per year during the program year or during the sub-award period.

B. Local Workforce Development Area/State Sub-recipient Monitoring Procedures

1. Annual Monitoring Schedule

The policy shall include procedures to ensure an annual monitoring schedule is prepared. The schedule should include sub-recipient names and addresses, contact numbers, planned dates of reviews, and names of individuals to perform the reviews. Annual monitoring schedules shall be submitted to OGM.

2. Review Notification

The policy shall include procedures to ensure that written notification of the scheduled review is provided to the entity in advance of the actual review, except when unannounced monitoring visits are deemed necessary.

3. Desk Review Instrument

A written desk review monitoring instrument must be prepared and should precede an on-site monitoring visit. This process will ensure that all pertinent records are reviewed prior to each visit. The policy shall describe the procedures for completing a desk review instrument before the on-site visit.

4. Monitoring Instrument

The policy shall include procedures for the development of an objective monitoring instrument for use in monitoring reviews to ensure that pertinent data can be collected and analyzed for all program activities.

5. Documentation of Findings

The policy shall include procedures to ensure findings are adequately documented and include a written description of the deficiency or violation.

6. Monitoring Report

The policy shall include procedures to ensure a monitoring report is prepared following each on-site or desk review. The report should be completed within three weeks of the review and should include the following elements:

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- A face page signed by the monitor(s) and the signature of supervisory level staff or the executive director (applicable to on-site visits only);
- The dates of the review and areas covered during the review.
- A listing of findings, if applicable that consists of a narrative description of the deficiency or violation noted; and
- For each finding, a recommendation which sets forth the most appropriate action to correct the deficiency or violation noted.

7. Corrective Action

The policy shall include procedures to ensure monitoring reports are forwarded to the sub-recipient with a transmittal letter. If findings were noted in the report, the transmittal letter shall require a written corrective action plan from the sub-recipient within 45 days from the date of the report.

8. Acceptance/Non-acceptance of Corrective Action

The policy shall describe the procedures that will be used to determine the acceptance or non-acceptance of the sub-recipient corrective action plan. Notification of the determination shall be provided to the sub-recipient within 30 working days of receipt of the proposed corrective action plan.

9. Follow-up Monitoring and Verification of Corrective Action

The policy shall include procedures for follow-up monitoring reviews determined by the risk of the finding and the sub-recipient response to the finding. The policy shall include procedures to determine if corrective action measures taken were adequate to resolve the noted deficiencies.

9. Unannounced Visits

The policy shall describe the procedures for conducting unannounced visits of sub-recipients when such visits are deemed necessary.

10. Monitoring Files

The policy shall include procedures establishing and maintaining the monitoring files. A separate file shall be maintained for each monitoring review. At a minimum, the files shall contain the following records:

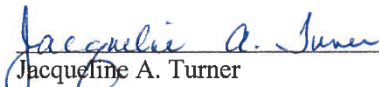
- notification of monitoring dates;
- completed desk review instrument;

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- signed monitoring report;
- completed monitoring instrument;
- transmittal letter, and if applicable, request for a corrective action plan;
- response from sub-recipient, when appropriate;
- letter to sub-recipient accepting/rejecting corrective action; and
- working paper file to include supporting documentation.

IV. EFFECTIVE DATE

This policy shall be effective as of February 1, 2018.



Jacqueline A. Turner
Deputy Executive Director, CFO

Revised 1/2018

MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY
Revised State Policy Number 13
YOUTH ELIGIBILITY POLICY
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

The purpose of this policy is to provide guidance to the local workforce development boards and state subgrantees for use in developing policies and/or procedures for youth eligibility. Each Local Workforce Development Board (LWDB) or state subgrantee shall have appropriate procedures to ensure that only eligible individuals are served in programs funded under Title I of the Workforce Innovation and Opportunity Act (WIOA).

WIOA sections 3(18) and 129 (a) (1) (B) and (C) describe eligibility for the Title I youth formula-funded program, which includes two groups: In-School Youth (ISY) and Out-of-School Youth (OSY), and establishes specific criteria for each group. In addition, the Notice of Final Rulemaking, 20 CFR Part 681.220 provides additional clarification that should be considered when determining eligibility. The eligible WIOA Title I youth population represents youth who face challenges and barriers to success in the labor market.

II. REQUIREMENTS

Local Workforce Development Boards, in consultation with chief elected officials, must establish WIOA Title I eligibility policies and procedures consistent with the guidance provided herein.

The following provisions of WIOA shall apply when determining eligibility to participate in Title I youth programs funded by WIOA.

Youth eligible for services must be U. S. citizens or otherwise legally entitled to work in the U.S. and registered for selective service, if applicable. WIOA establishes separate criteria for Out-of-School Youth and In-School Youth.

A. Out-of-School Youth is defined as an individual who is:

- 1) Not attending any school (as defined under State law). In addition, WIOA includes a new criterion: a youth who is within the age of compulsory school attendance but has not attended school for at least the most recent school year calendar quarter. Because school districts differ in what they use for school year quarters, the time period of a school year quarter is based on how a local school district defines its school year quarter.

NOTE: State law does not define **not attending** school.

- 2) Not younger than 16 or older than 24 at the time of enrollment; **and** meets one of the following conditions:
 - School Dropout;
 - Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. School year calendar is based on how a local school district defines its school year quarters.
- 3) Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
- 4) Subject to the juvenile or adult justice system;
- 5) A homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- 6) Pregnant or parenting;
- 7) An individual with a disability;
- 8) Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA sections 3(46) and 129(a)(1)(B)).

B. In-School Youth is defined as an individual who is:

- 1) Attending school (as defined by State law);
- 2) Not younger than 14 or (unless an individual with a disability who is attending school under State law) older than 21 at the time of enrollment;
- 3) Low-income; **and**
- 4) Meets one or more of the following conditions:
 - Basic Skills Deficient
 - An English Language Learner
 - An Offender

- Homeless, a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under 477 of the Social Security Act (42 U.S.C), or in an out-of-home placement.
- Pregnant or parenting
- An individual with a disability
- Requires additional assistance to complete an educational program or to secure or hold employment.

C. Definitions

- 1) Youth Requiring Additional Assistance to enter or complete an educational program or to secure and hold employment is defined as an In-School Youth (ISY) or Out-of-School Youth (OSY) who is low income **and** meets one of the following documented criteria:

- Lacking relevant work experience to secure or hold employment;
- Lacking a credential related to local or regional targeted sectors;
- In need of an ITA to complete the Smart Start or Career Technical Pathway; or
- Criteria defined by the Local Workforce Development Board and included in the local area plan.

The list below contains examples Local Workforce Development Areas (LWDAs) can use during the eligibility process if a youth participant "Requires Additional Assistance".

- Has a court/agency referral mandating school attendance (ISY);
- A victim of or resides in an abusive environment;
- Has neither the work experience nor the credential required for an occupation in demand for which training is necessary and will be provided (OSY)
- Has been fired from a job within six (6) months (or longer) prior to application (OSY);
- Has never held a full-time job (30+ hours per week) for more than thirteen (13) consecutive weeks (OSY);
- Has a currently incarcerated parent; and
- Has been referred to or treated by an agency for substance abuse/psychological problems.

If a Local Workforce Development Area (LWDA) elects to include additional criteria as a part of its policy and local plan; the criteria must be approved by the Local Workforce Development Board. The criteria must be reasonable, quantifiable, and based on evidence that the specific characteristic of the youth identified in the policy objectively required additional assistance. Supporting

documentation and/or strong case notes are necessary when documenting all eligibility criteria.

Note: WIOA Section 129(a)(3)(B) states that in each local area, not more than five percent (5%) of ISY assisted may be eligible based on paragraph (1)(C)(iv)(VII), which refers to the barrier for an ISY who requires additional assistance to complete an education program or to secure or hold employment.

2) Low income is defined as in individual who:

- Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
- Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (inclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of—
 - the poverty line, for an equivalent period; or
 - 70 percent of the lower living standard income level, for an equivalent period;
- Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
- Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);
- Is a foster child on behalf of whom State or local government payments are made; or
- Is an individual with a disability whose own income meets the requirements of (3b).
- WIOA contains a new provision that allows for youth living in a high-poverty area to automatically meet the low-income criterion that is one of the eligibility criteria for ISY and for some OSY.
- In addition, an ISY who receives or is eligible to receive free or reduced price lunch would meet the low-income requirement.

Note: When a school does not use individual eligibility criteria to determine who is eligible for free or reduced price lunch, whole school receipt of free or reduced price lunch cannot be used to determine WIOA low-income status for ISY. In schools where the whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on an individual

student's eligibility to receive free or reduced price lunch or on meeting one of the other low-income categories under WIOA.

Local programs can check with their local school districts for determining whether individual students are eligible to receive free or reduced price lunch. While the free/reduced lunch low-income category primarily applies to ISY, there is one exception where it could apply to an OSY.

If an OSY is a parent living in the same household as a child who receives or is eligible to receive free or reduced price lunch based on their income level, then such an OSY would meet the low-income criteria based on his/her child's qualification.

D. Exception to Low Income

WIOA Section 129(3)(A)(ii) allows local areas to serve youth who are not low income who meet all other criteria listed for OSY and ISY except low income. However, because not all OSY are required to be low-income, the five percent (5%) low-income exception under WIOA is calculated based on five percent (5%) of newly enrolled youth in a given program year who would ordinarily be required to meet the low-income criteria.

E. Documentation

Local Boards must maintain documentation that demonstrates a youth's eligibility to participate in WIOA Title I activities.

III. PROGRAM SERVICE ELEMENTS

Local Boards must ensure that all 14 program service elements are available to youth in the local area, although individual youth participants need not participate in all 14 program service elements. Participation in the program service elements is based on a youth's objective assessment and individual service strategy.

Providers of youth services do not need to provide all 14 program service elements with WIOA funds if certain services are already accessible for all eligible youth in the local area.

Local Boards should identify the extent to which the 14 program service elements are available or already being provided in the local area through a combination of resource mapping, competitive selection of providers, or through community partnerships. Local Boards may leverage partner resources to provide program elements that are available in the local area. If a local program does not fund an activity with WIOA Title I youth funds, the local area **must** have an agreement in place with the partner to offer the program element and ensure that the activity is closely connected and coordinated with the WIOA youth program if enrolled youth participate in the program element.

To support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, service providers shall provide services consisting of the following elements:

- 1) Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;
- 2) Alternative secondary school services, or dropout recovery services, as appropriate;
- 3) Paid and unpaid work experiences that have as a component academic and occupational education, which may include:
 - summer employment opportunities and other employment opportunities available throughout the school year;
 - pre-apprenticeship programs;
 - internships and job shadowing; and
 - on-the-job training opportunities.
- 4) Occupational skills training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area;
- 5) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
- 6) Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
- 7) Supportive services;
- 8) Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- 9) Follow-up services for not less than 12 months after the completion of participation, as appropriate;
- 10) Financial Literacy Education;
- 11) Entrepreneurial Skills Training;

- 12) Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services;
- 13) Activities that help youth prepare for and transition to postsecondary education and training;
- 14) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

IV. CAREER PATHWAYS DEVELOPMENT

WIOA places an emphasis on the development of career pathways for youth. A connection to a career pathway must be included as part of a youth's individual service strategy or *MS Works* Success plan. Local Workforce Development Boards are encouraged to adopt and implement the *MS Works* Career Pathways model. This model is an integrated compendium of programs and services intended to develop basic, technical and employability skills; provide continuous education and training; and work supports that lead to high-demand jobs in targeted sectors.

V. EFFECTIVE DATE

This policy shall be effective immediately. This policy will be revised and reissued as additional DOL/ETA guidance is received.

Jacqueline A. Turner 1-15-2020
Jacqueline A. Turner Date
Executive Director

MISSISSIPPI
Policy Number 20
LOCAL ONE-STOP INFRASTRUCTURE POLICY
Workforce Innovation and Opportunity Act
Office of Grant Management

I. SCOPE AND PURPOSE

To provide guidance to Mississippi's local workforce development boards (LWDBs), Chief Elected Officials (CEOs), and all one-stop partners regarding the establishment of a local one-stop center operating budget and the negotiation of infrastructure and additional cost funding agreements between LWDBs and all Workforce Innovation and Opportunity Act (WIOA) required one-stop partners to jointly support the costs associated with local one-stop centers¹ and one-stop delivery systems. The funding agreements of local one-stop centers are attachments to the memoranda of understanding (MOU) between LWDBs and all WIOA required one-stop partners.

II. REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) Sections 121, 134
- WIOA Regulations §361.300-§361.435, §361.500-§361.510, §361.700-§361.760, §678.400-§678.430, §678.700-§678.760,
- Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR Parts 200 and 2900
- U.S. Dept. of Education One-Stop Infrastructure Costs FAQs, Released: December 28, 2016
- TEGL 17-16: Infrastructure Funding of the One-Stop Delivery System, Released January 18, 2017

III. DEFINITIONS

Comprehensive One-Stop Center

- (a) A comprehensive one-stop center is a physical location where job seeker and employer customers can access the programs, services, and activities of all required one-stop partners. A comprehensive one-stop center must have at least one title I staff person physically present.
- (b) The comprehensive one-stop center must provide:
 - (1) Career services, described in WIOA Sec. 134(c)(2);
 - (2) Access to training services described in § 680.200 of the WIOA regulations;
 - (3) Access to any employment and training activities carried out under sec. 134(d) of WIOA;
 - (4) Access to programs and activities carried out by one-stop partners listed in §§ 678.400 through 678.410 of the WIOA regulations, including the Employment Service program authorized under the Wagner-Peyser Act, as amended by WIOA title III (Wagner-Peyser Act Employment Service program); and
 - (5) Workforce and labor market information.
- (c) Customers must have access to these programs, services, and activities during regular business days at a comprehensive one-stop center.

¹ Local one-stop centers include comprehensive, affiliate, and specialized centers in a local workforce development area.

Affiliate One-Stop Center

- (a) An affiliated site, or affiliate one-stop center, is a site that makes available to job seeker and employer customers one or more of the one-stop partners' programs, services, and activities. An affiliated site does not need to provide access to every required one-stop partner program. The frequency of program staff's physical presence in the affiliated site will be determined at the local level. Affiliated sites are access points in addition to the comprehensive one-stop center(s) in each local area. If used by local areas as a part of the service delivery strategy, affiliate sites must be implemented in a manner that supplements and enhances customer access to services.
- (b) As described in WIOA regulations § 678.315, Wagner-Peyser Act employment services cannot be a stand-alone affiliated site.

Specialized One-Stop Center

Specialized centers address specific needs, including those of dislocated workers, youth, or key industry sectors, or clusters.

Access

"Access" to each partner program and its services means:

1. Having a program staff member physically present at the one-stop center;
2. Having a staff member from a different partner program physically present at the one-stop center appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; or
3. Making available a direct linkage through technology to program staff who can provide meaningful information or services.
 - i. A "direct linkage" means providing direct connection at the one-stop center, within a reasonable time, by phone or through a real-time Web-based communication to a program staff member who can provide program information or services to the customer.
 - ii. A "direct linkage" cannot exclusively be providing a phone number or computer Web site or providing information, pamphlets, or materials.

One-Stop System

The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers.

State Funding Mechanism

The state funding mechanism is the formula the state will develop and apply that will determine the infrastructure costs of all WIOA required one-stop partners in a local area when one or more partners fail to reach consensus locally.

IV. REQUIREMENTS

WIOA requires each LWDB to develop and finalize a Memorandum of Understanding (MOU) among itself and its WIOA-required partners with the agreement of the CEO for the Local Workforce Development Area (LWDA). The MOU coordinates operation of the local one-stop delivery system, provision of programs and services, and apportionment of costs. The MOU must include two types of funding agreements pertaining to the costs of the local one-stop centers and delivery system in each LWDA: Infrastructure Funding Agreement(s) (IFA) and Additional Cost Funding Agreement(s).

A. One-Stop Center Operating Budget

The local one-stop center operating budget is a financial plan in which one-stop partners, with approval from the LWDB in each LWDA, will agree upon and use to determine each partner's contribution to certain costs contained therein. The local one-stop center operating budget will contain a set of components that consists of costs that are specifically identified in WIOA: infrastructure costs and additional costs.

B. Funding Agreements

Once the local one-stop center operating budget has been established and agreed upon by all one-stop partners, with approval from the LWDA, negotiations of partner contributions towards infrastructure and additional costs of local one-stop centers will begin.

1. Infrastructure Funding Agreement

WIOA requires the agreed upon contributions towards *infrastructure* costs by each one stop-partner to be memorialized in an IFA between the LWDB or its designee and all WIOA-required one-stop partners and any additional partners. For the purpose of affiliate and specialized centers, only the LWDB or its designee and those partners participating in the operation of that center are required to enter into the IFA for that particular center.

2. Additional Cost Funding Agreement

The agreed upon contributions by each partner towards *additional* costs shall be memorialized in an Additional Cost Agreement and attached to the MOU.

All funding agreements shall be products of good faith local discussion and negotiation amongst the partners. Each required one-stop partner must contribute to the infrastructure and additional costs of local one-stop centers and the one-stop delivery system based on the program's proportionate use and benefit received, consistent with the Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200 (Uniform Guidance). LWDBs and one-stop partners may define their own methodology to determine contribution amounts, so long as it is based on the partner's proportionate use and benefit received, consistent with the Uniform Guidance, and WIOA regulations.

C. Mississippi's WIOA One-Stop Partners

One-stop partners shall contribute towards infrastructure costs and additional costs of local one-stop centers.

Mississippi's Combined State Plan Core Partners (as listed on page 4 of Mississippi's approved Combined State Plan) include:

- Programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);
- Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);
- Jobs for Veterans State Grants programs authorized under chapter 41 of title 38 of the U.S.C.;
- Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law);
- Vocational Rehabilitation programs authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) (other than section 112 or part C of title I of such Act (29 U.S.C. 732, 741);
- Temporary Assistance to Needy Families (TANF) activities authorized under part A of title IV

- of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C);
- Programs authorized under Title I of WIOA, including;
 - Adult
 - Dislocated worker
 - Youth
- Adult Education and Literacy activities authorized under title II of WIOA; and
- The Senior Community Service Employment Program (SCSEP) authorized under Title V of the Older Americans Act (42 U.S.C. 3056 et seq.).

Mississippi's Combined State Plan Strategic Partners (page 4 of state plan) include:

- Postsecondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);
- Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);
- Employment and training activities carried out by the Department of Housing and Urban Development; and
- Programs authorized under Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

Additional programs and entities that carry out activities as part of the one-stop delivery system may be included as one-stop partners with the approval of the LWDB and chief elected official. All partners, including additional partners, must be identified in the MOU and funding agreements. All one-stop partners shall negotiate funding agreements with the LWDB or its designee through their respective governing entities as specified by Federal and/or State law. Additional partners are only required to contribute towards infrastructure costs. Additional partners MAY contribute towards additional costs, but they are not required to do so.

D. Roles and Responsibilities

1. Local Workforce Development Boards

The LWDB may designate an individual to carry out the LWDB's roles and responsibilities outlined herein. The designee must consult with the LWDB on a regular basis throughout the negotiation process. LWDBs shall be responsible for the following:

- Serving as a consult to MDES Office of Grant Management (OGM), as needed, in the development of this guidance;
- Acting as the convener for the purpose of negotiating funding agreements;
- Ensuring the one-stop partners adhere to all applicable guidance;
- Working with the one-stop partners to achieve consensus and informally mediate any possible conflicts or disagreements;
- Providing technical assistance to new one-stop partners and local grant recipients to ensure they are informed and knowledgeable of the elements contained in the MOU and funding agreements;
- Developing a local one-stop center operating budget as a starting point for the negotiations;
- Ensuring the negotiations include an agreed upon budget and methodology for allocating infrastructure and additional costs amongst all partners;
- Ensuring allocation methodology complies with the Uniform Guidance and be based on

- proportionate use and benefit received by each partner program;
- Ensuring that all of the infrastructure and additional costs are paid according to the provisions of the MOU; and
- Informing OGM if there is an impasse.

2. One-Stop Partners

Each one-stop partner in the local workforce area shall be responsible for the following:

- Designating an individual(s) who is knowledgeable about the partner programs and activities and has the authority to commit the partner programmatically and financially to act on its behalf in the negotiations, if applicable;
- Acting in good faith to negotiate infrastructure and additional costs in accordance with this guidance; and
- Entering into the local MOU and attached funding agreements.

3. MDES Office of Grant Management

OGM shall be responsible for the following:

- Providing guidance and technical assistance to each LWDB and partners throughout the infrastructure and additional cost negotiation process;
- Convening state-level partner teams, in coordination with the LWDB, to negotiate each local funding agreement if needed; and
- Monitoring of IFA and Additional Cost Agreements.

4. State Workforce Investment Board

The SWIB shall be responsible for the following:

- Serving as a consult to OGM, as needed; and
- Developing the formula to be used under the state funding mechanism to determine a local one-stop center's operating budget (if not agreed upon locally or rejected) and determine each partner's contribution to infrastructure costs of the local one-stop centers.

5. Infrastructure Costs

Each partner that carries out a program or an activity as part of the one-stop delivery system must use a portion of the funds available for the program or activity to contribute to the infrastructure costs of local one-stop centers based on their proportional use relative to the benefit received by the partner through their participation in the local one-stop center. Each partner's contribution must adhere to that partner program's Federal authorizing statute and to the Federal Cost Principles requiring that costs are reasonable, necessary, and allocable. WIOA specifies infrastructure costs of local one-stop centers as non-personnel costs that are necessary for the general operation of the local one-stop center. Local one-stop center infrastructure costs may include, but are not limited to:

- Facility rental;
- Utilities and maintenance;
- Equipment (including assessment-related products and assistive technology for individuals with disabilities);

- Technology to facilitate access to the local one-stop centers, including technology used for the center's planning and outreach activities; and
- Common identifier costs, such as the cost of signage for local one-stop centers.

6. Additional Costs

Each partner that carries out a program or an activity as part of the one-stop delivery system should use a portion of the funds available for the program or activity to contribute to the additional (non-infrastructure) costs of the local one-stop centers based on their proportional use relative to the benefit received by the partner through their participation in the one-stop delivery system. Additional costs must include applicable career services (identified in the WIOA regulations §678.430) and may include shared operating costs and shared services that are necessary for the general operation of the local one-stop center. Required partners must contribute to additional costs, however; additional partners are encouraged to contribute though they are not required to do so. Shared service costs may include:

- Initial intake;
- Assessment of needs;
- Appraisal of basic skills;
- Identification of appropriate services to meet such needs;
- Referrals to other one-stop partners;
- Business services; and
- LWDB staff functions not otherwise paid using WIOA Title I funds and support the general operations of the local one-stop centers.

Each partner's contribution must adhere to that partner program's Federal authorizing statute and to the Federal Cost Principles requiring that costs are reasonable, necessary, and allocable.

7. Types of Funds a One-Stop Partner May Use to Make Infrastructure and Additional Cost Contributions

Infrastructure and additional costs can be funded through cash, non-cash, third-party in-kind contributions, and can include any funding from philanthropic organizations or other private entities, or through other alternative financing options. Funding must be stable and equitable. The one-stop partner's proportionate share must be calculated in accordance with the Uniform Guidance based upon a reasonable cost allocation methodology whereby infrastructure and additional costs are charged in proportion to use of the local one-stop center/system, relative to the benefit received. Costs must also be allowable, reasonable, necessary, and allocable. (For more information, see §678.720, §678.760).

8. Examples of Reasonable Infrastructure and Additional Cost Allocation Methodologies

Examples of reasonable cost allocation methodologies for infrastructure costs may include using a partner's square footage footprint within a local one-stop center, number of full-time equivalents available to a local one-stop center, or number of clients served by the partner within the one-stop delivery system, and/or a combination of all of the above.

9. Infrastructure and Additional Funding Agreement Content

Each funding agreement must specify:

- The effective time period;
- The infrastructure and additional costs budget for each comprehensive and affiliate center;
- The LWDB entering into the agreement;
- The name and signatures of the required one-stop partner designee entering into the agreement;
- The allocation methodology used and each partner's contribution based on an appropriate cost-allocation methodology and reconciliation;
- A description of the quarterly review and reconciliation process to ensure equitable benefit among partners; and
- A description of the process to be used among partners to resolve issues related to infrastructure funding during the MOU duration period when consensus cannot be reached.

10. Impasse

Extension of Time

If the LWDB and a one-stop partner(s) do not believe they will be able to reach an agreement on appropriate levels of infrastructure cost funding contributions by July 1 of each program year, the LWDB may request an extension of time (Attachment A) if the LWDB can demonstrate they have made sufficient progress towards reaching an agreement. The request must be submitted to OGM no later than **June 15 of each program year**. OGM will review the request and make a determination to grant or deny the extension of time. If the extension is granted, the LWDB will have up to sixty (60) days to continue negotiations and reach an agreement on infrastructure cost contributions. OGM will provide technical assistance as requested by the LWDB.

Impasse

If the LWDB is unable to reach an agreement on the funding of infrastructure costs with all partners by **July 1 of each program year** (or after the applicable extension of time deadline, if granted), the LWDB or affected partner must immediately notify OGM that an agreement cannot be reached using the *Report of Outcomes from Local Infrastructure Funding Agreement Negotiations* (Attachment B). Once notified, the Governor must administer the State funding formula to determine the appropriate share of infrastructure contributions for all partners for the program year impacted. Please note, failure to agree on additional costs amongst partners will not be considered an impasse, nor will it trigger the state funding mechanism.

Review and Reconciliation

Periodic Review

Each local one-stop center operating budget/funding agreements shall be reviewed quarterly and

reconciled against actual costs incurred to ensure that costs charged to any one-stop partner are proportionate to the use of the local one-stop center and one-stop delivery system and relative to the benefit received by the one-stop partner. If any significant changes to the operating budget/funding agreements are required following the quarterly review, the LWDB must reconvene all partners to reach an agreement on the necessary budget and/or allocation changes.² If there is disagreement amongst partners to accommodate for these changes, the LWDB or affected partner shall contact the OGM for assistance. Any changes not deemed significant may be charged to each partner so long as there is an agreement amongst the partners to do so.

Annual Re-Negotiation

Each local one-stop operating budget and funding agreements shall be fully reviewed and re-negotiated on an annual basis.

Modification

Each time a funding agreement is modified, the associated MOU must also be reviewed to determine if modification or re-signing will be necessary.

V. Action

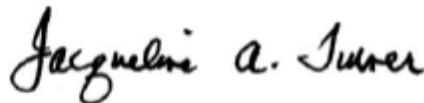
Finalized Infrastructure and Additional Cost Funding Agreements consistent with this policy must be complete and available for OGM review no later than July 1 of each program year. Additional resource information can be found in Attachments C-F.

VI. Inquiries

Contact Robert DeYoung at rdeyoung@mdes.ms.gov or 601-321-6477 with questions concerning this policy.

VII. Effective Date

This policy shall be effective January 1, 2018, and shall remain in effect until modification or rescission.



Jacqueline A. Turner
Deputy Executive Director, CFO

² Significant change is defined as a twenty percent (20%) change to the dollar number of a single cost category or to a partner's cost within the existing funding agreement. These significant changes may occur as a result of losing/gaining office space, adding an additional one-stop partner, etc.

Attachments

Attachment A – Request for Extension of Time

Attachment B – Report of Outcomes from Local Infrastructure Funding Agreement Negotiations

Attachment C – One-Stop Center Operating Budget Breakdown

Attachment D – One-Stop Operating Costs

Attachment E – Examples of Cost Pools and Possible Allocation Bases

Attachment F – Infrastructure Costs: Funding Sources

Attachment A
REQUEST FOR EXTENSION OF TIME

Local Workforce Development Area: _____

Local Workforce Development Board Contact
Person: _____

Contact's Phone Number: _____

Contact's Email: _____

Notice is
hereby provided that, the LWDB and each one-stop partner(s) have made progress towards reaching agreement on
funding infrastructure costs; however, agreement will not be reached by July 1, _____ and the LWDB is requesting
an extension of time to continue negotiations and reach an agreement.

Please describe the LWDB's progress in reaching agreement on infrastructure costs thus far:

Please explain why the LWDB does not believe they will be able to reach an agreement by July 1, _____:

How much additional time is the LWDB requesting to reach an agreement?: _____

Does the LWDB need technical assistance from OGM to reach an agreement? If so, please describe assistance needed:

Signature Printed Name

Chair, Local Workforce Development Board

Printed Name

Attachment B

REPORT OF OUTCOMES FROM LOCAL INFRASTRUCTURE FUNDING AGREEMENT NEGOTIATIONS

Local Workforce Development Area: _____

Local Workforce Development Board Contact Person: _____

Contact's Phone Number: _____

Contact's Email Address: _____

Notice is hereby provided as required by §678.725 that, despite every effort, the required partner(s) in this local area did not reach consensus on a local Infrastructure Funding Agreement for the period beginning July 1, _____. The inability to reach agreement was because one or more required partners do not agree with how local one-stop center infrastructure costs will be funded. Listed below are the program partner(s) that did not agree to the Infrastructure Funding Agreement.

	Program Partner Name	Reasons for Failure to Agree
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

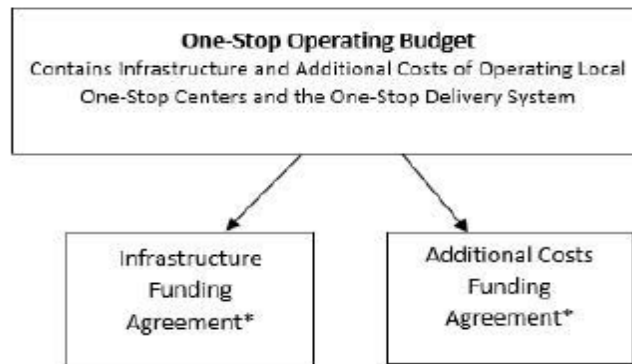
Signature

Printed Name

Chair, Local Workforce Development Board

Printed Name

Attachment C



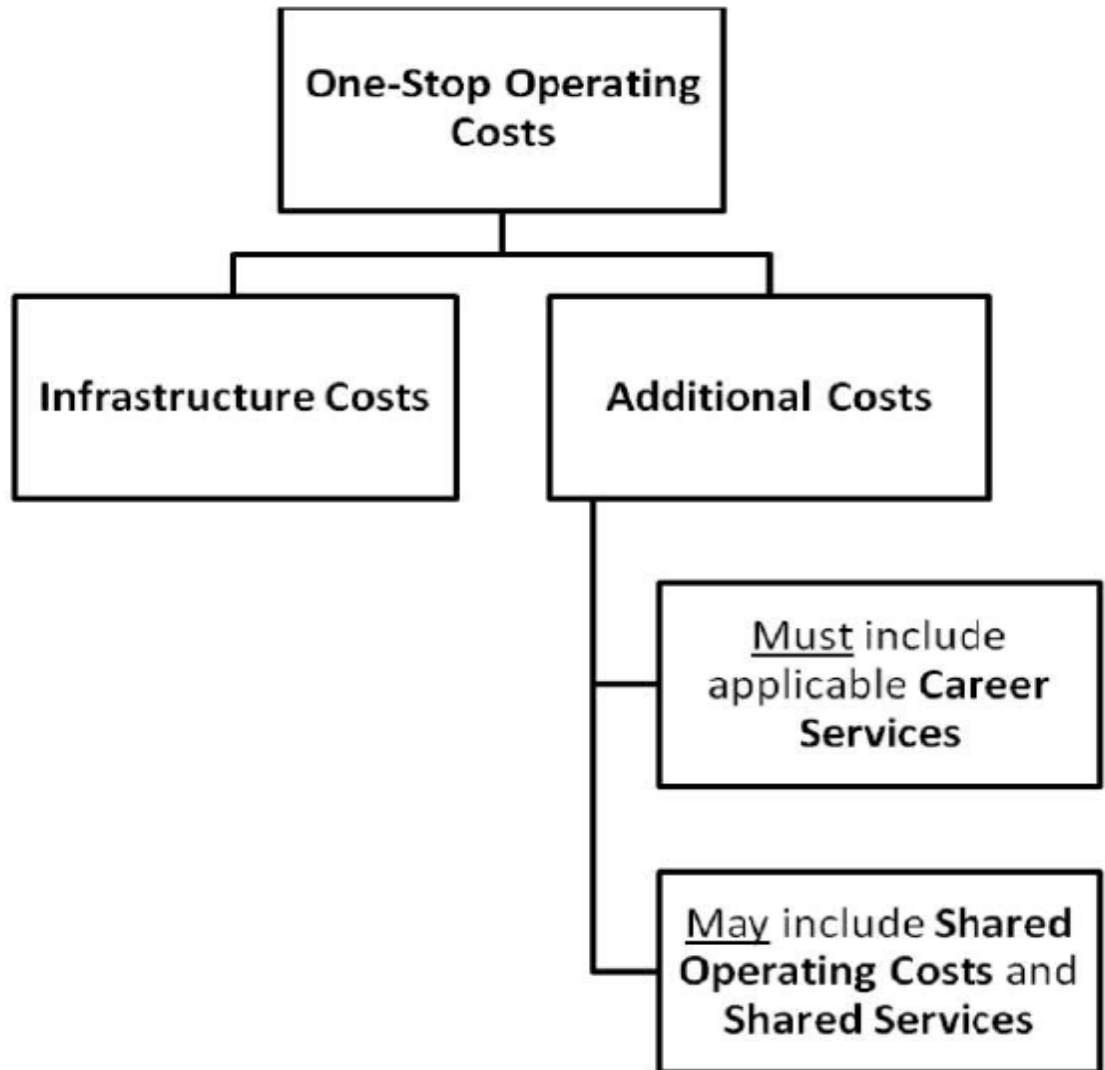
*Both funding agreements must be included as attachments to the Memoranda of Understanding between the local Workforce Development Board (WDB) and its partners. There may be one or more of each type of agreement for each local workforce development area (LWDA). For example, a LWDA may choose to have a separate infrastructure funding agreement for each center or combine all centers into one agreement.

Please note: The state funding mechanism ONLY applies to failure to reach an agreement on Infrastructure Funding Agreements.

Attachment D

Cost Pool	Possible Allocation Bases
Facilities: Building rent, maintenance costs, utilities, tenant improvements, or any other similar costs related to the physical structure housing the one-stop center.	Square footage occupied by each partner agency as compared to the total space. Workstation usage by partners as compared to total workstations.
Telecommunications: Monthly telephone costs, telephone system equipment, data lines, T-1 lines, and other similar costs.	Dedicated telephone units as compared to all units.
Information Technology: Shared equipment, software, IT maintenance costs, Internet access, and other similar costs.	Number of dedicated computers (including all necessary equipment) as compared to total.
Resource Center: Costs of shared equipment, displays, computer learning, specialized software for computer learning, furniture, copier, fax machine; may also include related staff costs.	Number of program participants or reportable individuals utilizing the resource center.
Common Intake System: Costs of developing common intake data formats, preparation and interview of customers, and similar costs.	Use of common data formats and data elements required for each program. Use of number of customer or participant records maintained by each partner program.
One-Stop Center Management Staff: Costs of the center director.	Number of partner program staff FTEs. Square footage of partner program benefit or number of program participants and reportable individuals served.
One-Stop Center General Operations Staff: Costs of the receptionist, staff of the resource center.	Number of partner program participants.
Shared Equipment and Supplies: Staff copier, fax, associated supplies, and furniture.	Usage by staff of each partner program. Occupancy (square footage) basis; numbers of staff workstations.
Career Services: Staff and benefit costs, development of common forms for case management, and similar costs.	Time distribution system (time sheets, work sampling, time and motion studies); numbers of clients eligible for specific program; weighted participation numbers.

Attachment E



Attachment F

Dept.	Partner Program	Required/ Additional Partner	Admin. Funds to Pay for Infrastructure Costs ¹	Program Funds to Pay for Infrastructure Costs	State Funding Mechanism Applicable ²
DOL	WIOA Title I programs: • Adult, Dislocated Worker, & Youth	Required	Yes	Yes	Yes
DOL	• Job Corps	Required	No	Yes	Yes
DOL	• YouthBuild	Required	Yes	Yes	Yes
DOL	• NEJP	Required	Yes	Yes	Yes
DOL	• Native American programs ⁵	Required	Yes	Yes	No
DOL	Wagner-Peyser Act ES	Required	N/A ⁴	Yes	Yes
DOL	SCSEP	Required	Yes	Yes	Yes
DOL	TAA program	Required	Yes	Yes	Yes
DOL	UC programs	Required	N/A ⁴	Yes	Yes
DOL	JVSG programs	Required	N/A ⁴	Yes	Yes
DOL	REO programs authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) and WIOA sec. 169	Required	Yes	Yes	Yes
ED	AEFLA program, authorized under WIOA title II	Required	Yes	No	Yes
ED	The State VR program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA title IV	Required	N/A ⁴	Yes	Yes
ED	Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006	Required	Yes	No	Yes
HUD	Employment and training activities carried out by HUD	Required	Consult partners' authorizing documents.	Consult partners' authorizing documents.	Yes
HHS	Employment and training activities carried out under the CSBG programs	Required	Consult partners' authorizing documents.	Consult partners' authorizing documents.	Yes
HHS	TANF	Either ³	Yes	No	Yes/No ⁶
Other	Partners as outlined by WIOA sec. 121(b)(2)(B) and 20 CFR 678.410 ⁷	Additional	Consult partners' authorizing documents.	Consult partners' authorizing documents.	No

LIMITATIONS:

¹ Partners' funding contributions for infrastructure costs are subject to the partner programs' administrative cost limitations and restrictions.

The definition of administrative costs may also differ from one partner program to the next.

² Statutory caps for infrastructure funds is applicable only if the State Funding Mechanism is being implemented.

³ Native American programs, as required One-stop partners, are strongly encouraged to contribute to infrastructure costs, but they are not required to make such contributions under WIOA.

⁴ These programs do not distinguish between program or administrative funds since there is only one allotment from which all expenditures — administrative costs and program costs — must be paid. Although the VR program imposes no limits on the amount of funds that may be spent on administrative costs, VR agencies must report funds spent for infrastructure costs as administrative costs.

⁵ At the discretion of the Governor, in accordance with WIOA sec. 121(b)(1)(C) and 20 CFR 678.405.

⁶ The Governor may determine that TANF will not be a required partner.

⁷ Additional partners are required to share in infrastructure costs when participating in the one-stop service delivery system; however, the State funding mechanism is not applicable to additional partners.

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
State Policy Number 21
RAPID RESPONSE - LAYOFF AVERSION POLICY AND PROCEDURES
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

This policy sets forth the procedures and requirements for providing Layoff Aversion activities. This policy applies to Local Workforce Development Area (LWDA), and other entities that receive Rapid Response funds by the allocation, pass-through, and subgrant award methods unless otherwise instructed by the Office of Grant Management (OGM).

Each LWDA must develop a Layoff Aversion activity plan that incorporates Mississippi Department of Employment Security (MDES) State Policy Number 21 and meets the minimum federal and state requirements described in Section II, herein.

II. PROCEDURES

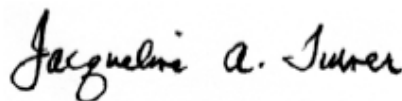
- A. The Rapid Response unit must work in conjunction with local workforce development boards, chief elected officials, and other stakeholders.
- B. State and local Rapid Response programs have the discretion to determine which strategies and activities are applicable in given situations, based upon specific needs, policies, and procedures within the State or Local area.
- C. Layoff Aversion includes the strategies and activities that are designed to prevent, or minimize the duration of, unemployment. The US Department of Labor Employment and Training Administration encourages state and local Rapid Response operators to design innovative solutions, including those described below, for both businesses and workers in transition. Layoff Aversion may include a wide array of possible strategies or activities, including but not limited to:
 - 1. Ongoing engagement, partnership, and relationship-building activities with businesses in the community, in order to create an environment for successful layoff aversion efforts and to enable the provision of assistance to dislocated workers in obtaining reemployment as soon as possible;
 - 2. Providing assistance to employers in managing reductions in force, which may include early identification of firms at risk of layoffs, assessment of the needs of and options for at-risk firms, and the

delivery of services to address these needs;

3. Funding feasibility studies to determine if a company's operations may be sustained through a buyout or other means to avoid minimize layoffs;
4. Developing, funding, and managing incumbent worker training programs or other worker upskilling approaches as part of a layoff aversion strategy or activity;
5. Connecting companies to: Short-time compensation or other programs designed to prevent layoffs or to reemploy dislocated workers quickly, available under Unemployment Insurance programs; Employer loan programs for employee skill upgrading; and other Federal, State and local resources as necessary to address other business, needs that cannot be funded with resources provided under this title;
6. Establishing linkages with economic development activities at the Federal, State and local levels, including Federal Department of Commerce programs and available State and local business retention and expansion activities;
7. Partnering or contracting with business-focused organization to assess risks to companies, propose strategies to address those risks, implement services, and measure impacts of services delivered;
8. Conducting analyses of the suppliers of an affected company to assess their risks and vulnerabilities from a potential closing or shift in production of their major customer;
9. Engaging in proactive measures to identify opportunities for potential economic transition and training needs in growing industry sectors or expanding businesses; and
10. Connecting businesses and workers to short-term, on-the-job, or customized training programs and registered apprenticeships before or after layoff to help facilitate rapid reemployment.

- D. For more information on allowable layoff aversion strategies and activities, see Training and Employment Notice (Code of Federal Regulation) title 20, *Employment and Training Administration, Department of Labor*.

III. APPROVAL



Jacqueline A. Turner
Executive Director

Section I3. Wagner-Peyser Assurances

I3A. Memorandum of Understanding (MOU) between MDES and MDRS

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES
&
THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY
CONCERNING
IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014 SECTION 504
AND THE AMERICANS WITH DISABILITIES ACT**

This Memorandum of Understanding (hereafter MOU) outlines a partnership between THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES (MDRS) and the MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY (MDES), entered into on a voluntary, non-legally binding basis, expressing a mutual agreement to work together in a positive spirit to continually improve the lifestyle, acceptance and accessibility of persons within the Mississippi Workforce Investment Network with a disability. This MOU will become effective upon execution by both parties, and will remain in effect until June 30, 2021.

Background:

The MDRS and the MDES have, over the years, demonstrated their commitment to persons with disabilities in many ways and in various programs. With the enactment of the Workforce Innovation and Opportunity Act of 2014 and the Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004, a partnership was forged to ensure that all stakeholders in Mississippi's Workforce system are afforded the same services, rights, privileges and benefits. The goal is to continue to strengthen awareness of contributions in the workforce and society in general by people with disabilities.

General areas of partnership:

A major focus of the partnership is the obligation to eliminate discrimination on the basis of disability. The guiding principle in this partnership is to ensure that each individual with a disability participates in the most integrated setting appropriate to that individual.

The partnership agreement includes the following:

- MDES provides assurances that communication with persons with disabilities is as effective as with others - (List of certified interpreters of Sign Language for the State of Mississippi, <http://www.odhh.org/interpreter-registration/>).
- MDES provides assurances that accessible computer workstations, including adaptive software, currently located in WIN Job Centers and the MDES State Office will be evaluated at the same time as all other computer workstations for the latest technology and software updates, and will install any needed upgrades as resources permit.
- MDRS performs Accessibility Surveys in WIN Job Centers and the MDES State Office to determine if there are any structural accessibility barriers that are architectural and/or communicational in nature, upon request and as MDRS resources and staff workload permits.
- MDRS provides limited general advice and guidance with assistive technology which allows equal access to information, services, and activities within the Mississippi Workforce Investment Network to people with disabilities. MDRS will direct MDES and other partners in the State's workforce network to other available resources for more in-depth advice and guidance pertaining

to assistive technology. Other available resources include, but are not limited to, the following: 1) Job Accommodation Network (JAN), askjan.org 2) Alliance for Technology Access (ATA), ataccess.org; and, 3) Southeast ADA Center, ADAsoutheast.org

- MDRS provides limited general advice and guidance regarding adaptive hardware and software used to accommodate disabilities. MDRS staff will answer general questions regarding computers and adaptive software. (Examples are workstation setup for adaptive software and hardware such as Screen Reader software (JAWS), Screen Magnification software (ZoomText), adaptive mice and keyboards, and adjustable height desks.) More in-depth questions should be directed to other assistive technology resources such as those resources listed above or to vendors of assistive technology such as computers and adaptive software.
- The partnership provides educational and outreach activities with the goal of improving quality of life for those with a disability and building awareness of those without disabilities.

Other Terms and Conditions

A. Termination. Notwithstanding any other provision of this Agreement to the contrary, this Agreement may be terminated by either party within thirty (30) days written notice at any time during the performance period of this MOU.

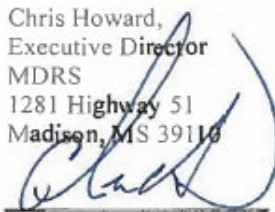
B. Amendment. This MOU may not be amended or modified in any respect except by an instrument in writing signed by both parties hereto.

C. Best Efforts. MDES agrees to exert its best efforts in the performance of its obligations under this MOU. However, MDES disclaims any liability associated with the performance or non-performance of this MOU, or the consequences of any error or mistake on its part. Moreover, the execution by MDES of this MOU shall not be construed to create a cause of action for any party, whether public and/or private.

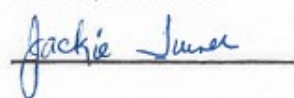
D. Confidentiality. The use or disclosure of any information deemed confidential under State or Federal law is prohibited, except to the extent necessary to administer the terms and conditions of this MOU, or to the extent required by law. In addition, any individual who is in possession of said information will take all necessary precautions to prevent disclosure to unauthorized individuals.

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be duly executed on this the 3rd day of February, 2020.

Chris Howard,
Executive Director
MDRS
1281 Highway 51
Madison, MS 39110




Jackie Turner
Executive Director
MDES
1235 Echelon Parkway
Jackson, MS 39213



Section I4. Adult Basic Education Program Specific Requirements

I4A. Adult Education and Family Literacy Act Program Certifications and Assurances

ADULT EDUCATION AND FAMILY LITERACY ACT PROGRAM CERTIFICATIONS AND ASSURANCES

States must provide written and signed certifications that:	
1.	The plan is submitted by the State agency that is eligible to submit the plan;
2.	The State agency has authority under State law to perform the functions of the State under the program;
3.	The State legally may carry out each provision of the plan;
4.	All provisions of the plan are consistent with State law;
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;
6.	The State officer who is submitting the plan, specified by the title in the certification, has authority to submit the plan;
7.	The agency that is submitting the plan has adopted or otherwise formally approved the plan; and
8.	The plan is the basis for State operation and administration of the program;
The State Plan must include assurances that:	
1.	The eligible agency will expend funds appropriated to carry out title II of the Workforce Innovation and Opportunity Act (WIOA) only in a manner consistent with fiscal requirements under section 241(a) of WIOA (regarding the supplement-not-supplant requirement);
2.	The eligible agency will ensure that there is at least one eligible provider serving each local area, as defined in section 3(32) of WIOA;
3.	The eligible agency will not use any funds made available under title II of WIOA for the purpose of supporting or providing programs, services, or activities for individuals who are not "eligible individuals" within the meaning of section 203(4) of WIOA, unless it is providing programs, services or activities related to family literacy activities, as defined in section 203(9) of WIOA;
4.	Using funds made available under title II of WIOA to carry out a program for criminal offenders within a correctional institution, the eligible agency will give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program.
5.	The eligible agency agrees that in expending funds made available under Title II of WIOA, the eligible agency will comply with sections 8301 through 8303 of the Buy American Act (41 U.S.C. 8301-8303).
I do hereby certify that all statements made by me are true and correct, to the best of my knowledge, information and belief, further, I understand that in the event that I have knowingly and willfully made any false statements, I will be liable for punishment in accordance with all applicable state and federal laws and statutes.	
Signature	
Printed Name	Kell Smith
Title of Signatory	Interim Executive Director, Mississippi Community College Board
Date Signed	1/24/22

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements: The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.


(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION Mississippi Community College Board		
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE		
Prefix: Mr.	* First Name: Kell	Middle Name:
* Last Name: Smith	Suffix:	
* Title: Interim Executive Director		
* SIGNATURE: 	* DATE: 1/24/22	

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:


1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §94), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all increases in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11583 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Interim Executive Director
APPLICANT ORGANIZATION Mississippi Community College Board	DATE SUBMITTED 1/24/22

Standard Form 424B (Rev. 7-97) Back

GEPA Section 427 Statement:

"The Department of Education's General Education Provisions Act (GEPA) applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382)."

"The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity."

The Equal Employment Opportunity Commission enforces five statutes that prohibit job discrimination by private employers and state and local government agencies:

1. Title VII of the Civil Rights Act of 1964 (Title VII),
2. The Age Discrimination in Employment Act of 1967 (ADEA)
3. The Equal Pay Act of 1963 (EPA)
4. The Americans with Disabilities Act of 1990 (ADA)
5. Sections of the Civil Rights Act of 1991 (CRA) which amended provisions of Title VII, the ADEA, and the ADA.

The Mississippi Community College Board, in its capacity as the coordinating Board of the community and junior colleges of the State of Mississippi, strongly urges each of the colleges to comply fully with federal and state nondiscrimination laws and executive orders, which constitute the legal mandate for equal employment opportunity. The Board also strongly urges each community and junior college to ensure that no one shall be excluded from participating in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity of the college on the grounds of race, sex, age, color, creed, national origin, religion, disability, or any other protected group. The Board itself further adheres to the principle of equal educational and employment opportunity as mandated by each of these statutes.

The Office of Adult Education will ensure to the fullest extent possible equitable access to, participation in, and appropriate educational opportunities for all federally funded local adult education programs to include faculty, staff and students with special needs. Activities, programs and services will be accessible to all teachers, students, and other program beneficiaries with special needs allowing them to participate fully in the projects. The Office of Adult Education does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, socio-economic status, national origin, race, gender or sexual orientation in its education and research programs, or its services and activities. It provides reasonable and appropriate accommodations to meet the learning and evaluation needs of a diverse group of students, faculty, community members and other participants.


All funded AEFLA programs submitted a GEPA plan as part of the application process and are monitored by the Office of Adult Education.

Signature	
Printed Name	Kell Smith
Title of Signatory	Interim Executive Director
Date Signed	1/24/22



WIOA Statement of Certification

ADULT BASIC EDUCATION AND LITERACY PROGRAMS CERTIFICATIONS

STATEMENTS OF CERTIFICATION	
1.	I certify that the Mississippi Community College Board (hereinafter referred to as "MCCB") is the eligible agency authorized to submit the plan for the Adult Basic Education and Literacy Programs for the State of Mississippi.
2.	I certify that MCCB has authority under State law to perform the functions of the State under the program of Adult Basic Education and Literacy.
3.	I certify that the State legally may carry out each provision of the Adult Basic Education and Literacy plan.
4.	I certify that all provisions of the Adult Basic Education and Literacy plan are consistent with State of Mississippi law.
5.	I, the Executive Director of MCCB , certify that I have authority under Mississippi State law to receive, hold, and disburse Federal funds made available under the Adult Basic Education and Literacy plan.
6.	I, the Executive Director of MCCB , certify that I have the authority to submit the plan for the State of Mississippi for Adult Basic Education and Literacy.
7.	I certify that MCCB has adopted or otherwise formally approved the Adult Basic Education and Literacy plan.
8.	I certify that Mississippi's Adult Basic Education and Literacy plan is the basis for State operation and administration of the program.
I do hereby certify that all statements made by me are true and correct, to the best of my knowledge, information and belief, further, I understand that in the event that I have knowingly and willfully made any false statements, I will be liable for punishment in accordance with all applicable state and federal laws and statutes.	
Signature:	
Printed Name:	Kelli Smith
Title of Signatory:	Interim Executive Director, Mississippi Community College Board
Date Signed:	1/24/22

14B. Monitoring Checklist

Adult Education Monitoring Tool

Fiscal Years 2021-2025



Provider: _____

Date: _____

Vision:

The vision of the MCCB OAE is to provide leadership, training, and technical assistance to adult education and literacy programs and ensure that quality educational services are available to adults and out-of-school youth across Mississippi.

Mission:

The adult education system will provide research-proven instruction and college and career readiness pathways that allow adults to master academic and technical skills in order to attain their career and educational goals, become full partners in the educational development of their children, and successfully navigate education and employment opportunities.

Goals:

- Implement and scale comprehensive, innovative college and career pathways to accelerate student completion and foster economic growth.
- Guide and support transformational instructional practices that accelerate student completion to certificates, and AA/BA degrees leading to family sustaining employment.
- Contextualize adult education courses to support transition to high school completion & equivalency certification, postsecondary education, and employment.
- Strengthen and maintain a culture of rigorous instruction and evidence of increased performance.
- Create and maintain strategic alliances to leverage local resources and increase navigational support to participants.
- Foster student self-efficacy.

This tool is based on our state's Strategic Workforce Plan, with specific detail on the implementation of the *Workforce Innovation and Opportunity Act (WIOA)*, the *Adult Education and Family Literacy Act (AEFLA)*, and the Adult Education and Integrated English Literacy and Civics Education (IELCE) Grants. This tool will guide discussion about the implementation of the minimum components and other compliance requirements for providers receiving funding from MCCB – Office of Adult Education (MS OAE).

Before the Visit

- It is highly recommended that you fill out this tool prior to the visit/interview. The check boxes indicate specific evidence is needed. In preparation for the compliance (team) visit/interview, the Monitoring Tool must be answered and submitted to the Assistant Director of Adult Education for Assessment and Program Quality, a minimum of seven days prior to the date of the visit.
- Labeled documentation folders need to be available for the team the day(s) of the visit addressing each of the monitoring items.
- Prepare materials/records to share with the review team. Examples of materials needed for this review include:
 - Student records showing daily attendance and distance education proxy hours, Intake Forms, Assessment records, Tuition Waivers (if applicable)
 - Memorandums of Understanding (MOU) with Core Partners and Community-based Organizations
 - Pathway diagrams, IET Single-set of Learning Objectives, written policies and procedures, data flowchart, materials driven by the College and Career Readiness Standards published by provider
 - Time and Effort forms, job descriptions, non-MS OAE trainings attended, and staff credentials
 - Accounting and enrollment records (invoices, travel, inventory lists, budgets, class sign-ins sheets, and class schedules)
- Ensure meeting space is reserved and appropriate AE and MIBEST program staff are included as needed.

During the Visit

- Discuss program responses to each item/prompt in the tool and share materials/records. The tool and other materials/records will not be collected during face-to-face visits but will be required for submission via Canvas or copied for follow-up and feedback. The sections can be discussed in any order to accommodate program staff needing to return to other duties.
- The Compliance Team will mark the "YES" column after evidence is reviewed and determined to meet requirements. If the evidence does not meet requirements or is not available, the "NO" or "N/A" column is marked and corrective action may be required.
- At the end of the visit, preliminary results will be shared in an Exit Interview format.

After the Visit

- Within four (4) weeks of the visit, a monitoring follow-up letter will be sent to the program director noting any commendations, recommendations, and findings for areas that need corrective action. If corrective action is required, the letter will outline the timeline for a reply from the program.
- One (1) week after the monitoring follow-up letter is sent, the AE program director will receive a request for evaluation of the monitoring visit conducted. Responses are required to be submitted within one (1) week of receipt. Responses should be honest and informative in order to be used to improve the monitoring process and enhance the services provided to all programs funded by the Office of Adult Education.

Section 1 – Program Overview and Coordination with State Plan				
Questions	Compliant			Comments
	YES	NO	N/A	
Program Overview				
<p>1. How does your program select, orient, and retain qualified staff and instructors. How do you ensure instructors maintain or increase skills necessary to provide up-to-date and evidence-based instructional practices that accelerate student completion?</p> <p><input type="checkbox"/> Requirements outlined in the MS OAE Program Guidelines</p> <p><input type="checkbox"/> Job Descriptions</p> <p><input type="checkbox"/> Professional Development (PD) Training records</p> <p><input type="checkbox"/> Improvement Plans</p> <p><input type="checkbox"/> Confidentiality Agreement</p> <p><input type="checkbox"/> Termination/Resignation letter</p> <p><input type="checkbox"/> Degree/Credentials</p> <p><input type="checkbox"/> Staff Evaluations</p> <p><input type="checkbox"/> Technology Use Policy</p> <p><input type="checkbox"/> Other: _____</p>				
<p>2. Describe the educational needs of the community your program serves and what services you offer to foster self-efficacy and economic improvement. Include activities that support our MS State Plan goals.</p> <p><input type="checkbox"/> Provide services to individuals who have low levels of literacy in content domains of reading, writing, mathematics, and English language acquisition</p> <p><input type="checkbox"/> Provide services that lead to unsubsidized employment, attainment of a secondary school diploma or equivalent, and transition to post-secondary education and training</p> <p><input type="checkbox"/> Services provided that align with the MS State Plan in regards to concurrent enrollment in programs and activities under Title I of WIOA, as appropriate</p>				
<p>3. What processes and procedures does your program have in place to ensure equitable access to and participation in program services for participants, teachers, and other stakeholders regardless of gender, race, national origin, color, disability or age?</p> <p><input type="checkbox"/> General Education Provisions Act (GEPA)</p> <p><input type="checkbox"/> Americans with Disabilities Act and the Americans with Disabilities Amendments Act (ADAAA) policy</p> <p><input type="checkbox"/> Coordination with MDRS and/or community partners</p>				
<p>4. Briefly describe the program planning process used to assess the needs of the adult education program, including developing site locations and creating class schedules.</p> <p><input type="checkbox"/> Counties served by program</p> <p><input type="checkbox"/> Staff placement</p> <p><input type="checkbox"/> Availability of instruction for low-level literacy skills, English language learners, and integrated education and training (IET) services</p> <p><input type="checkbox"/> Core partner referrals</p>				
Coordination with State Plan				
<p>5. How does the program ensure / demonstrate alignment between AE activities and services and the strategy and goals of the MS State Plan and WIOA, as well as the activities and services of the one-stop partners to expand access to employment, education and other services for individuals with barriers to employment through career pathways?</p> <p><input type="checkbox"/> Memoranda of Understandings (MOUs) or similar agreements among critical WIOA partners such as: Workforce Centers, DRS local offices, Support Service Providers (i.e. transportation, childcare, financial aid, counseling, and career advising), or Business and Industry</p> <p><input type="checkbox"/> MOUs contain a description of duration, procedures, and services to be provided by both entities and/or through the one-stop delivery system</p> <p><input type="checkbox"/> One-Stop MOUs contain operating budgets identifying the costs of services and the operating costs of the system</p>				

<input type="checkbox"/> Contains methods of referring individuals between the partner agencies <input type="checkbox"/> Contains methods to ensure that the needs of workers, youth, and individuals with disabilities, are addressed in providing access to services and technology 6. What processes and procedures does your program have in place to evaluate the effectiveness of core partner collaborative efforts? 7. Is there a WIOA resource list/guide of available support services to foster retention, recruitment, and student transition accessible to participants? 8. Does the program have an active Advisory Council? <input type="checkbox"/> Copies of agendas/sign-in sheets/minutes of advisory council meetings				
Section 2 – Integrated Education & Training Services and Intake & Orientation (State Plan Goals 1,2,3,4,5, 6,7 & NRS reporting)				
Questions	Compliant			Comments
	YES	NO	N/A	
9. Describe the college and career pathways at your organization and detail how you promote or advertise transition options for college, training, and careers with participants and the community.				
<input type="checkbox"/> Materials used with participants exploring pathways, for example program maps, meta-major diagrams, courses designed & sequenced for a pathway, etc. <input type="checkbox"/> Smart Start <input type="checkbox"/> Integrated Education and Training <input type="checkbox"/> Single Set of Learning Objectives <input type="checkbox"/> Integrated English Literacy and Civics Education				
10. Once in your program, how do you guide and support participants along a career or college pathway? Describe the navigational, advising, counseling or other supports available to participants to mitigate educational and employment barriers. Include goal-setting procedures related to fostering student self-efficacy. <input type="checkbox"/> Examples can include goal-setting activities, advising documentation, the Transition Specialist activity log, etc. <input type="checkbox"/> MS OAE Student Success Plan (SSP) <input type="checkbox"/> Transition Activity Log <input type="checkbox"/> Career Navigator <input type="checkbox"/> MIBEST Student File Checklist				
11. How often do you have participants reevaluate education and career goals to ensure participants are on track to complete and transition? <input type="checkbox"/> Materials used with participants when revisiting goals <input type="checkbox"/> Materials used with participants tracking progress towards transitions				
12. Based on transition data, what will you do to improve transitions? <input type="checkbox"/> Federal Table 5 <input type="checkbox"/> Federal Table 11 <input type="checkbox"/> IET/MIBEST enrollments (Verified by Career Navigator Signature) <input type="checkbox"/> Collaborative partnerships with Core Partners and/or Business and Industry				

13. What services is the program providing to address the components of the IET/MIBEST program? <input type="checkbox"/> Activities, programs, or services that are designed to help an individual acquire a combination of basic academic skills, critical thinking, digital literacy, and self-management skills <input type="checkbox"/> Employability skills that address competencies in using resources and information, working with others, understanding systems, and obtaining skills necessary to successfully transition to and complete postsecondary education, training, and employment <input type="checkbox"/> Other employability skills that increase an individual's preparation for the workforce <input type="checkbox"/> Services are integrated, concurrent, and contextualized <input type="checkbox"/> Access to internships/co-ops, apprenticeships, or work-based learning opportunities				
Intake & Orientation				
14. Does the program have samples of current marketing materials available for review? <input type="checkbox"/> Materials used for recruiting ABE, ESL, and IET/ELCE participants				
15. What form do you use to collect intake data? <input type="checkbox"/> Using MS OAE Student Success Plan (SSP) <input type="checkbox"/> MIBEST Student File Checklist <input type="checkbox"/> Online Intake Platform				
16. Describe the program's intake and orientation process and how the program's intake process ensures proper student placement in regards to ABE, ESL, and IET/ELCE procedures. Include how your program provides education services to English language learners, including professionals with degrees and credentials in their native countries that enables them to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens. <input type="checkbox"/> Written policy and procedure for intake and orientation <input type="checkbox"/> Written placement policy				

17. How is the program assisting adults to become literate, and obtain the knowledge and skills necessary for employment and economic self-sufficiency? <input type="checkbox"/> Number of ABE and ESL participants (EFLs 1-4 & ESL 1-6) served for the last three (3) program years. (Table 1) <input type="checkbox"/> IET Bridge Programs <input type="checkbox"/> Apprenticeships			
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Section 3 – Data Quality and Achievement & Performance Feedback (State Plan Goal 1, 4, 6, 7, & NRS)				
Questions	Compliant			Comments
	YES	NO	N/A	
Data Quality 18. Has the program established written data collection policy and procedures as stated in the Technical Assistance Guide of the National Reporting System? How do you verify staff understand the data flow process and staff responsibility? <input type="checkbox"/> Written Data Collection Process to include: <ul style="list-style-type: none"> ➤ Data flowchart including job responsibilities ➤ Use of the Data Management System ➤ Timely input of data ➤ Includes demographics ➤ Barriers to employment ➤ Verification of withdrawal for 16-17 year olds ➤ Assessment ➤ Attendance data ➤ Data review and correction ➤ Performance reviews ➤ Student cumulative folder review ➤ Competency-based diploma verification 				

19. Has the program developed a process to implement the MS Office of Adult Education (OAE) Assessment Policy to meet Measurable Skills Gains?				
<input type="checkbox"/> Use of state-approved assessments outlined in the MS OAE Program Guidelines <input type="checkbox"/> Completion of TABE certification by all staff <input type="checkbox"/> Track participants with 12 or more instructional hours <input type="checkbox"/> Correction of out-of-range scores <input type="checkbox"/> Use of locator for guidance <input type="checkbox"/> Use of alternate testing forms <input type="checkbox"/> MS OAE Program Guidelines assessment resources for NRS educational functioning levels <input type="checkbox"/> Post-test Rate report showing evidence of maintaining a post-test rate of at least 65%				
20. Describe how staff confirm data quality and accomplish reporting requirements (i.e. database error-checking function, data match through external data systems, Integrated Education and Training (IET) participants, multiple Periods of Participation, ESL needs, Integrated English Literacy and Civics Education (IELCE), etc.).				
<input type="checkbox"/> Does the data on student demographics raise any issues? <input type="checkbox"/> Does the proportion of students served in ABE, ASE, and ESL appear reasonable based on program needs? <input type="checkbox"/> Does the student outcome data on Table 4 indicate adequate performance? <input type="checkbox"/> Identification of technical assistance needs				
21. What data are used for individuals, business, and industry as part of the career pathways development?				
<input type="checkbox"/> Job skills of participants <input type="checkbox"/> Local workforce sectors <input type="checkbox"/> Employment trends <input type="checkbox"/> Available pathways within the program				
22. What demographic or other data were used to determine the target population for this IELCE program?				
23. How do you ensure IET/MIBEST and IELCE program data quality in the following areas:				
<input type="checkbox"/> Local process outlined (if applicable) <input type="checkbox"/> List of IETP/MIBEST participants (Verified by Career Navigator) <input type="checkbox"/> List of IELCE participants <input type="checkbox"/> Attendance captured accurately <input type="checkbox"/> IETP/MIBEST participants post-tested <input type="checkbox"/> IELCE participants post-tested				
Achievement & Performance Feedback				
24. Does your program have a history of meeting MS performance indicator targets?				
<input type="checkbox"/> Table 4 outcomes for past three years				
25. Are you demonstrating continual improvements in outcomes, consistent with WIOA performance accountability requirements?				
<input type="checkbox"/> Smart Start credential attainment <input type="checkbox"/> IETP/IELCE completion <input type="checkbox"/> Increase in participants on Table 5				
26. Does the average number of instructional hours indicate that programs are of sufficient intensity and duration to produce Measurable Skill Gains?				
<input type="checkbox"/> Calculated from the MS OAE Desktop Monitoring Tool, Columns B, D, & O of Table 4				
27. What is your plan to increase credential accrual rates for all participants?				
<input type="checkbox"/> Participants with no Earned Credentials in the Smart Start and/or IET/MIBEST/IELCE options				

28. How will you maintain or increase your enrollment and attendance hours? Compare the number of participants the program proposed to serve in its MS OAE Grant application to actual service levels. <input type="checkbox"/> Enrollment Proposed by provider in MS OAE Grant application.				
Section 4 – Curriculum & Instructional Practices (State Plan Goals 2, 3, 5 & 6)				
Questions	Compliant YES NO N/A			Comments
29. How do instructors use assessments (i.e. TABE Profile Report, WorkKeys, practice and official high school equivalency (HSE) test, instructor-designed instrument, etc.) to identify and analyze competency and skill gaps in order to inform instructional practices? <input type="checkbox"/> Examples of assessments used and how they inform instruction				
30. Describe how your program embeds College and Career Readiness Standards (CCRS), contextualized instruction, and evidence-based components of reading in all instructional practices. <input type="checkbox"/> Examples of rubrics, outcomes, or syllabi/lesson plans <input type="checkbox"/> IET Single Set of Learning Objectives (SLOs) <input type="checkbox"/> STAR participation				
31. Explain how your program offers sufficient rigor, intensity, and duration for participants to achieve substantial learning gains in basic skills, IET/IELCE, and ESL programs. <input type="checkbox"/> Integrated with training and civics <input type="checkbox"/> IET included in IELCE <input type="checkbox"/> Use occupationally relevant instructional materials <input type="checkbox"/> Specific adult education content <input type="checkbox"/> IET Single-set of Learning Objectives (SLOs) <input type="checkbox"/> Workforce preparation activities (Smart Start) <input type="checkbox"/> Workforce training competencies				
32. How does instruction provide adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement? <input type="checkbox"/> Activities, programs, or services that are designed to help an individual acquire a combination of basic academic skills, critical thinking, digital literacy, and self-management skills <input type="checkbox"/> Course schedules/syllabi/lesson plans <input type="checkbox"/> Employability skills that address competencies in using resources and information, working with others, understanding systems, and obtaining skills necessary to successfully transition to and complete postsecondary education, training, and employment <input type="checkbox"/> IET Single Set of Learning Objectives (SLOs) <input type="checkbox"/> Other employability skills that increase an individual's preparation for the workforce <input type="checkbox"/> Job readiness training <input type="checkbox"/> On-the-job training <input type="checkbox"/> Programs that combine workplace training with related instruction, which may include cooperative education programs <input type="checkbox"/> Skill upgrading and retraining <input type="checkbox"/> Entrepreneurial training				
33. How does the single set of IET learning objectives identify specific adult education content, workforce preparation activities, and workforce training competencies				
34. Describe the literacy, English language, and IELCE instruction.				

<input type="checkbox"/> Include instruction in literacy and English language acquisition <input type="checkbox"/> Include instruction on the rights and responsibilities of citizenship and civic participation <input type="checkbox"/> Delivery in combination with the IET activities <input type="checkbox"/> Prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency <input type="checkbox"/> Integrate with the local workforce development system and its functions to carry out the activities of the program				
35. Provide a list of software programs purchased with adult education funds and explain how the software is used to differentiate instruction. <input type="checkbox"/> Document student usage from July to June (if applicable)				
Section 5 – Fiscal Review (State Plan Goals 1, 4, & 6, NRS)				
Questions	Compliant			Comments
	YES	NO	N/A	
36. Obtain and Review the Program's most recent financial audit (if applicable). <input type="checkbox"/> Identify any findings or other issues noted that are relevant <input type="checkbox"/> Review Program Response and documentation to determine whether appropriate corrective action has been taken to resolve findings and questioned costs				
37. Is the budget set up in the WESS system for financial reporting required by the MS Office of Adult Education?				
38. Does the Program Director work with the Financial Officer in preparing the budget for the next fiscal year to include program's host institution match? <input type="checkbox"/> Examples of braided funding sources <input type="checkbox"/> Negotiated indirect funds <input type="checkbox"/> Verified allowable costs to the AEFLA grant				
39. Have allowable Career and Training Services expenditures been identified and reported properly?				
<input type="checkbox"/> Verified allowable costs to the AEFLA grant for outreach, assessment, referral and coordination activities with core partners and eligible providers, and barrier elimination activities by navigator or transition specialist, and IETP.				
40. Indicate from the following list the journals and ledgers, etc. used in the Subgrantee's accounting system. These will need to be available during the review. <input type="checkbox"/> General ledger <input type="checkbox"/> Cash receipts journal <input type="checkbox"/> Cash disbursements journal <input type="checkbox"/> General Journal <input type="checkbox"/> Payroll register <input type="checkbox"/> Career Services expenditures (Attachment 7- Table C of OCTAE Program Memorandum 17-2) <input type="checkbox"/> One Stop Infrastructure costs <input type="checkbox"/> Accounts receivable ledger <input type="checkbox"/> Account payable ledger <input type="checkbox"/> Purchase Journal <input type="checkbox"/> Travel expenditures <input type="checkbox"/> Obligation control ledger				
41. Are separate, accurate, and complete accounting records kept for adult education funds? <input type="checkbox"/> All budget requests and expenditures for FY ___ and ___ documented. <input type="checkbox"/> Personnel files for those paid with AE grant funds. <input type="checkbox"/> Time and Effort reports for all staff paid with AEFLA grant funds <input type="checkbox"/> Approved Grants and modifications for FY ___ and ___.				
42. Written procurement procedures are followed. <input type="checkbox"/> Requisition – dated prior to purchase order; <input type="checkbox"/> Purchase order – dated prior to invoice and payment; <input type="checkbox"/> Invoice – approved by program director; <input type="checkbox"/> Record of payment				
43. Has the charge been properly allocated to the appropriate budget category, or in the case of charges shared between programs, to the appropriate program? <input type="checkbox"/> Integrated English literacy and civic education (IELCE)				

<input type="checkbox"/> <i>Integrated education and training (IET)/MIBEST</i> <input type="checkbox"/> <i>Basic Skills</i> <input type="checkbox"/> <i>ESL</i> <input type="checkbox"/> <i>Drop Out Recovery</i> <input type="checkbox"/> <i>Other</i>				
44. Who are authorized signatory officials? <input type="checkbox"/> <i>Copy of fidelity bond and listing of authorized signature(s) for purchases, disbursements, and cash receipts</i>				
45. An updated equipment list maintained that includes a description, serial number, acquisition date, funding source, purchase price, location use and condition. <input type="checkbox"/> <i>Updated inventory list</i>				

Student Records Review Checklist (2020-2025)

Record #	1	2	3	4	5	6	7	8	9	10
<i>Marks: Yes = Y; No = N; Not Applicable = N/A</i>										
Is student record Federally Reportable (FR)?										
General Release of Information Forms										
Technology Acceptable Use Policy										
Copy of state-issued picture I.D.										
Verification of Withdrawal										
Student Success Plan										
TABE Profile or Educational Plan										
Student Work Samples										
Smart Start Student Record/Syllabus										
Documentation of accommodations										
Is data reported in DATA MANAGEMENT SYSTEM identical to program records in the following areas :										
<i>Marks: Does Not Match = N; Provided/Matches = Y; Data Missing from Both Areas = O; Not Applicable = N/A</i>										
Complete Data Form										
TABE Pre/Post										
Smart Start Credential or Certificate										
Career Readiness Transcript or Certificate										
High School Equivalency Transcript										
Attendance Hours by Type-										
Total AE Instructional Hours										
Total Smart Start Hours										
Distance Education Hours										
Record #	Notes									

Student Smart Start Records Review Checklist (2020-2021)										
Record # (AE & WD)	1	2	3	4	5	6	7	8	9	10
Name										
Verification of the following in folder:										
Smart Start Student Record (Instructor sign & date)										
Registered in MS Works										
Professional Email										
ACT WorkKeys® Pretests										
ACT WorkKeys® Summary Report										
Activity – Career Cluster Survey										
Activity – Career Cluster Res & Job Profile										
Activity – Career Pathway										
Activity – Resume										
Career Awareness Post- Test										
Financial Awareness Post-Test										
Necessary Skills Post- Test										
Data Usage Report										
Students' Canvas Gradebook (if applicable)										

Class Roster										
Instructor Certification Statement										
ACT WorkKeys® Summary Report										
Students' Canvas Gradebook										
SS Credential/Certificate										
Resume (if DE/DC)										
Is data reported in DATA MANAGEMENT SYSTEM identical to program records in the following areas :										
<i>Marks: Does Not Match = N; Provided/Matches = Y; Data Missing from Both Areas = O; Not Applicable = N/A</i>										
Is data reported in DATA MANAGEMENT SYSTEM identical to program records in the following areas :										
<i>Marks: Does Not Match = N; Provided/Matches = Y; Data Missing from Both Areas = O; Not Applicable = N/A</i>										
SS Credential/Certificate — Education Tab										
ACT WorkKeys® Scores — Outcomes Tab										
NCRC — Education Tab										
Attendance Hours by Type-										
Total Smart Start Hours										
SS Distance Education Hours										
Less than 30 Hours (Approval from OAE)										
Smart Start Student Record Checklist July 2021 to June 2025										
Class Roster										
Instructor Certification Statement										
ACT WorkKeys® Summary Report										
Students' Canvas Gradebook										

[illegible]

MS Competency-based Diploma Record Review Checklist

Marks: Yes = Y; No = N; Not Applicable = N/A

[illegible]

Is data reported in DATA MANAGEMENT SYSTEM identical to program records in the following areas :

Marks: Does Not Match = N; Provided/Matches = Y; Data Missing from Both Areas = O; Not Applicable = N/A

[illegible][illegible]

Section 15. Vocational Rehabilitation Assurances

I5A. VR/VRB Policy 1.4 – Public Hearing Proceedings on Proposed Policy Changes that Substantially Impact Service to Clients

1.4 PUBLIC HEARING PROCEEDINGS ON PROPOSED POLICY CHANGES THAT SUBSTANTIALLY IMPACT SERVICES TO CLIENTS

1. Scope. - The following policy and procedures apply to all public hearings held for the purpose of providing the public with an opportunity to make oral presentations on proposed new policies and amendments to existing policies before the Department (MDRS) that substantially impact services to clients.

2. When Public Hearing Proceedings will be Scheduled on Proposed Policies. The Department will conduct a public hearing proceeding within thirty (30) days after the first notice of public hearing is run in certain regional and statewide newspapers on proposed policy or amendment to existing policies that substantially impact services to clients.

3. Requested Format. Each request to comment must be printed or typewritten, or must be in legible handwriting. Each request to comment must be submitted on standard business letter-size paper (8-1/2 inches by 11 inches). Requests to comment may be in the form of a letter addressed to the MDRS Executive Director and signed by the requestor(s).

4. Notification of Public Hearing Proceedings. The date, time and place of all public hearing proceedings will be announced via notice in certain regional and statewide newspapers, public service announcements via Mississippi Public Radio, notice on the MDRS website, and press releases to numerous consumer organizations who represent or serve people with disabilities. The public hearing proceeding will be scheduled within thirty (30) days after the first notice of public hearing is run in certain regional and statewide newspapers.

5. Presiding Officer. The Executive Director, or his/her designee, who is familiar with the substance of the proposed policy, shall preside at the public hearing proceeding on a proposed policy.

6. Public Presentations and Participation.

(a) At a public hearing proceeding on a proposed policy, persons may make oral statements and make documentary and physical submissions, which may include data, views, comments or arguments concerning the proposed policy.

(b) Persons wishing to make oral presentations at such a proceeding shall notify the Department at least one business day prior to the proceeding and indicate the general subject of their presentations. The presiding officer at his or her discretion may allow individuals to participate that have not previously contacted the Department.

(c) At the proceeding, those who participate shall indicate their names and addresses, identify any persons or organizations they may represent, and provide any other information relating to their participation deemed appropriate by the presiding officer.

(d) The presiding officer may place time limitations on individual oral presentations when necessary to assure the orderly

and expeditious conduct of the public hearing proceeding. To encourage joint oral presentations and to avoid repetition, additional time may be provided for persons whose presentations represent the views of other individuals as well as their own views.

(e) Persons making oral presentations are encouraged to avoid restating matters that have already been submitted in writing.

(f) There shall be no interruption of a participant who has been given the floor by the presiding officer, except that the presiding officer may in his or her discretion interrupt or end the participant's time where the orderly conduct of the proceeding so requires.

7. Conduct of Oral Proceeding.

(a) Presiding officer. The presiding officer shall have authority to conduct the proceeding at his or her discretion for the orderly conduct of the proceeding. The presiding officer shall (i) call proceeding to order; (ii) give a brief synopsis of the proposed policy, a statement of the statutory authority for the proposed policy; (iii) call on those individuals who have contacted the Department about speaking on or against the proposed policy; (iv) allow for rebuttal statements following all participant's comments; (v) adjourn the proceeding.

(b) Questions. The presiding officer, where time permits and to facilitate the exchange of information, may open the floor to questions or general discussion. The presiding officer may question participants and permit the questioning of participants by other participants about any matter relating to that policy-making proceeding, including any prior written submissions made by those participants in that proceeding; but no participant shall be required to answer any question.

(c) Physical and Documentary Submissions. Submissions presented by participants in a public hearing proceeding shall be submitted to the presiding officer. Such submissions become the property of the Department and are subject to the Department's public records request procedure.

(d) Recording. The Department may record oral proceedings by stenographic or electronic means.

1.1 General Policies

All policies in this manual were reviewed by the State Rehabilitation Council in accordance with the Rehabilitation Act of 1973, as amended in the 2014 Workforce Innovation and Opportunity Act (WIOA), and with applicable federal regulations.

1.1.9 Agreements with Other Agencies and Organizations, including the Mississippi Workforce Investment System

Counselors shall comply with the provisions of agreements between MDRS and other agencies and organizations; including those in the Mississippi Workforce Investment System. These agreements provide for interagency cooperation which may include establishing interagency working groups; coordinating policies, practices, and procedures; identifying available resources; setting up a comprehensive information and referral system; and defining the financial responsibility of each agency for paying for necessary services and resolving disputes. (Section 101(a)(11) of the 1998 Rehabilitation Act Amendments)

The Mississippi Department of Rehabilitation Services will make available an information and referral system adequate to ensure that individuals with disabilities, including eligible individuals who do not meet the Agency's order of selection criteria for receiving vocational rehabilitation services if the Agency is operating on an order of selection, are provided accurate vocational rehabilitation information and guidance (which may include counseling and referral for job placement) using appropriate modes of communication to assist them in preparing for, securing, retaining, or regaining employment; and will refer individuals with disabilities to other appropriate Federal and State programs, including other components of the statewide workforce investment system.

In making these referrals, MDRS will refer the individual to Federal or State programs, including programs carried out by other components of the statewide workforce investment system, best suited to address the specific employment needs of an individual with a disability, and provide the individual who is being referred—

1. A notice of the referral by MDRS to the agency carrying out the program;
2. Information identifying a specific point of contact within the agency to which the individual is being referred; and
3. Information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment.

In providing the information and referral services under this section to eligible individuals who are not in the priority category or categories to receive vocational rehabilitation services under an order of selection, if one is in effect, MDRS will maintain and report data on the number of eligible individuals who did not meet the Agency's order of selection criteria for receiving vocational rehabilitation services and did receive information and referral services.

4. MDRS shall maintain a list of interpreters fluent in languages spoken by the targeted populations.
5. District Managers shall maintain formal relationships with historically Black Colleges and Universities in their service area by assigning a liaison person(s) to encourage referrals, job placement, training, outreach, and recruitment.

MDRS has an agency-wide Cultural Diversity Committee that is responsible for the following:

1. developing strategies for outreach in the district offices to be implemented by the staff designated outreach workers;
2. establishing reporting formats for each district office to summarize outreach activities, which occurred during the quarter;
3. reviewing the quarterly outreach reports and submitting a summary to the MDRS Executive Director; and,

1.1.1 Nondiscrimination

No individual or group of individuals is excluded or found ineligible on the basis of sex, age, race, creed, color, religion, or, national origin, type of disability, duration of residence in Mississippi, public assistance status, citizenship, type of expected employment outcome, source of referral, particular service needs or anticipated costs of services required, or income level of an applicant or applicant's family. This applies to all locations in which rehabilitation services are provided by this agency, including one-stop centers.

SERVICES

Section 08

08.0 Services

Substantiality of Services Policy:

The definition of substantiality of services includes all the needs that should be met in the IPE, its amendments, and otherwise in the case record. These needs should include both those pertaining to the vocational abilities of the individual and those relating to the barriers to employment posed by the disability or disabilities. Substantial services are those services that address an individual's major needs as identified in the assessment process or later in the case record that the counselor and the client agree have to be met in order for the individual to achieve an employment outcome consistent with that individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. The services required to meet the needs of an individual should be planned on the IPE and/or its amendments, regardless of the source of payment or service provider. The source of payment and service provider must be listed on the IPE for each service.

Specific Vocational Rehabilitation Services are any services described in an Individualized Plan for Employment (IPE) necessary to assist an individual in preparing for, securing, retaining, advancing in, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, including:

1. Assessment for determining eligibility and priority for services by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
2. An assessment for determining vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
3. Vocational rehabilitation counseling and guidance, including information and support services to assist an individual in exercising informed choice as defined in the OVR/OVRB Resource Guide, Section 4.4;
4. Referral and other services necessary to assist applicants and eligible individuals to secure needed services from other agencies, including other components of the statewide workforce development system and to advise those individuals about Client Assistance Programs (OVR/OVRB Policy Manual Section 1.1.9 & 1.3; OVR/OVRB Resource Guide

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Section 4.4 & Form MDRS-VR-02, Information and Referral located on Connect;

5. Physical and mental restoration services, to the extent that financial support is not readily available from a source other than the Agency (such as through health insurance or a comparable service or benefit);
6. Vocational and other training services, including the provision of personal and vocational adjustment, advanced training in a field of science, technology, engineering, medicine, law, business, or mathematics including computer science, books, tools, and other training material, except that no training services provided at an institution of higher learning shall be paid with funds under this title unless maximum efforts have been made by the counselor and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training;
7. Maintenance for additional costs incurred while participating in an assessment for determining eligibility and rehabilitation needs or while under an IPE as defined in the *OVR/OVRB Resource Guide, Section 4.4*;
8. Transportation, including adequate training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this section and needed by the individual to achieve an employment outcome as defined in the *OVR/OVRB Resource Guide, Section 4.4*;
9. Vocational rehabilitation services to family members of an applicant or eligible individual if necessary to enable the applicant or eligible individual to achieve an employment outcome;
10. Interpreter services, including sign language and oral interpreter services, for individuals who are deaf or hard of hearing and tactile interpreting services for individuals who are deaf-blind provided by qualified personnel;
11. Reader services, rehabilitation teaching services and orientation and mobility services for individuals who are blind;
12. Supported employment services in accordance with the definition in the *OVR/OVRB Resource Guide, Section 4.4*;

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SERVICES

Section 08

13. Personal assistance services in accordance with the definition in the *OVR/OVRB Resource Guide, Section 4.4*;
14. Post-employment services in accordance with the definition in the *OVR/OVRB Resource Guide, Section 4.4*;
15. Occupational licenses, tools, equipment, and initial stock and supplies;
16. Rehabilitation technology services including vehicular modifications, telecommunications, sensory and other technological aids and devices in accordance with the definition in the *OVR/OVRB Resource Guide, Section 4.4 & Section 3.2*;
17. Transition services for students and youth with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or pre-employment transition services for students.
18. Technical assistance and other consultation services to conduct market analysis, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided through the statewide workforce development system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;
19. Business development services, community based job tryout, on-the-job training, Work Opportunity Tax Credit, and employability skills training as addressed in the *OVR/OVRB Resource Guide, Section 3.11*;
20. Customized employment in competitive integrated employment based the individual's unique strengths, needs and interests, designed to meet the specific abilities of the individual and the business needs of the employer by customizing a job description based on current employer needs or on previously unidentified and unmet employer needs.
21. Other goods and services determined necessary for the individual with a disability to achieve an employment outcome.

(Authority: Section 103(a) of the Act; 29 U.S.C. 723(a))

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FINANCIAL ACCOUNTABILITY

Section 09

09.0 Financial Accountability Policy Statement

The Mississippi Department of Rehabilitation Services is committed to ensuring all funds are handled using sound financial management and proper accounting practices. These practices should facilitate the goals and objectives of the program. Only those funds necessary for diagnostic, evaluation and other services, which lead to the attainment of a vocational goal, should be expended.

Authorizations and expenditures for services will be made in accordance with all applicable Agency fee schedules; Agency operating agreements and contracts; State contract rates; vendor's usual and customary charges; and state/federal laws, regulations, policies, and procedures. Rates of payment for services provided in agency-operated facilities shall be determined by the Agency's facility cost reporting system.

Documentation supporting the decision to obligate funds, change amounts obligated, and recommended payment must be present in the case file.

09.1 Financial Needs Tests / Comparable Services and Benefits

MDRS chooses to consider the financial need of clients or applicants who are receiving services through Trial Work Experiences or during an Extended Evaluation for purposes of determining the extent of their participation in the costs of vocational rehabilitation services, other than those services identified below. The *OVR/OVRB Resource Guide* explains the method for determining the financial need of an eligible individual; and specifies the types of vocational rehabilitation services for which MDRS has established a financial needs test;

Policies are applied uniformly to all individuals in similar circumstances. Policies do not require different levels of need for different geographic regions in the State, and policies ensure that the level of an individual's participation in the cost of vocational rehabilitation services is:

1. reasonable;
2. based on the individual's financial need, including consideration of any disability-related expenses paid by the individual; and,

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3. not so high as to effectively deny the individual a necessary service.

MDRS does not apply a financial needs test, or require the financial participation of the individual as a condition for furnishing the following vocational rehabilitation services:

1. assessment for determining eligibility and priority for services, except those non-assessment services that are provided to an individual with a significant disability during either an exploration of the individual's abilities, capabilities, and capacity to perform in work situations through the use of Trial Work Experiences or an Extended Evaluation;
 - a. assessment for determining vocational rehabilitation needs;
 - b. vocational rehabilitation counseling and guidance;
 - c. referral and other services;
 - d. interpreter services;
 - e. reader services;
 - f. job-related services;
 - g. personal assistance services; or
2. as a condition for furnishing any vocational rehabilitation service if the individual in need of the service has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act.

Comparable Services and Benefits are defined in the *OVR/OVRB Resource Guide*.

In all cases full consideration will be given to any comparable services and benefits available under any other program including those of other workforce agencies. This includes maximum utilization of public or other vocational/ technical training facilities to meet, in whole or part, the cost of any vocational rehabilitation service(s) provided to the individual. MDRS cannot supplement

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payments from any other source(s) in excess of the prevailing fee for services being purchased.

Appropriate comparable benefits must be used when purchasing services, as long as the determination of whether comparable services and benefits are available under any other program would interrupt or delay:

1. the progress of the individual toward achieving the employment outcome in the individualized plan for employment of the individual;
2. an immediate job placement; or,
3. the provision of such service to any individual at extreme medical risk.

Exceptions are as follows:

1. assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
2. counseling and guidance, including information and support services to assist an individual in exercising informed choice;
3. referral and other services to secure needed services from other agencies including other workforce agencies through cooperative agreements, if such services are not available through this agency;
4. job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
5. rehabilitation technology, including telecommunication, sensory, and other technological aids and devices; and,
6. post-employment services consisting of the aforementioned services (in items 1– 5 in this list.)

09.2 Fee Schedule

The Agency has established a Fee Schedule that represents the Department's "*maximum allowable fee*" for medical services,

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equipment, supplies, and the like. The Fee Schedule Manual offers guidelines on authorizing for these types of services and must be adhered to when the Agency is providing these services.

09.3 State Vendor Contracts

The State of Mississippi enters into contracts with vendors for certain goods and services on an annual basis. When State contracts are in effect, these items must be obtained from the vendor indicated on the contract. No bids are required.

09.4 State Purchasing Regulations

Items not covered by the Agency Fee Schedule or a State Contract are subject to the Mississippi Public Purchases law. This law requires the following for all client service purchases authorized by the counselor:

1. Purchases of \$5,000.00 or under, exclusive of freight or shipping charges, may be authorized to any vendor with no bids or approval required (except for Computer /telecommunication related purchases).
2. Purchases over \$5,000.00, but not in excess of \$25,000.00, exclusive of freight or shipping charges, require at least two written quotes or certification that the vendor is a single source*. The Request for Purchase form (DRS-FIN 1) or client authorization and quotes or certification are to be submitted to the District Manager. Purchases will be made from the lowest and best overall quote that meets the specifications. **DO NOT ISSUE AUTHORIZATIONS UNTIL NOTIFIED OF APPROVAL.** After receiving written approval, the Authorization and Statement of Account may be issued. A copy of the approval document and quotes must be attached to the Statement of Account when submitted to the Finance Office for payment.

**Single source vendor considerations - Do other companies make similar commodities that will do the same job or meet the same goals? If so, why is this commodity unique from all others? What can it do that the others can't? Is there a*

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copyright or patent on this commodity? Will the company write a letter certifying this to be true? Are there distributors outside of Mississippi or will the manufacturer give you a quote?

3. For purchases over \$25,000.00, exclusive of freight and shipping charges, you must send the specifications for the items being purchased or construction projects being proposed to the District Manager, who will then submit the request to the Finance Office. (See *Section 6.2.7* of the *OVR/OVRB Resource Guide* for requirements for AT related purchases). IT IS UNLAWFUL TO SPLIT A PURCHASE TO CIRCUMVENT THE REQUIREMENTS FOR ADVERTISING. The Finance Office will arrange for the advertising in the newspaper, provide guidance in obtaining the bids, and obtain approval from the Bureau of Purchasing (P-1). Purchases will be made from the lowest and best overall bidder that meets the specifications. AUTHORIZATIONS SHOULD NOT BE ISSUED UNTIL NOTIFICATION IS RECEIVED.

09.5 Purchase of Computer/Telecommunication Equipment and/or Services

The Mississippi Department of Information Technology Services (ITS) governs the acquisition of any computer/telecommunications equipment, word processing equipment, computer software, or computer/telecommunications services. Requests for purchase of any of the above for clients, regardless of cost, must be sent to the District Manager, prior to submission to the Agency's Office of Management Information Services (MIS). Approval from MIS must be secured before further action is taken.

09.6 Purchase of Drugs

Drugs and medication may be authorized when necessary for the treatment of a condition that affects the rehabilitation program. They may also be provided as part of a broader physical rehabilitation program.

The Agency will approve drugs that comply with rates established by the State Division of Medicaid. If a prescription is not on the Medicaid Formulary, the authorization will be based on the pharmacist's usual and customary charge. Similar benefits must be considered before the Agency can pay for this type of service.

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09.7 Authorizations

Authorizations will be issued only after a case has been placed in application status. A written authorization for services shall be made either before or at the same time as the purchase of the services. After eligibility has been determined, in emergency situations that might cause extreme medical risk or loss of placement, or like circumstances, an authorization may be made orally. In such instances there must be prompt documentation and the authorization must be confirmed in writing and forwarded immediately to the provider of the services.

09.8 Statement of Accounts

Payment of a valid obligation may be approved when the authorized goods or services have been received by the client or authorized agency personnel and the vendor has signed, returned our Statement of Account and supplied an invoice when required. State purchasing law requires payment within 45 days of receipt of authorized goods and services.

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IPE

Section 07

07.0 Individualized Plan for Employment (IPE)

07.1 IPE Policy Statement

The Mississippi Department of Rehabilitation Services is required to initiate an Individualized Plan for Employment, periodically update it, and conduct an annual IPE review for each eligible individual being provided services. Vocational rehabilitation services must be provided in accordance with the IPE. The IPE sets forth the specific employment outcome, services to be provided, time frames, service providers, evaluation criteria, and dates of review. The client will have informed choice throughout the vocational rehabilitation process including selecting a specific employment outcome, specific vocational rehabilitation services, and the provider and methods by which these services will be provided.

07.2 Scope of the IPE

The intended purpose of the IPE is to document and describe the required rehabilitation services necessary for the client to prepare for, secure, retain, or regain employment. It shall be presumed that an individual can benefit in terms of a specific employment outcome through specific vocational rehabilitation services provided under the IPE, unless the Agency can demonstrate by clear and convincing evidence documented in the case file that the individual is incapable of benefiting from services in terms of a specific employment outcome due to the severity of the disability of the individual.

Each IPE shall be designed to achieve the specific employment objective chosen by the individual, consistent with his/her unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice. Clients will be active and full partners in the vocational rehabilitation process, making meaningful and informed choices during assessments for vocational rehabilitation needs and in the selection of specific employment outcomes, services needed to achieve the outcomes, entities providing such services, and the methods used to secure such services. Eligible individuals will be informed about their options for developing an IPE, including the option for the individual to develop an IPE on agency forms without assistance from anyone.

07.3 Initiation of the IPE

The IPE must be initiated after eligibility determination by a qualified rehabilitation counselor has occurred. The Agency shall determine whether an individual is eligible for vocational rehabilitation services within a reasonable period of time, not to exceed 60 days after the individual has submitted an

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application for services. The eligibility determination period may be extended if: (a) exceptional and unforeseen circumstances beyond the control of the Agency preclude the making of the eligibility determination within 60 days and the Agency and the individual agree to a specific extension of time, or (b) if the Agency is exploring an individual's abilities, capabilities, and capacity to perform in work situations through the use of Trial Work Experiences. Such experiences should be of sufficient variety and over a sufficient period of time to determine the eligibility of an individual.

07.4 Development of the IPE

When an individual is determined to be eligible for vocational rehabilitation services, the IPE shall be completed. An IPE shall be a written document prepared on current forms provided by the Agency as outlined in Section 361.45(b)(2) of the 1998 Rehabilitation Act Amendments regarding general requirements.

The eligible individual or his/her representative will be provided information, in writing and in an appropriate mode of communication, regarding the individual's options for developing an IPE including:

1. information on the availability of assistance, to the extent determined to be appropriate by the eligible individual, from a qualified vocational rehabilitation counselor in developing all or part of the IPE for the individual, and the availability of technical assistance in developing all or part of the IPE for the individual;
2. a description of the full range of components as defined in Section 361.48 that shall be included in an IPE; and,
3. as appropriate--
 - a. an explanation of Agency guidelines and criteria associated with financial commitments concerning an Individualized Plan for Employment;
 - b. additional information the eligible individual requests or the Agency determines to be necessary;
 - c. information on the availability of assistance in completing designated Agency forms required in developing an IPE; and,
 - d. a description of the rights and remedies available to such an individual including, if appropriate, a description of the availability of a Client Assistance Program and information about how to contact the CAP.

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An IPE for a student with a disability receiving special education services is developed--

- a. In consideration of the student's IEP; and
- b. In accordance with the plans, policies, procedures, and terms of the interagency agreement between MDRS and the local school district.

In planning transition services for students, the IPE for a student determined to be eligible for vocational rehabilitation services must be developed and approved (i.e., agreed to and signed by the individual and the counselor) before the student leaves the school setting and as early as possible during the transition planning process.

07.5 Informed Choice

An IPE shall be developed and implemented in a manner that affords eligible individuals the opportunity to exercise informed choice in selecting a specific employment outcome, the specific vocational rehabilitation services to be provided under the plan, the entity that will provide the vocational rehabilitation services, and the methods used to procure the services. Informed Choice implies that the specific employment outcome be both realistic and achievable for the individual.

The specific employment outcome should be based upon an objective assessment of specific vocational rehabilitation needs and reflecting the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice. The IPE should reflect specific vocational rehabilitation services necessary to achieve the individual's chosen employment outcome and the case file should reflect how the client was informed about and involved in choosing among alternative services. All available comparable benefits should be applied toward each service.

Information regarding available vendors, certified/licensed vendors, cost and duration of all planned services, and like information, shall be provided to the client in the appropriate accessible mode of communication. Accessibility of the vendor's location will be discussed with the client. All rehabilitation services will be provided in the least restricted and most integrated setting compatible with the client's interest and abilities.

07.6 Individualized Plan for Employment Form Completion

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The IPE is organized into the following sections--

Part 1 General Information

This section includes the plan number, general plan type (i.e. training, physical restoration), the client's specific employment outcome/objective, and the anticipated date for achievement of the employment outcome.

Part 2 Planned Services

This section describes services needed, dates of initiation, provider(s) of choice, and the estimated costs for each service and the total plan (including comparable benefits).

Part 3 Participant Responsibilities

This section will include a list of the client's responsibilities toward completion of the plan; including any financial responsibilities.

Part 4 Plan Documentation

This section must contain the agreed-upon criteria for evaluating progress toward the goal.

Part 5 Terms and Conditions

This section contains post-employment services and the identification of the extended services provider for Supported Employment cases only.

Part 6 Statements of Mutual Understanding

The counselor will complete the information under Review Process and Client Assistance Program. The counselor will review all information in this section in detail with each client and/or his/her representative.

Part 7 Plan Certification

The IPE is finalized and signed by the client or his/her representative and the counselor prior to service(s) being initiated.

07.7 Basic IPE Contents

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Regardless of the approach selected by an eligible individual to develop an Individualized Plan for Employment, an IPE shall, at a minimum, contain mandatory components consisting of--

1. a description of the specific employment outcome that is chosen by the eligible individual, and, to the maximum extent appropriate, results in employment in an integrated setting and for which the individual is compensated at, or above, the minimum wage;
2. a description of the specific vocational rehabilitation services that are-
 - a. needed to achieve a specific employment outcome, including, as appropriate, provision of assistive technology devices and services, and personal assistance services, including training in the management of such services;
 - b. provided in the most integrated setting that is appropriate for the service involved and is consistent with the informed choice of the eligible individual; and,
 - c. time lines for the achievement of the employment outcome and for the initiation of the services;
3. a description of the entity chosen by the eligible individual or, as appropriate, the individual's representative, that will provide the vocational rehabilitation services, and the methods used to procure such services;
4. a description of criteria to evaluate progress toward achievement of the employment outcome;
5. the terms and conditions of the IPE, including, as appropriate, information describing;
 - a. the responsibilities of the Agency;
 - b. the responsibilities of the eligible individual, including--
 - i. the responsibilities the eligible individual will assume in relation to the employment outcome of the individual;
 - ii. if applicable, the participation of the eligible individual in paying for the costs of the plan;
 - iii. the responsibility of the eligible individual with regard to applying for and securing comparable benefits; and,

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c. the responsibilities of other entities as the result of arrangements made pursuant to comparable services or benefit requirement;

6. for an eligible individual with the most significant disabilities for whom an employment outcome in a supported employment setting has been determined to be appropriate, information identifying--

a. the extended services needed by the eligible individual; and,

b. the source of extended services or, to the extent that the source of the extended services cannot be identified at the time of the development of the IPE, a description of the basis for concluding that there is a reasonable expectation that such source will become available; and,

7. as determined to be necessary, a statement of projected need for post-employment services.

07.7.1 Amendments to the IPE.

The IPE is amended, as necessary, by the applicant or client or, as appropriate, his or her representative, in collaboration with a representative of MDRS or a qualified vocational rehabilitation counselor (to the extent determined to be appropriate by the individual), if there are substantive changes in the employment outcome, the vocational rehabilitation services to be provided, or the providers of the vocational rehabilitation services.

Amendments to the IPE do not take effect until agreed to and signed by the applicant or client or, as appropriate, his or her representative and by a qualified vocational rehabilitation counselor employed by MDRS.

07.8 Conclusion

The Individualized Plan for Employment should include the appropriate outcomes and services necessary to achieve the individual's specific chosen employment outcome. Outcomes and services should be consistent with the client's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice. No service(s) that is a part of the client's IPE should be initiated until the plan has been finalized and signed by the client and counselor.

Each IPE should include time frames for employment outcome completion and service initiation. Additionally, the IPE should include use of all available comparable benefits. Even with careful evaluation and planning, circumstances may occur which precipitate a need for additional outcomes, evaluation criteria, or services. In such cases, a plan amendment should be considered.

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A qualified rehabilitation counselor shall furnish a copy of the IPE and plan amendments to the individual with a disability or, as appropriate, a parent, other family member, guardian, advocate, or other authorized representative of the individual.

The counselor and client or, as appropriate, the client's representative shall review the IPE at least annually.

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1.1.2 Informed Choice

MDRS provides applicants and clients with opportunities to exercise informed choice throughout the VR process, including making decisions about the employment goal, VR services, service providers, settings for employment and service provision, and methods for procuring services.

To enable an individual to make such decisions, MDRS provides information, support and assistance needed by the individual. MDRS has implemented policies, procedures, and practices and developed resources that enable applicants and clients to exercise informed choice throughout the entire VR process; these policies, procedures, and practices are consistent with Federal statutory and regulatory requirements.

Specifically, MDRS ensures that the individual, or if appropriate, the individual through his or her representative:

- makes decisions related to the assessment process and to selection of the employment outcome and the settings in which employment occurs, vocational rehabilitation services, service providers, the settings for service provision, and the methods for procuring services;**
- has a range of options from which to make these decisions or, to the extent possible, the opportunity to create new options that will meet the individual's specific rehabilitation needs;**
- has access to sufficient information about the consequences of various options;**
- has skills for evaluating the information and for making decisions, or, to the extent possible, the opportunity to develop such skills or support and assistance in carrying out these functions;**
- makes decisions in ways that reflect the individuals strengths, resources, priorities, concerns, abilities, capabilities, and career interests; and**
- takes personal responsibility, to the extent possible, for implementing the chosen options.**

For individual Areas of Responsibility, see the *OVR/OVRB Resource Guide*.

5. Each district shall provide in-service training periodically to increase awareness, sensitivity, and attitudinal shift or change on multi-cultural issues for counselors and support staff.
6. MDRS shall recruit qualified staff of various ethnic origins to fill professional staff vacancies.

1.1.8 Services to American Indians Who Are Disabled

MDRS will provide vocational rehabilitation services to American Indians with disabilities residing in the State to the same extent as the State provides such services to other significant segments of the population of individuals with disabilities residing in the State. Vocational rehabilitation services will continue to be provided, including as appropriate, services traditionally used by Indian tribes, to American Indians with disabilities on reservations eligible for services by special tribal programs under other sections of the Rehabilitation Act. (Section 101(a) (13) and 130 of the 1998 Rehabilitation Act Amendments)

1.1.12 Establishment and Construction Authority

MDRS through its Office of Vocational Rehabilitation and Office of Vocational Rehabilitation for the Blind officially exercises the option of Establishment or Construction Authority as provided for in the 1998 Amendments to the Rehabilitation Act. In utilizing such special authority, MDRS will adhere to all applicable rules and regulations as set forth by the State of Mississippi, the Rehabilitation Services Administration, and the U.S. Department of Education.

MDRS will use this authority for the establishment, development, or improvements of community rehabilitation programs, including, under special circumstances, the construction of a facility and the provision of other services (including services offered at community rehabilitation programs) which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the individualized rehabilitation program of any one individual with a disability. Such programs will be used to provide services that promote integration and competitive employment. (Section 103(b)(2) and Section 104 of the 1998 Rehabilitation Act Amendments)

5.5 Comprehensive Assessment

A comprehensive assessment shall be performed, to the extent necessary, in the most integrated setting possible consistent with the individual's needs and informed choice, to determine eligibility for and the scope of, vocational rehabilitation and supported employment services. The assessment shall be sufficient to determine, and the case record shall document, whether an individual has a physical or mental impairment that for the individual constitutes or results in a substantial impediment to employment. The assessment will include an appraisal of the individual based, to the extent possible, on available medical information, and, as appropriate, evaluation by qualified personnel of the potential to benefit from rehabilitation services.

To the extent additional data is necessary to make a determination of the employment outcomes, and the objectives, nature, and scope of vocational rehabilitation services, to be included in the individualized plan for employment of an eligible individual, a comprehensive assessment will be conducted.

The comprehensive assessment may include:

- 1. Diagnostic testing;**
- 2. The provision of rehabilitation technology services;**
- 3. The assessment of an assortment of work-related factors in "real job" situations where possible and/or appropriate to determine the unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice, including the need for supported employment of the eligible individual.**
- 4. To the degree needed, an assessment of the personality, interests, career choices, interpersonal skills, intelligence and related functional capacities, educational achievements, work experience, vocational aptitudes, personal and social adjustments, and employment opportunities of the individual, and the medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors, that affect the employment and rehabilitation needs of the individual;**
- 5. To the degree needed, an appraisal of the patterns of work behavior of the individual and services needed for the individual**

to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, and social behavior patterns necessary for successful job performance, including the utilization of work in real job situations to assess and develop the capacities of the individual to perform adequately in the work environment.

6. An exploration of the individual's abilities, capabilities, and capacity to perform in work situations, which shall be assessed periodically during Trial Work Experiences, including experiences in which the individual is provided appropriate supports and training.

In all cases of mental or emotional disorders an examination will be provided by a physician skilled in the diagnosis and treatment of such disorders, or by a psychologist licensed or certified in accordance with state laws and regulations. Any assessment to determine eligibility for supported employment must be supplementary to an assessment to determine eligibility for vocational rehabilitation services. Whether performed to ascertain the scope of rehabilitation services or to determine eligibility, a comprehensive assessment is limited to information necessary to identify the rehabilitation needs of and develop the Individualized Plan for Employment.

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3.19 SUPPORTED EMPLOYMENT PROGRAM

Supported Employment (SE) is a specialized placement and training program for the most significantly disabled individual.....the individual for whom competitive employment has not traditionally occurred due to the severity of his/her disability.

The program is a cooperative effort between the Agency, community programs, agencies, and individuals called "third parties" with which the Agency has signed agreements for referrals and the provision of extended services.

If it is determined that the individual's disability is such that he/she needs on-going support services in order to maintain employment, consideration should be given to the Supported Employment program. Supported Employment clients are eligible for any of the traditional vocational rehabilitation services available to other Agency clients.

3.19.1 SE TERMINOLOGY

Competitive Employment means work---

- (i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and
- (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

Supported Employment requires no more than eight individuals with disabilities be clustered in an employment setting.

Extended Employment means --- work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act. Extended employment may also be used as a support service to enable an individual to continue to train or prepare for competitive employment, unless the individual through informed choice chooses to remain in extended employment.

Extended Services are on-going supports which are provided to an individual who is successfully rehabilitated into employment. These services are provided by third-party entities, and they are needed in order to support and maintain an individual with a most significant disability in supported employment.

Integrated work setting means job sites where most co-workers are not disabled and individuals with disabilities are not part of a work group of other individuals with disabilities.

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Supported Employment services will include placement in an integrated work 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.

Job Trainers provide one-on-one intensive job skills training and support, both on and off the job, for individuals with mental retardation, severe learning disabilities, cerebral palsy and other developmental disabilities and mental illness. This training includes social skills, along with other training that would be essential to a person with a most significant disability obtaining and maintaining a job. Job trainers are hired on a part-time, temporary, as needed basis.

Natural Supports are those formal and informal mechanisms existing in a work environment that can be drawn upon to increase and sustain an employee's performance through the use of active assistance and/or approval or sanctioning of a worker's achievements.

Person Centered Planning (PCP) is a process of profiling and planning with an individual in order to increase self-management opportunities, community involvement and life satisfaction for the individual. A plan of action is adopted in order to determine and achieve goals by addressing the needs, strengths and experiences of the individual.

Successful Rehabilitation occurs when the individual maintains a supported employment placement for 90 days after making the transition to permanent employment.

Support means any appropriate service such as job site training, short-term transportation assistance, family support, or any other service necessary for job success, throughout the "term of employment".

Supported Employment means competitive work in an integrated work setting for individuals with the most significant disabilities.

Transitional Employment is a series of temporary job placements in competitive work, in integrated work settings with on-going supports until job permanency is achieved for individuals with Serious Mental Illness.

Vocational Training Instructors (VTI) are responsible, in coordination with the supported employment counselor, for job development and placement for supported employment eligible clients. Although the supported employment counselor has the primary responsibility of securing a trainer, VTIs primarily handle the hiring of trainers and day-to-day management of the placement and trainer.

3.19.2 SERVICES

Supported Employment services mean on-going support and other appropriate services needed to support and maintain an individual with the most significant disability in employment.

Person-centered planning should be considered for every Supported Employment client as a possible means for providing both the client and the counselor with additional information. This information can be utilized for a number of purposes, e.g., as a means of gathering additional information for eligibility determination, for development of a plan for employment, for determining support needs that will require referral to other agencies or organizations, and to map out future career options, etc..

Supported Employment services are generally provided for a period not to exceed 18 months, unless due to special circumstances a longer period is necessary to achieve job stabilization. This must be jointly agreed to by the individual and the rehabilitation counselor and established in the Individualized Plan for Employment (IPE) before an individual with the most significant disabilities makes the transition to extended services. Counselors should carefully document the cases when joint agreement arrangements are finalized to go beyond the 18-month period of time. If a longer period of time is warranted, the following should be given consideration: only when the client has made substantial progress toward meeting the hours-per-week work goal provided for in the IPE, the client is stabilized on the job, and extended services are available and can be provided without a break in services.

The use of a Job Trainer at the work site is an integral part of supported employment services. This individual is responsible for learning the job prior to the client coming to work, then teaching the job to the client. The trainer not only teaches the work skills needed at the job site but will help the client become adjusted to the new work environment. The trainer will help the client develop relationships with co-workers and supervisory staff. The trainer will also identify and promote the utilization of natural supports in the work environment. If the client cannot meet production standards, the trainer is there to ensure the employer that the work will be done to the business' quality and quantity standards. As the client becomes more independent at the work site and is able to perform most of the job tasks with minimum intervention by the trainer, the trainer will fade assistance until the case can be closed.

Personal assistance services (PAS) enable the employee to perform the daily living activities on or off the job that the individual would typically perform without assistance if the individual did not have a disability. Examples of these services are job functions such as activities of daily living aid, business travel companion, office services specialist or meeting assistant. The services must be necessary to the achievement of an employment outcome and may be provided only while the individual is receiving other vocational rehabilitation services. They are not to be construed to be supports that are considered a reasonable accommodation and therefore paid for by the employer or supports considered personal in nature and funded by Medicare or other

funding sources. PAS are to be authorized for in the same manner as that a job trainer. In some instances, it may be possible for the job trainer to also perform the duties of the personal assistant. The same fee schedule used in paying job trainers will be utilized in paying for the PAS. In developing the IPE, an agreement will be made addressing each of the following issues:

- The name of the extended service provider -- specifically addressing the provision of Personal Assistant Services to be provided following VR case closure (If no extended service provider has been identified at the time of the development of the IPE, refer to the Flow Chart for SE Services - I.B.4.and III.B.5);
- The specific Personal Assistant Services that will be provided;
- The duration of the provision of Personal Assistant Services by VR

3.19.3 FLOW-CHART FOR SE SERVICES

I. Referral

A. Referral received from Third-Party Agency.

1. Schedule appointment for application.
2. Conduct interview, advise client of services available and discussion of client's informed choice in these services; get client release form to obtain records from other sources, (mental health center, state hospital, physician/hospital, etc.).
3. Conduct evaluation for VR services, authorizing for services or information not available through other agencies.

B. Referral received from General VR program, Deaf Services, Deaf/Blind or Transition counselor.

1. General VR or Specialty counselor staffs the case with the SE counselor.
2. SE counselor assesses the case for eligibility for SE services. If the two counselors agree that SE should serve the case, the case will be transferred to the SE counselor using the established case transfer procedures. Cases transferred from any specialty area, for example, Deaf/Blind program, if determined eligible for SE services should be retained by the SE counselor. The Specialty counselor and the SE counselor should work closely on the case and the Specialty counselor should provide technical assistance to the SE counselor to ensure the client receives appropriate services.

3. If any questions arise about the eligibility of the client for SE services, the two counselors will refer the case to their respective supervisors who will, together, determine the feasibility of the client for SE, the adequacy of the evaluation process, need for additional evaluating information, etc., and decide how the case will be handled.
4. In those cases when a client needs Supported Employment services but is not being served by a third-party, the SE counselor will explain the SE Program, services and options to the client as soon as possible after the referral has been made to the SE Program. The SE counselor will also, advise the client about the availability of third-party resources in that area. The counselor will assist the client with obtaining a third-party sponsor for extended services and must include on the IPE the source and description of the on-going support needed by the client to maintain the employment. Third-party agreements will be initiated by the SE counselor and negotiated at the local level regardless of whether there is a Cooperative Agreement with the Parent State Agency. Third-party agreements will be finalized by State Office staff. If no third-party can be located who is willing to provide needed services, the case may be closed as Unsuccessfully Rehabilitated after staffing with the District Manager. The SE counselor will document the attempts to assist the client in this way in the closure letter.

C. Referral received from VRB counselor:

Generally, it is appropriate for all SE eligible individual's cases to be handled by the SE counselor. In specialty areas, such as deaf, deaf/blind and blind, the case is handled with consultation from the appropriate specialty disability counselor on specific issues related to the individual's needs. However, in those instances where it is advisable, and is the client's choice, for their case to be retained by the VRB counselor for the receipt of supported employment services, the SE counselor will work closely with the VRB counselor to advise and consult on matters related to the use of SE funds for the hiring, managing and paying for job trainers and any other procedural matters related to SE services. The decision to transfer the SE case to the VRB counselor should be made after staffing with the District Manager. Upon transfer of the SE case to the VRB counselor, the State Coordinator for Supported Employment will be notified by the District Manager, and an allotment of SE funds will be made to the VRB counselor who will handle the case.

NOTE: After any referral to supported employment, the counselor should check the appropriate place on the Special Programs page in AACE indicating this is now a supported employment case. (In the instance of a transferred case,

where the IPE has already been developed, the IPE should be amended with the client to reflect appropriate SE services; the counselor should record this as an SE case on the IPE and also on the Special Programs page in AACE.)

II. ELIGIBILITY

Individuals with severe disabilities who are appropriate to receive supported employment services must meet the eligibility requirements established for the VR program and meet the Order of Selection, Category I –

- A. Be an individual who has never been competitively employed; and/or
- B. traditional competitive employment has been interrupted or intermittent as a result of a severe disability; and
- C. who, because of the nature and severity of the disability, needs intensive on-going support services that may include job trainer services, in order to obtain and maintain competitive employment, and
- D. who, because of the nature and severity of the disability needs extended services that continue after VR services ends, in order to maintain successful employment.

III. IPE DEVELOPMENT

- A. IPE Meeting - At the time of the IPE development the SE counselor should meet either individually or jointly with the following entities:
 - 1. Client and, if necessary, client's parents or guardian, advocate or representative.
 - 2. If possible, a representative from the source who will be providing and/or funding the extended services.
 - 3. Representative(s) from the Mental Health Center who will be providing Transitional Employment/Supported Employment services.
- B. Writing of the IPE.
 - 1. The SE counselors need to utilize the information from assessments, including information gathered from Person Center Planning, and input from the client in establishing a vocational goal. The IPE should include a brief rationale as to the reason that the particular vocational goal was selected. The SE counselor, along with the client, will estimate an anticipated time during which the client is expected to reach the goal.

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2. Each service that will be provided will be listed. These services should include all the supports needed by the supported employment client in order to reach the stated goal and should include at a minimum, two of the following:
 - a. Placement Services
 - b. Training: Supportive Services (inc. Job Coach)
 - c. Counseling and Guidance
 - d. Extended Employment
 - e. Extended Services (this service may be listed under "Other Goods and Services" and then customize the service by specifying Extended Services.
 - f. Other appropriate services

Every Supported/Transitional Employment IPE should include Extended Services and Rehabilitation Counseling.

3. The source of funding for each service, the estimated cost of the service(s) or the utilization of comparable benefits must be listed.
4. Information should be included which indicates any understandings and responsibilities between the client and the SE counselor or any other individual or entity deemed critical to the success of the vocational program.
5. Extended Services, which are on-going services, should be indicated as such on the IPE. A Memorandum of Understanding-Extended Services Agreement should be developed for each Supported/Transitional Employment client and a copy should be kept in the client's file. These agreements should be coordinated through the State Office. Extended Services can be provided by more than one source. Sources for Extended Service provision may include:
 - a. state agencies,
 - b. private non-profit organizations,
 - c. employers, co-workers, families or friends,
 - d. any other appropriate resource not funded by the Agency.

Counselors have the primary responsibility for negotiating these agreements; however, they must be formalized and signed by the Director of the Agency. Telephone or write the State Coordinator for Supported Employment to obtain copies of the agreements and to obtain details on putting these agreements in place. The beginning date for extended services should coincide with the date of movement of the case into employed status. Generally it is best to have these agreements in place at the time of the IPE development, or before, however they are required before closure of a successfully rehabilitated case and a copy of said

signed Extended Service Agreement should be placed in client's file upon closure as successfully rehabilitated. If it is not possible to identify the source of the extended service provider at the time the IPE is developed, a statement describing the basis for concluding that there is a reasonable expectation that such sources will become available, should be addressed in the IPE.

IV. PLACEMENT

The responsibility for placement of SE clients lies primarily with the SE counselor with assistance by the Vocational Training Instructors (VTIs). The decision to place a client into a TEP versus a permanent employment situation will be done after careful consideration of the client's condition and with input from the third party representative. The decision to place a client in a particular job must be based on an assessment and documented in the case file.

V. TRAINING

- A. Securing Job Trainer, as well as overseeing work performance of the trainer regarding the actual knowledge and implementation of training, will be the primary responsibility of the SE counselor. However, the VTI will need to be responsive to the day-to-day management of the placement, contacting the SE counselor assistance when needed.
- B. The SE counselor, with assistance of the VTI, will be responsible for ensuring that all trainers are adequately educated in how to provide appropriate training.

VI. AUTHORIZATIONS FOR TRAINER SERVICES

- A. The vendor for all job trainer authorizations will be AbilityWorks - Jackson-Reimbursement
- B. The following forms should be completed and mailed to Pen Mayfield, MDRS Finance Department, P. O. Box 1698, Jackson, MS 39215-1698 - upon appointment of a Job Trainer to work with a client:
 - 1. Application for Employment
 - 2. I-9 form, with copies of driver's license and social security card. (The Counselor should sign the I-9 Form under Section 2 "Signature of Employer or Authorized Representative).
 - 3. W-4 Federal Withholding Form
 - 4. State Withholding Tax Form
 - 5. Drug-Free Workplace Form

These forms may be sent either in advance of, or along with the initial Authorization for Services for a Job Trainer. It should be noted that a copy of the Workers' Compensation Notice of Coverage should be furnished to the Job Trainer when hired.

- a. After authorizing for a planned service indicate the Job Trainer's name in the General Comments – Section 3 of the Authorization.
- b. A 13.57 percent processing fee to AbilityWorks –Jackson-Reimbursement should be added to the unit cost (per hour rate) for job trainers and added to the total estimated cost for job trainer services. The processing fee should be calculated in the following manner:

$$\frac{(\text{per hour rate}) \times 13.57\%}{(\text{hourly service fee}) \times (\text{no. of hours})} = \frac{(\text{processing fee}) + (\text{per hour rate})}{(\text{total service cost})}$$

- C. The procedures for processing payments through AbilityWorks - Jackson-Reimbursement are as follows:

Step 1: Upon completion of a work period (2 weeks in most instances) the SE counselor will obtain signatures of the Job Trainer and the client on the Job Trainer Time Sheet. The Time Sheet should also be verified for accuracy and signed by a VR/SE staff member. After checking the Job Trainer Time Sheet for accuracy, a Statement of Account should be prepared that matches the amount of the Job Trainer Time Sheet. If the original Authorization does not match the amount to be paid indicated on the Job Trainer Time Sheet, the Authorization should be modified to agree with the amount on the Job Trainer Time Sheet.

Step 2: The SOA should be completed indicating the type, the amount and dates of service. Then the SOA should be approved for payment in AACE, signed by the approving SE counselor, attached to the Job Trainer Time Sheet and mailed as previously instructed (mail only one Authorization/SOA, and one original Time Sheet per client).

Step 3: Finance will write the check to the Job Trainer based on the information they receive after checking it for accuracy, (if errors are found by Finance they will mail the documents back to the counselor for corrections, delaying payment to the Job Trainer).

Finance will process payments to job trainers on Thursday of each week. All Authorizations/SOAs received by 10:30 a.m. on Thursday will be processed and

mailed by 5:00 P.M. that day. Authorizations/SOAs received after noon on Thursday will be held over to the next Thursday for processing.

VII. STATUS MOVEMENT

Supported Employment cases should be moved through the VR case statuses as indicated below:

- A. After eligibility determination is completed place the case in eligibility status.
- B. After the IPE is planned, developed, and signed, the case will be moved to service status.
- C. The case is moved to employment status when the client meets the criteria for movement into extended services and the Job Trainer has faded completely. This occurs when the client has demonstrated that he/she can perform the job to the employer's expectations. Also, there should be a concurrent agreement between client, counselor, VTI, job trainer and extended service provider that the client can perform the essential functions of his job with the provisions of extended services. This agreement should be the outcome of a meeting between the above parties and any other appropriate parties. Also, at this time, if the Extended Service Agreement has not been previously executed, it can be executed by the appropriate parties and placed in the file. In every instance, a copy of the Extended Service Agreement should be placed in the client's file upon being determined successfully rehabilitated.
- D. The case is closed rehabilitated when the client has been in employed status for at least 90 days and continues to perform the job with minimal assistance from the extended service provider and is considered successful by the employer.

VIII. SUPPORTED EMPLOYMENT CLOSURES

The following Supported Employment special outcome criteria must be met in order to close a case rehabilitated in Supported Employment:

- working in the competitive labor market;
- working in an integrated work setting; and
- receiving extended services at the time of closure.

It is an integral part of the closure process that the SE counselor ensures that the client is transitioned to the appropriate third party for on-going support services. The case file will be well documented showing this effort.

NOTE: When supported employment cases are closed in AACE, the counselor needs to be sure the SE outcome is completed correctly on the closure page.

3.19.4 SE Clients in Community Rehabilitation Programs

VR clients who are determined to be eligible for supported employment while receiving services of a CRP should be referred to the appropriate Supported Employment counselor (The SE counselor should be involved in routine staffing at AbilityWorks when informed by the vocational evaluator that Supported Employment is being considered as a service option for a client). When the supported employment counselor determines that the client is eligible, the case should be transferred to a Supported Employment caseload. The client should be fully informed about the Supported Employment Program before the case transfer is made. The client should be informed whether continued evaluation at the CRP is needed. If the placement is not appropriate the client should be terminated from the CRP before or simultaneously with transfer to the SE caseload.

Generally, placement at a CRP is not appropriate for a SE client because it is not consistent with the place/train model, however in some instances placement of a SE client at a CRP may be appropriate for a particular assessment to, for example, observe behaviors, work habits, build rapport with the client, etc., or in rare instances remediate functional limitations. This may be done while the case is in eligibility status for the purpose of gathering information for IPE development, or in service status to provide specific training for remediation of functional limitations discovered after a client has been in a regular supported employment job and it has been determined that the CRP is the **only suitable environment** in which this remediation can take place.

The decision to refer a client to a CRP should be made in consultation with the District Manager. An assessment or remediation plan should be developed that is specific to address the needs of the client and should coincide with the time limitations which apply to all CRP referrals. The client should be fully informed of the reason for the referral and that the placement is not a permanent job. Since the client is SE eligible a job trainer will be provided while in the CRP to assist the client and the CRP staff in the assessment. It is expected that referrals of SE clients to CRPs will be limited and should be made only when placement in a competitive, community based job is not a timely and feasible option.

To refer a client to a CRP follow the procedures outlined in the CRP section of this manual that describes the referral process. Referral of a SE client to a CRP requires District Manager review.

3.19.5 TRANSITIONAL EMPLOYMENT

Under the definition of Supported Employment, **Transitional Employment** is an allowable service option for individuals with **Serious Mental Illness** (SMI). Transitional Employment is a series of temporary placements in competitive work, in integrated work settings, with on-going support services. In transitional employment, the provision of on-going support services must include **continuing sequential job placements until job permanency is achieved**.

Transitional employment may be the best service option for an individual with chronic mental illness whom:

- is uncertain about choosing an appropriate vocational goal,
- is fearful or tentative about his/her abilities to maintain employment, and/or,
- is an individual for whom traditional work adjustment services would have been considered the best pre-employment preparation service.

If a permanent job is not procured before the end of the 18-month period of VR time limited services, the extended services provider is responsible for procuring and maintaining the permanent job placement. There are few vocational services for individuals with mental illness (outside of the services offered through the Agency) that can fund job development or placement activities. Consequently, counselors should encourage permanent placement for most individuals prior to case closure, to ensure that the individual has access to funding for permanent job placement.

Generally, individuals who are motivated to work and have clear ideas regarding the type of work they would like to do should be treated as regular Supported Employment placements.

Section I6. Jobs for Veterans State Grants Requirements

I6A. Addendum for Mandatory Training Requirements

JVSG Personnel as of 25 JAN 2022 Authorized for FY 22: 25 (17 DVOP–8 LVER)				National Veterans' Training Institute – REQUIRED (VPL 05-18)				
	Name	Location	Position	Day-Life #9635	Legal Guide #9636	Gap #9637	DVOP Core #9608	LVER Core #9609
1	Griffiths, Kris	State Office	SVC	Completed	Completed	Completed	Completed	
2	Taylor, Kelvin	Clarksdale	DVOP	Completed	Completed	Completed	Completed	N/A
3	Brown, Calvin	Greenville	LVER	Completed	Completed	Completed	N/A	Completed
4	Forest, Riley	West Point	LVER	Completed	Completed	Completed	Completed	Completed
5	Morrison, William	Mayhew	DVOP	Completed	Completed	Completed	Completed	N/A
6	Smith, Johnny	Tupelo	LVER	Completed	Completed	Completed	N/A	Completed
7	Davis, Bradley	Tupelo	DVOP	Completed	Completed	Completed	Completed	Completed
8	Stuck, Gregory	Grenada	DVOP	Completed	Completed	Completed		N/A
9	Petro, Marvin	Vicksburg	DVOP	Completed	Completed	Completed	Completed	N/A
10	Robinson, Lawrence	Gulfport	DVOP	Completed	Completed	Completed	Completed	N/A
11	Cannon, Gloria	Pascagoula	LVER	Completed	Completed	Completed	N/A	Completed
12	Kaster, Christopher	Pascagoula	DVOP	Completed	Completed	Completed	Completed	N/A

Section 17. Unemployment Insurance Program Specific Requirements

17A. Unemployment Insurance Transmittal Letter



Mississippi Department of Employment Security

Phil Bryant
Governor

Jacqueline A. Turner
Executive Director

September 27, 2021

Ms. Lenita Jacobs- Simmons
Acting Regional Administrator
U. S. Department of Labor/ETA
Atlanta Federal Center
61 Forsyth Street, S. W., Room 6M12
Atlanta, Georgia 30303-3104

Dear Ms. Lenita Jacob-Simmons:

Please find attached the Fiscal Year 2022 Unemployment Insurance State Quality Service Plan (SQSP) for the State of Mississippi.

If you have any questions regarding this report, please contact ~~Tarvose~~ Johnson at 601-321-6005.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Rush".

Timothy Rush
UI Deputy Executive Director, Office of Reemployment Assistance

UIR ETA UII Staff Hours

Page 1 of 2

First | Prev | Next | Last 1 of 1 Records [Field Help](#)

ETA UII Staff Hours

Report For Period
Ending: 09/30/2020

State: MS **Region:** 03

Creation Date: 09/25/2019 10:15 **Revision Date:** 01/22/2020 15:58

Transmit Date: 09/25/2019
 10:15

*** TRANSMITTED ***

ANNUAL HOURS PER STAFF YEAR AND QUARTERLY DISTRIBUTION					
	Annual	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Hours Worked	1,787.56	446.89	446.89	446.89	446.89
Hours Paid	2,096.00	524.00	524.00	524.00	524.00

Comments: (Maximum size of the comment is approximately 150 words.)

Revised 1/22/2020 RL.. per Bus Mngt GP

OMB No.: 1205-0132 **OMB Expiration Date:** 02/28/2021 **OMB Burden Minutes:** 53
OMB Burden Statements: O M B Burden Statement: These reporting instructions have been approved under the Paperwork reduction Act of 1995. Persons are not required to respond to this collection of information unless it displays a valid OMB control number. Public reporting burden for this collection of information includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Submission is required to obtain or retain benefits under SSA 303(a)(6). Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Workforce Security, Room S-4231, 200 Constitution Ave., NW, Washington, DC, 20210.

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<http://204.144.92.2:8080/UIR-WS-ENTRY/transmit-action.do>

1/24/2020

WORKSHEET UI-1		UI STAFF HOURS			
State		Fiscal Year		Date	
MS		2019		9/11/2018	
Annual Hours Per Staff Year and Quarterly Distribution					
Hours Per Staff Year	Annual	First	Second	Third	Fourth
a. Hours Worked	1758.27	439.57	439.57	439.57	439.56
b. Hours Paid	2088.00	522.00	522.00	522.00	522.00
Comments					

9/11/18
A

**STATE QUALITY SERVICE PLAN
STATE PLAN NARRATIVE
MISSISSIPPI Fiscal Year 2024**

Overview

The Mississippi Department of Employment Security (MDES) is dedicated to improving the Unemployment Insurance (UI) program to provide superior service to our customers. Mississippi has included a Corrective Action Plan for First Payment Promptness percent of all 1st payments within 14/21, First Payment Promptness 14/21 days Intrastate, First Payment Promptness 14/21 Interstate, First Payment Promptness 35 days Intrastate, First Payment Promptness 35 days Interstate, Nonmonetary Determination Timeliness, Nonmonetary Determination Quality-Separations, Lower Authority Appeals Time Lapse-30 days, Lower Authority Appeals Time Lapse-45 days, Improper Payment Measure, Overpayment Recovery Measure, BAM Operations Compliant, Detection of Overpayments, Data Validation-Benefits and Data Validation-Tax. Mississippi addresses National priorities, State priorities, past and future performance, Intrastate Payments Promptness, Detection of Recoverable Overpayments, Employer Tax Liability Determinations and UI Reporting Requirements, and other initiatives.

The Mississippi Department of Employment Security, the state's workforce agency, has a straightforward mission, "Helping Mississippians Get jobs." Our goal is to expand employment, improve workforce skills and enhance productivity in our state. This is inclusive of all Mississippians who are seeking an opportunity to help bridge the gap between employment and unemployment.

In an effort to achieve our goal, Mississippi implemented a robust Unemployment Insurance (UI) system which is consistent across the Benefits, Tax and Appeals System platform. It is recognized as one of the very few successful comprehensive reengineered systems in the nation as ReEmployMS. Built with the ability to add additional states, Mississippi is the lead state which formed ReEmployUSA consortium. The UI system is now fully live and operational in the cloud with three states, Mississippi, Maine, and Connecticut. Connecticut's development has been completed. This has created new opportunities to build upon the micro service architecture and improve the outdated self-service screens and interface including the redesign of the claimant portal and the entire claims intake module fully integrated for disaster claims and any special pandemic type claims in the future. It is of paramount importance that the technology is not only scalable to meet demands of acute unemployment, but also be simplistic and user friendly to be capable of taking a high majority of the claims via self-service without the need for the state staff to be involved in the process. Moving forward in the direction of utilizing bots to further catapult the agency into newer and more innovative processes, Mississippi will always be on the cutting edge of technology.

National Priorities

Rebuilding and improving program performance by addressing the significant increased workload experienced in recent years, the agency continues to make strides in improving customer experiences and system performances.

Mississippi plans to continue improving performance which includes all of the following:

- Redesigning and simplification of the claimant interface including claim filing, weekly certification, work search, appeal filing, scheduling, messaging, and helper text.
- Implementation of informational chatbot & IVR systems. Planned expansion to allow for various claimant self-service options.
- Universal claimant correspondence redesign.
- Streamlining identity verification for all claimants. Outsourced to a third-party vendor that meets all federally required security standards.
- Robotic Process Automation (RPA) has been implemented for routine processes, wage verification, name mismatch wage records, Interstate claim responses, employer claim responses, fraudulent claim masking, etc.
- Developed an employer upload process for mass layoffs.
- Developed upload process for claimant document submission; proof of employment / earnings, ID verification, and direct deposit.
- Developed an auto-scheduler for claimant work search audits.
- Developed UI system components into micro-services. This creates flexibilities for future system changes.
- Developed quick links to streamline claimant responses to specific high-volume pandemic program requirements.
- All new claimant facing systems and correspondence is being developed with plain-language and simpler terminology.
- Engaging ETA Tiger Team to facilitate review of current processes and solicit suggestions for improvements.

Focusing on improving the timely delivery of benefit payments and the reduction of the UI adjudication and appeals backlogs.

There have been some improvements since 2022 in first payment timeliness. An analysis of the first, second, third and fourth quarters of 2022, has shown some noticeable improvement and reduction in backlog in appeals has improved first payment promptness. This also displayed an increase in appeal reversals at that time. Some of the backlog in the investigations case aging occurred because of surges in the workload and continued loss of experienced investigative staff. Efforts are being made to leverage the technology of the UI system for eligibility determinations in accordance with ETA requirements, in hopes this will help expedite a timely determination process. The Contact Center and Benefits Department continue to collaborate in an effort to find ways to improve methods from the intake process to determination. This will help optimize timeliness and efficiency. A primary strategy of ensuring quality, correctness and accuracy on the front end will foster timely decisions and reduce adjudications and appeal backlogs. Also incorporated in this process is continued training and remediation with staff. Management and staff continue to work together to determine best practices in terms of both productivity and quality. Ongoing analysis

and adjustments will continue to adapt to the changing workloads and improve first payment time lapse.

Ensuring equitable access to UI programs

Mississippi has recognized opportunities to further improve customer service and broaden outreach to some underserved populations, such as individuals who face technological challenges (both access and knowledge), older workers, individuals who have literacy or language challenges, low wage earners, and claimants who reside in rural areas. In order to address some of these issues MS have identified the following projects to broaden the reach and address inequities. All projects requested within this grant will be built as consortium core where possible, however Mississippi's unique needs will require state-specific development of portions of the below projects. The following projects will be developed jointly with ReEmployUSA consortium member states which includes the states of Maine and Connecticut. Mississippi was awarded the grant and plans to implement the following:

- Enhanced Contact Center Solution
- Redesign Forms and Correspondence
- Nano Videos
- Design Interactive Communications Platform
- Business Process Analysis for Equity
- Offline Application
- Mobile Unit
- Customer Self-Scheduler

Supporting the Reemployment of UC Claimants through Reemployment Services and Eligibility Assessment (RESEA)

Mississippi created a no-wrong-door WIOA strategy to ensure coordinated delivery of all workforce training and supportive services necessary to achieve occupational goals. To operationalize this strategy, Mississippi developed an innovative, real-time data hub that shares information between approved workforce partners. RESEA participants enter the workforce system when filing an initial claim and being selected for the RESEA program. Services and activities to help participants return to work are recorded in the MS Works data system and can be shared across multiple programs. Also, participant success plan is added to MS Works. The success plan will help RESEA case workers visualize the pathway to a career goal and to align services to a participant's barriers and challenges.

Robust Work Search Activities

Some of the challenges encountered previously with work search were improper payments. This was due to claimants being paid for the week prior to the work search audit being conducted. With our new process implemented, claimants are randomly selected and notified of the week for which they are being audited. The claimants are instructed to complete specific requirements before their audit appointment. Once the claimant has completed their audit successfully, they will receive payment for that week. By auditing the claim prior to payment the number of improper payments has been reduced resulting in the number of inadequate work search issues. The new work search enhancements went into effect June 20, 2022. The ultimate goal was to conduct the

audits prior to claimant receiving payments to decrease the number of overpayments which were a result of inadequate audits. Claimants performing adequate work search activities can strengthen the overall goal of claimants becoming reemployed.

Combatting fraud; strengthening identity verification; improving prevention, detection, and recovery of improper and fraudulent overpayments; and reducing the UI improper payment rate.

Mississippi will continue the utilization of ID.me along with training staff to reduce and recover the fraudulent payments, overpayments, and improper payments. Detection of fraud are also determined by determined by utilizing Incarceration crossmatch, Department of Motor Vehicle (DMV) crossmatch, Social Security Administration (SSA) crossmatch, National and State Directory of New Hire, and Quarterly Wage Records crossmatch. These tools are also effective in minimizing overpayments, as well.

The ReStartMS was designed to provide employers with information on employees presently filing or who have previously filed for Unemployment Insurance benefits. Utilizing this system will aid in the prevention of improper unemployment payments and assist in getting the workforce back to work sooner. The Integrity Data Hub (IDH) is an additional tool used to detect identity theft/fraudulent claims in Mississippi as well as other states. The participation in monthly meetings with NASWA in groups with other states learning, discussing, and increasing knowledge about prevention, detection and recovery of improper payments and fraudulent claim activities. Other tools used to prevent and detect fraud are NASWA fraud alerts, new hire reports, ID.me reports where claimant did not consent to complete the ID.me process and where the social security number is found in a different state. The ID.me fraud report is a report of any suspicious findings which would require further review. All fraud reports are to prevent and detect fraud and improper payments. The daily fraud reports are used as a tool for data analysis, crossmatch of information with other states, detection of fraud trends and major indicators. To reduce the overpayment rate Benefit Payment Control (BPC) unit has modified quarterly crossmatches to identify those claimants who are likely to have overpayments.

Tiger Team Grant Funds and Consultative Assessments-

MDES has secured approximately \$2,981,800 in federal funding to assist in these efforts. MS focus will be on the following areas: 1) preventing, detecting, and recovering funds from fraud; 2) promoting equitable access; and 3) ensuring the timely payment of benefits, as well as activities to reduce workload backlogs, for all UC programs. Possible recommendations may include, but are not limited to: redesign of critical process work flows; implementation and enhancement of identity proofing tools; enhancements to reduce manual work processes where appropriate; Retooling of claimant and/or employer communications (e.g., state workforce agency website or outgoing correspondence) to improve clarity, incorporate behavioral insights, and promote plain language; implementation of automation tools; developing and hosting training for staff as new processes, tools and/or strategies are developed; strengthening recovery efforts through forfeiture and financial institution coordination; and developing and executing communication plans to educate the public as new processes, tools, and/or strategies are implemented.

Workforce Innovation and Opportunity Act, WIOA

Mississippi's strategic vision continues to support a workforce system that acts and functions as an ecosystem where all parts are connected to achieve common goals. This system gives every Mississippian the opportunity to be work- or career-ready and to secure his or her dream job right here at home. Under Mississippi's Combined Plan, from the moment one enters the education and workforce system, he or she will be presented with the necessary tools to choose and pursue a career pathway that is relevant to current and future labor markets. Similarly, as soon as current, and prospective businesses enter into a partnership with Mississippi's education and workforce system, resources will be aligned to cultivate the sustainable, high-performance workforce critical for maintaining and expanding businesses' long-term economic viability. This partnership creates better and more sustainable employment opportunities for Mississippians. Mississippi's Combined Plan includes the six required state programs — the Adult Program, the Dislocated Worker Program, the Youth Program, the Adult Education and Family Literacy Act Program, the Wagner-Peyser Act Program, and the Vocational Rehabilitation Program—along with Temporary Assistance for Needy Families (TANF), Unemployment Insurance (UI), Trade Adjustment Assistance (TAA), Jobs for Veterans State Grants Program (JVSG), and Senior Community Service Employment Program (SCSEP). To help sustain this partnership and provide the necessary tools for our partners, Mississippi has designed and developed a data system called the WIOA Hub. A key goal of WIOA is to ensure that a Mississippian is connected to all services they need to connect to a job. Services from Mississippi's WIOA partners help remove barriers to work such as childcare needs, lack of transportation, lack of a high-school diploma, help searching for a job, or help to overcome a disability. The Hub allows agencies to work together to ensure that customers get connected to the mixture of services they need to succeed. A key activity of WIOA implementation in Mississippi was creating a comprehensive dictionary of all the services provided by WIOA partners.

Federal Emphasis (GPRA Goals:

Percent of Intrastate Payments Made Timely

The GPRA goal for intrastate first payments made timely within 14/21 days is 87.0%. Mississippi achieved a level of 82%. First payment timeliness has improved through monitoring of pending investigation workload and adjustment to investigation processes. Management and staff continue to work together to determine best practices for productivity and quality. Ongoing analysis and adjustments will continue to adapt to the changing workloads and improve the first payment time lapse. A review of potential options to expedite employer requests for information to maximize efficiency. The options being reviewed involve processes, correspondences, and advanced technology. Monitoring of pending investigation workload is ongoing in an effort to resolve eligibility issues within ten (10) days of detection.

Percent of Employer Tax Liability Determination Made Timely

For the performance year ending March 31, 2023 (April 1, 2022 - March 31, 2023), Mississippi achieved an overall score of 82.57%, which is 7.43% less than the established goal of 90.0% and 1.43 % less than the previous fiscal year's performance. Below are factors that impacted our performance of this measure.

Employee Staffing Vacancies - During the performance period there were fluctuations in staffing levels. Staffing vacancies included one (1) Status Supervisor, one (1) FEIN Specialist, one (1) SUTA Dumping Specialist, and two (2) Status Deputies. We have hired a status supervisor as of 6/1/2023. We are in the process of hiring the other positions. The FEIN Specialist will join our current FEIN Specialist to work on the IRS extract to assist in identifying new businesses to register. The Status Deputies will be used to complete registrations that are submitted online. The SUTA dumping Specialist will focus solely on working the MS SUTA Dumping work items to determine proper transfer of employment rates under MS law. Employer Education – Employers’ awareness and understanding of their responsibilities related to unemployment tax reporting is vital to the timely registration and compliance of new employers. Process improvement is ongoing in the development of new internal practices and employer notifications. Ongoing training staff training includes focuses on employer liability education and determinations.

Detection of Recoverable Overpayments

The GPRA goal is 57.5% of the estimated detectable, recoverable overpayments. For the performance period ending March 31, 2023, the estimated amount is 426.61%. Benefit Year Earnings continue to be a large percentage of the improper payment rate. The parameters used for the quarterly crossmatch are regularly adjusted to increase the number of hits and to identify a larger number of potential overpayments. MDES UI staff is continuously reminded to be alert for possible unreported earnings issues and notify the Benefit Payment Control Department so these issues can be investigated earlier in the claim series. Although the agency receives information from the State Directory of New Hires and acts on that information to reduce potential fraud, this information is usually received weeks after the claimant has started working. MDES can be more efficient and effective by receiving the information earlier. MDES will increase claimant and employer messaging to provide awareness on properly reporting earnings and timely submission of new-hire reporting. MDES will continue to look for innovative ways to reduce unreported wages and prevent and detect fraud.

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Assurances:

- a. Assurance of Equal Opportunity (EO).
- b. Assurance of Administrative Requirements and Allowable Cost Standards.
- c. Assurance of Management Systems, Reporting, and Recordkeeping.
- d. Assurance of Program Quality.
- e. Assurance on Use of Unobligated Funds.
- f. Assurance of Prohibition of Lobbying Costs (29 CFR Part 93).
- g. Drug-Free Workplace (29 CFR Part 98).
- h. Assurance of Contingency Planning.
 - Provide the most recent dates for the following:
 - Information Technology (IT) Contingency Plan Implemented: *June 2022*
 - IT Contingency Plan Reviewed/Updated 1: *January 2023*
 - IT Contingency Plan Tested 2: *January 2024*
- i. Assurance of Conformity and Compliance.
- j. Assurance of Automated Information Systems Security.
 - Provide the most recent dates for the following:
 - Risk Assessment Conducted: *October 2022*
 - System Security Plan Reviewed/Updated 3: *January 2023*

¹ At a minimum, an IT Contingency Plan must be reviewed and/or updated annually.

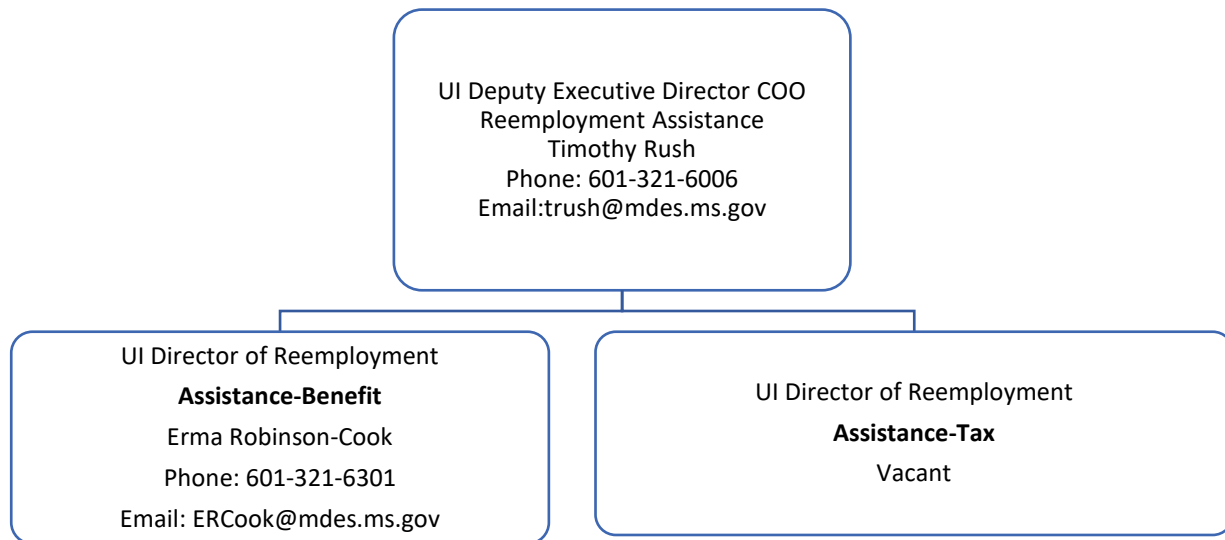
² At a minimum, an IT Contingency Plan must be tested annually.

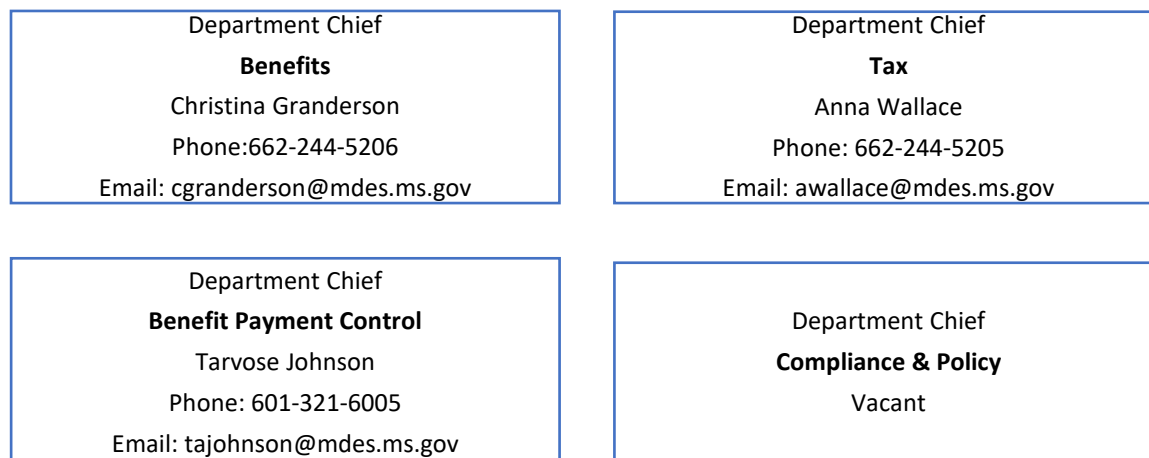
³ At a minimum, a System Security Plan must be reviewed and/or updated annually.

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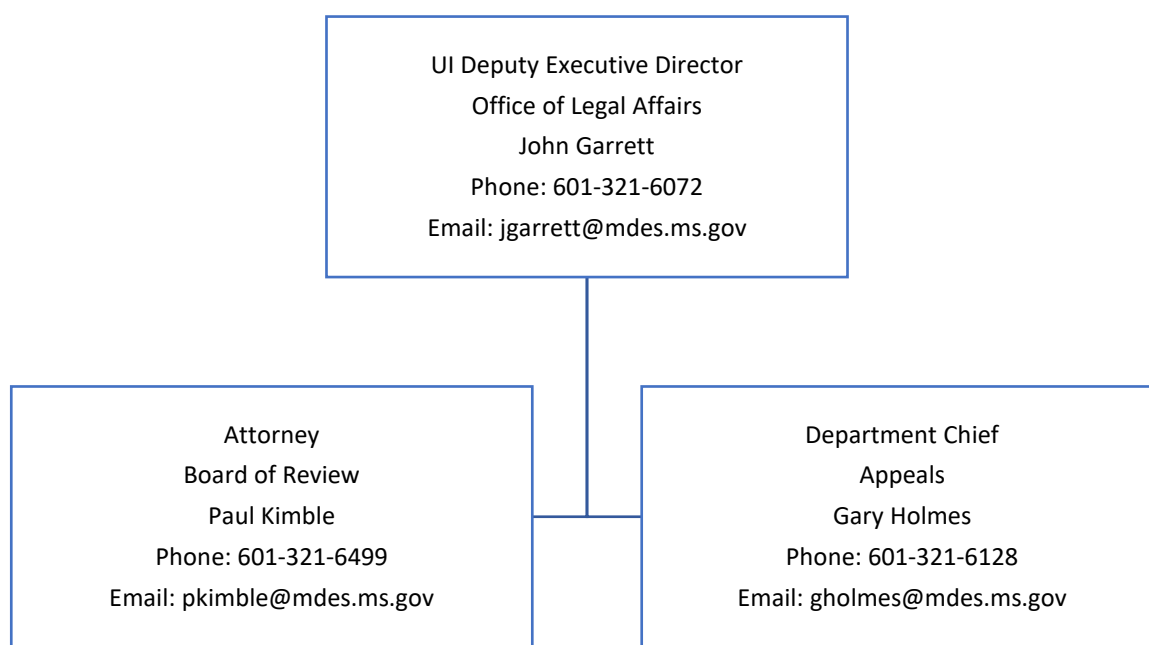
- k. Assurance of Confidentiality
- l. Assurance of Disaster Unemployment Assistance
- Conducted Annual DUA Training for DUA Staff
Provide the date of the training: ☒ Yes ☐ No
March 27, 2023
 - Developed and/or Maintained a Standard Operating
Procedures for use during a major disaster declaration ☒ Yes ☐ No

Unemployment Insurance Department Organizational Chart





Appeals Department



RESEA

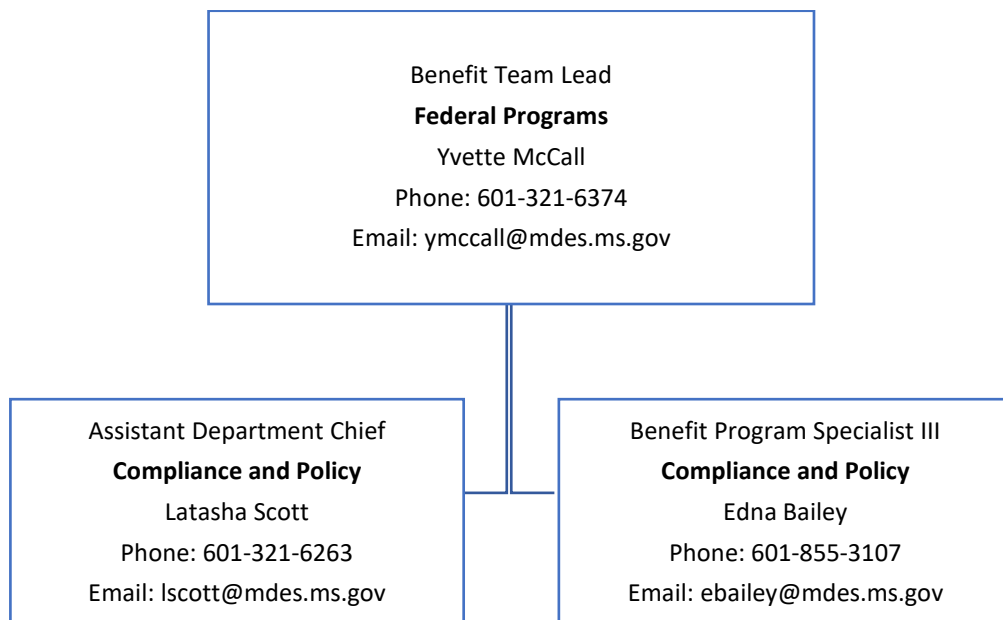
Department Chief Workforce Services
Marcus Estes
Phone: 601-321-6455
Email: mestes@mdes.ms.gov

Fiscal/Finance Department

Deputy Executive Director CFO
Guy Martin
Phone: 601-321-6113
Email: guymartin@mdes.ms.gov

Acct/Aud/Bureau Director
Tyler Berch
Phone: 601-321-6214
Email: tberch@mdes.ms.gov

Disaster Unemployment Assistance (DUA)



DATA VALIDATION

BENEFITS/ TAX

Assistant Department Chief

Compliance and Policy

DV-Benefit

Latasha Scott

Phone: 601-321-6263

Email: lscott@mdes.ms.gov

Benefit Program Specialist II

Compliance and Policy

DV-Tax

Victoria Bell

Phone: 601-321-6517

Email: vbell@mdes.ms.gov

I7D. SQSP CAPs and Quarterly Report

Benefit Accuracy Measurement (BAM)													
State: Mississippi					Federal Fiscal Year: 2021-2022 SQSP Corrective Action Plan & Progress Report								
Back to Biennial Overview 2021	Back to Alternate Overview 2022				Instructions								
Performance Measures	ALP	CAP Based on SQSP 2021 Performance Level	CAP Based on SQSP 2022 Performance Level	State's Target/Actual Performance	12/31/2020 Quarter 1	3/31/2021 Quarter 2	6/30/2021 Quarter 3	9/30/2021 Quarter 4	12/31/2021 Quarter 5	3/31/2022 Quarter 6	6/30/2022 Quarter 7	9/30/2022 Quarter 8	
BAM Operations Compliant-Organization	Pass			Target									
				Actual									
BAM Operations Compliant-Authority	Pass			Target									
				Actual									
BAM Operations Compliant-Written Procedures	Pass			Target									
				Actual									
BAM Operations Compliant-Forms	Pass			Target									
				Actual									
BAM Operations Compliant-Paid Investigative Procedures	Pass			Target									
				Actual									
BAM Operations Compliant-Denied Investigative Procedures	Pass			Target									
				Actual									
BAM Operations Compliant-60-Day Paid Timeliness	≥ 70%			Target									
				Actual									
BAM Operations Compliant-90-Day Paid Timeliness	≥ 95%			Target									
				Actual									
BAM Operations Compliant-120-Day Paid Timeliness	≥ 98%			Target									
				Actual									
BAM Operations Compliant-60-Day Monetary Timeliness	≥ 60%			Target									
				Actual									
BAM Operations Compliant-90-Day Monetary Timeliness	≥ 85%			Target									
				Actual									
BAM Operations Compliant-120-Day Monetary Timeliness	≥ 98%			Target									
				Actual									
BAM Operations Compliant-60-Day Separation Timeliness	≥ 60%			Target									
				Actual									
BAM Operations Compliant-90-Day Separation Timeliness	≥ 85%			Target									
				Actual									
BAM Operations Compliant-120-Day Separation Timeliness	≥ 98%			Target									
				Actual									

BAM Operations Compliant - 60-Day Nonseparation Timeliness	≥ 60%			Target									
				Actual									
BAM Operations Compliant - 90-Day Nonseparation Timeliness	≥ 85%			Target									
				Actual									
BAM Operations Compliant - 120-Day Nonseparation Timeliness	≥ 98%			Target									
				Actual									
BAM Operations Compliant - Paid Comparison Reports	< -10 & > 5%			Target									
				Actual									
BAM Operations Compliant - Monetary Comparison Reports	± 15%			Target									
				Actual									
BAM Operations Compliant - Separation Comparison Reports	± 15%			Target									
				Actual									
BAM Operations Compliant - Nonseparation Comparison Reports	± 15%			Target									
				Actual									
BAM Operations Compliant - Paid Sample Selection	480 or 360			Target									
				Actual									
BAM Operations Compliant - Monetary Sample Selection	150			Target									
				Actual									
BAM Operations Compliant - Separation Sample Selection	150			Target									
				Actual									
BAM Operations Compliant - Nonseparation Sample Selection	150			Target									
				Actual									
BAM Operations Compliant - Misc. (As Needed)	Pass			Target									
				Actual									
NDNH BAM Compliance	Pass	Pass	Pass	Target									
				Actual									
Regional Office Comments in cell below:													
Corrective Action Plan Summary:													
The Summary must provide:													
Alternate Year Plan Updates													
A. The Reason for the deficiency.													
MDES was granted approval to suspend paid claim investigations for the quarter beginning April 2020 and ending June 30, 2020, from batch 202014 through batch 202026. In addition, the denied claim investigations were suspended beginning with batch 202011 through batch 202126, quarter ending June 30, 2021. Due to the suspensions, BAM failed to sample the annual sample size for UI paid and denied claims fixed by Department of Labor for the calendar year. Mississippi's workloads remained at extraordinary levels due to the effects of COVID-19 during the height of the pandemic. MDES shifted its focus on increased response and reallocation of resources in specific areas of UI activities, which included but are not limited to ensuring program integrity and the prevention and detection of improper payments and fraud across all programs. As MDES continued to administer the CARES ACT and Continued Assistance for Unemployed Workers Act of 2020, managing the investigations associated with return to work, job refusals, able and available issues and job separations required intense focus. In addition, increased levels of initial and additional claims create a steady flow of eligibility issues. As a result, Benefit Accuracy Measurement (BAM) staff were reallocated to assist other critical areas of the agency to help expedite benefit resolutions to those affected by COVID-19, which caused a significant delay in paid and denied case investigation completions.													

B. Provide a description of your "Plan-Do-Check-Act" corrective action plan which will be undertaken to achieve the acceptable level of performance. Examples of	
Benefit Accuracy Measurement reviewer and supervisor will closely monitor timeliness more frequently by using the PCA and DCA use defined time-lapse reports to review case aging, completion and case flow characteristics. These reports will assist with analyzing and isolating performance problems sooner. MDES is the process of filling the BAM supervisor and investigator positions recognizing it will take time, training and experienced for new staff to reach expected performance levels. With BAM staff returning to their normal duties and filling vacant positions, MDES anticipates this will help improve case completion and timeliness.	
C. If a plan was in place the previous year, 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.	
Alternate Year Plan Updates	
D. A brief description of plans for monitoring and assessing accomplishment of planned actions and for controlling quality after achieving performance goals.	
Mississippi will continue to monitor the time lapse reports to ensure the PCA and DCA investigations are completed timely and that BAM sample the required amount of cases required by DOL	
NOTE: Enter an "X" in the box to the right if the desired improvements will not be accomplished by the end of the current fiscal years (the two consecutive fiscal years for which the plan is in effect). Summarize, below, the major actions remaining to be taken in subsequent fiscal years and include a projected completion date as to when the performance goal will be achieved.	
(Remaining Major Actions in this cell.)	
Milestones	
1. Monitoring-MDES will continue to monitor case timeliness and completion to ensure cases are sampled correctly and submitted timely.	Completion Date 12/31/2021
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	
2. Hiring/Staffing-MDES will fill vacant supervisor and investigator positions.	Completion Date 12/31/2021
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	

3. (Enter next milestone here)	Completion Date
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	
4. (Enter next milestone here)	Completion Date
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	
5. (Enter next milestone here)	Completion Date
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	

6. (Enter next milestone here)	Completion Date
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	
7. (Enter next milestone here)	Completion Date
Quarter 1 status report (12/31/2020):	
Quarter 2 status report (3/31/2021):	
Quarter 3 status report (6/30/2021):	
Quarter 4 status report (9/30/2021):	
Quarter 5 status report (12/31/2021):	
Quarter 6 status report (3/31/2022):	
Quarter 7 status report (6/30/2022):	
Quarter 8 status report (9/30/2022):	

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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Prescribed by OMB Circular A-102

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11736; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11968; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1988, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
<i>Jacqueline A. Jones</i>	Executive Director
APPLICANT ORGANIZATION	DATE SUBMITTED
Mississippi Department of Employment Security	09/27/2021

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17F. Worksheet SF 424

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424		
<p>* 1. Type of Submission:</p> <p><input type="checkbox"/> Preapplication</p> <p><input checked="" type="checkbox"/> Application</p> <p><input type="checkbox"/> Changed/Corrected Application</p>		
<p>* 2. Type of Application:</p> <p><input checked="" type="checkbox"/> New</p> <p><input type="checkbox"/> Continuation</p> <p><input type="checkbox"/> Revision</p>		
<p>* If Revision, select appropriate letter(s):</p> <p><input type="text"/></p> <p>* Other (Specify):</p> <p><input type="text"/></p>		
<p>* 3. Date Received:</p> <p>Completed by Grants.gov upon submission.</p>		
<p>4. Applicant Identifier:</p> <p><input type="text"/></p>		
<p>5a. Federal Entity Identifier:</p> <p><input type="text"/></p>		<p>5b. Federal Award Identifier:</p> <p><input type="text"/></p>
<p>State Use Only:</p>		
<p>6. Date Received by State:</p> <p><input type="text"/></p>		<p>7. State Application Identifier:</p> <p><input type="text"/></p>
<p>8. APPLICANT INFORMATION:</p>		
<p>* a. Legal Name:</p> <p>Mississippi Department of Employment Security</p>		
<p>* b. Employer/Taxpayer Identification Number (EIN/TIN):</p> <p>64-6000765</p>		<p>* c. Organizational DUNS:</p> <p>8781931500000</p>
<p>d. Address:</p>		
<p>* Street1:</p> <p>1235 Echelon Parkway</p>		
<p>* Street2:</p> <p><input type="text"/></p>		
<p>* City:</p> <p>Jackson</p>		
<p>* County/Parish:</p> <p><input type="text"/></p>		
<p>* State:</p> <p>MS: Mississippi</p>		
<p>* Province:</p> <p><input type="text"/></p>		
<p>* Country:</p> <p>USA: UNITED STATES</p>		
<p>* Zip / Postal Code:</p> <p>39213-0000</p>		
<p>e. Organizational Unit:</p>		
<p>Department Name:</p> <p><input type="text"/></p>		<p>Division Name:</p> <p><input type="text"/></p>
<p>f. Name and contact information of person to be contacted on matters involving this application:</p>		
<p>Prefix: Mrs.</p>		
<p>* First Name: Erma</p>		
<p>Middle Name: <input type="text"/></p>		
<p>* Last Name: Cook</p>		
<p>Suffix: <input type="text"/></p>		
<p>Title: Director, Office of Reemployment assistance</p>		
<p>Organizational Affiliation:</p> <p><input type="text"/></p>		
<p>* Telephone Number: 601-321-6301</p>		<p>Fax Number: <input type="text"/></p>
<p>* Email: erccook@desa.ms.gov</p>		

PREVIEW Date: Sep 27, 2021

workspace ID: W200787870 funding opportunity number: STA-UIPL-25-21

Application for Federal Assistance SF-424		
* 8. Type of Applicant 1: Select Applicant Type: <input type="text" value="A: State Government"/>		
Type of Applicant 2: Select Applicant Type: <input type="text"/>		
Type of Applicant 3: Select Applicant Type: <input type="text"/>		
* Other (specify): <input type="text"/>		
* 10. Name of Federal Agency: <input type="text" value="Employment and Training Administration"/>		
11. Catalog of Federal Domestic Assistance Number: <input type="text" value="17.225"/>		
CFDA Title: <input type="text" value="Unemployment Insurance"/>		
* 12. Funding Opportunity Number: <input type="text" value="ETA-UIPL-25-21"/>		
* Title: <input type="text" value="Fiscal Year (FY) 2022 State Workforce Agency Unemployment Insurance (UI) Resource Planning Targets and Guidelines"/>		
13. Competition Identification Number: <input type="text" value="ETA-UIPL-25-21"/>		
Title: <input type="text" value="Fiscal Year (FY) 2022 State Workforce Agency Unemployment Insurance (UI) Resource Planning Targets and Guidelines"/>		
14. Areas Affected by Project (Cities, Counties, States, etc.): <div> <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>		
* 15. Descriptive Title of Applicant's Project: <input type="text" value="Fiscal Year 2022 Base UI Allocation"/>		
Attach supporting documents as specified in agency instructions. <div> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </div>		

PREVIEW date: sep 27, 2021

workspace id: w500787876 funding opportunity number: ETA-UIPL-25-21

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant: <input type="text" value="Second"/>	* b. Program/Project: <input type="text" value="all"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
17. Proposed Project:	
* a. Start Date: <input type="text" value="10/01/2021"/>	* b. End Date: <input type="text" value="12/31/2024"/>
18. Estimated Funding (\$):	
* a. Federal	<input type="text" value="20,062,159.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="20,062,159.00"/>
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process? <input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/> . <input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", provide explanation and attach <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001) <input checked="" type="checkbox"/> ** I AGREE ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input type="text" value="Mrs."/>	* First Name: <input type="text" value="Jacqueline"/>
Middle Name: <input type="text" value="A"/>	
* Last Name: <input type="text" value="Turner"/>	
Suffix: <input type="text"/>	
* Title: <input type="text" value="Executive Director"/>	
* Telephone Number: <input type="text" value="601-321-6346"/>	Fax Number: <input type="text"/>
* Email: <input type="text" value="jturner@edea.ms.gov"/>	
* Signature of Authorized Representative: <input type="text" value="Completed by Grants.gov upon submission."/>	* Date Signed: <input type="text" value="Completed by Grants.gov upon submission."/>

PREVIEW date: sep 27, 2021

workspace id: WS00787870 funding opportunity number: HTA-UIPL-25-21

[View Burden Statement](#)
BUDGET INFORMATION - Non-Construction ProgramsOMB Number: 4040-0006
Expiration Date: 02/28/2022**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. FY 2022 UI Base Allocation	17.225	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="20,062,159.00"/>	\$ <input type="text"/>	\$ <input type="text" value="20,062,159.00"/>
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5. Totals		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="20,062,159.00"/>	\$ <input type="text"/>	\$ <input type="text" value="20,062,159.00"/>

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SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	FY 2022 UI Base Allocation				
a. Personnel	\$ 9,200,000.00	\$	\$	\$	\$ 9,200,000.00
b. Fringe Benefits	3,404,000.00				3,404,000.00
c. Travel	350,000.00				350,000.00
d. Equipment					
e. Supplies	62,000.00				62,000.00
f. Contractual	2,155,807.00				2,155,807.00
g. Construction					
h. Other	2,016,640.00				2,016,640.00
i. Total Direct Charges (sum of 6a-6h)	17,188,447.00				\$ 17,188,447.00
j. Indirect Charges	2,873,712.00				\$ 2,873,712.00
k. TOTALS (sum of 6i and 6j)	\$ 20,062,159.00	\$	\$	\$	\$ 20,062,159.00
7. Program Income	\$	\$	\$	\$	\$

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	FY 2022 UI Base Allocation	\$	\$	\$	\$
9.					
10.					
11.					
12.	TOTAL (sum of lines 8-11)	\$	\$	\$	\$

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 20,062,159.00	\$ 5,015,539.00	\$ 5,015,540.00	\$ 5,015,540.00	\$ 5,015,540.00
14. Non-Federal	\$				
15. TOTAL (sum of lines 13 and 14)	\$ 20,062,159.00	\$ 5,015,539.00	\$ 5,015,540.00	\$ 5,015,540.00	\$ 5,015,540.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b) First	(c) Second	(d) Third	(e) Fourth
16.	FY 2022 UI Base Allocation	\$	\$	\$	\$
17.					
18.					
19.					
20.	TOTAL (sum of lines 16 - 19)	\$	\$	\$	\$

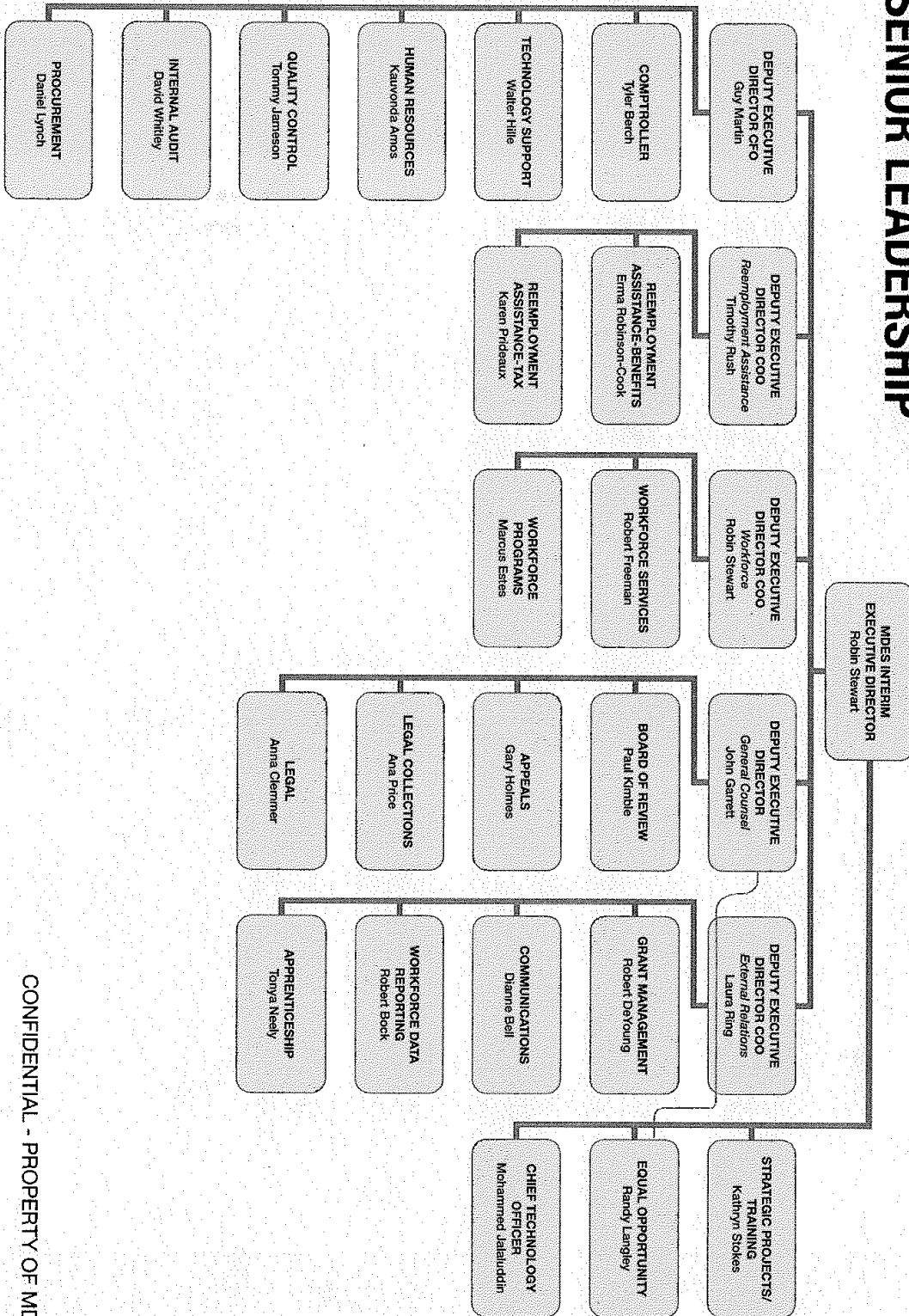
SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: 17,188,447	22. Indirect Charges: 2,873,712
23. Remarks:	

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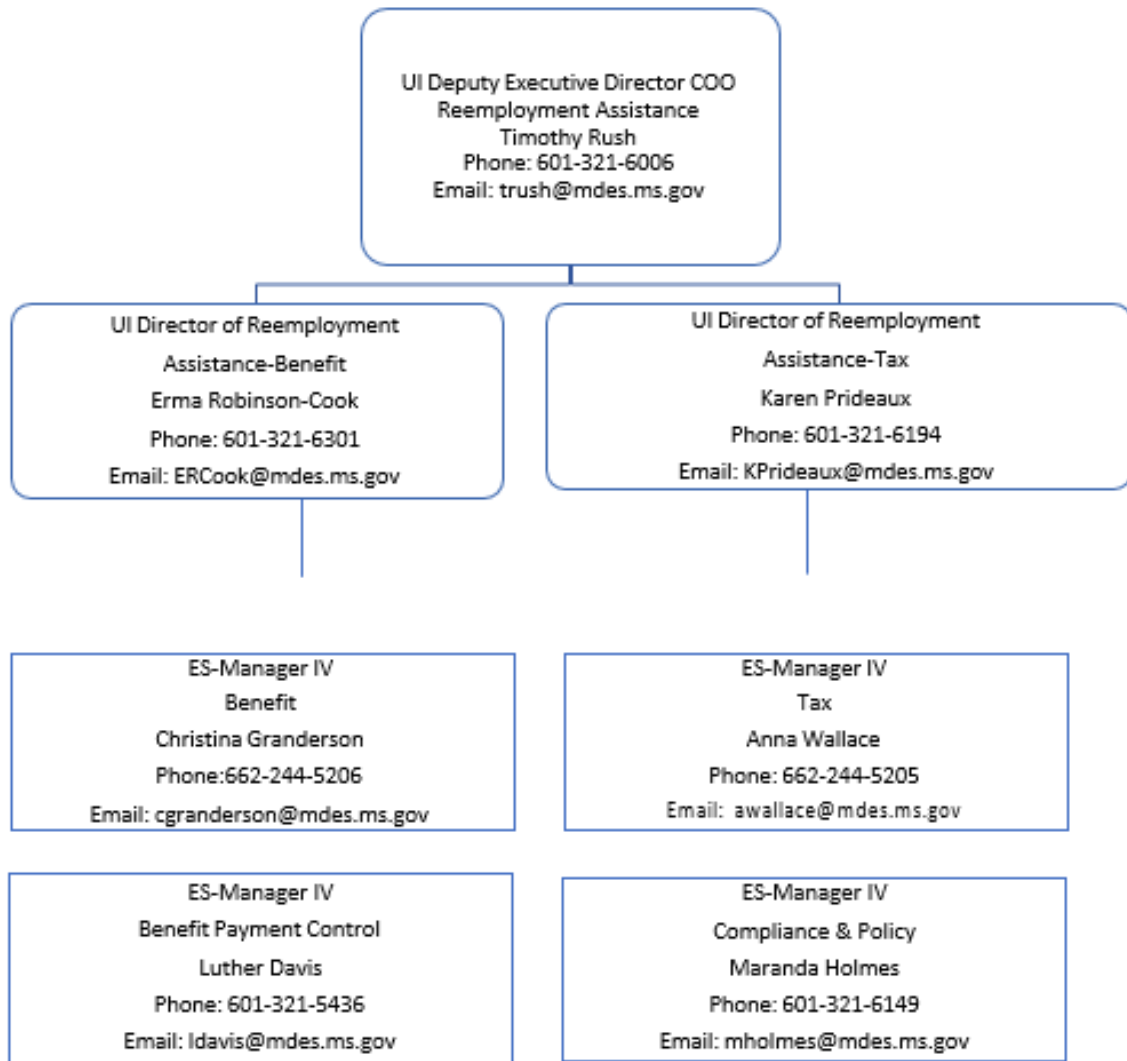
FY22 EXECUTIVE AND SENIOR LEADERSHIP

CLICK ON NAME BOXES BELOW FOR OFFICE HOLDER INFORMATION.

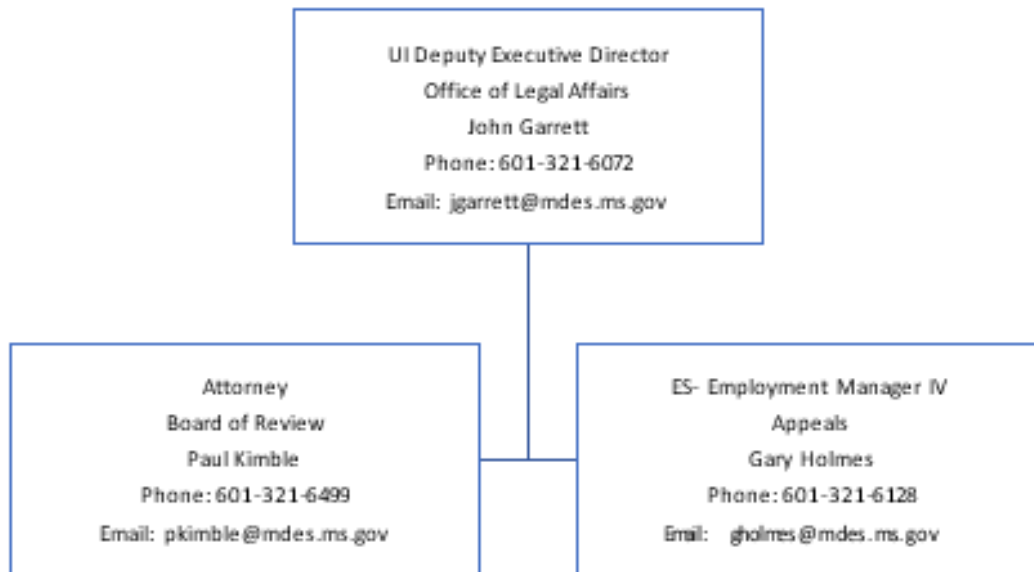


CONFIDENTIAL - PROPERTY OF MDES

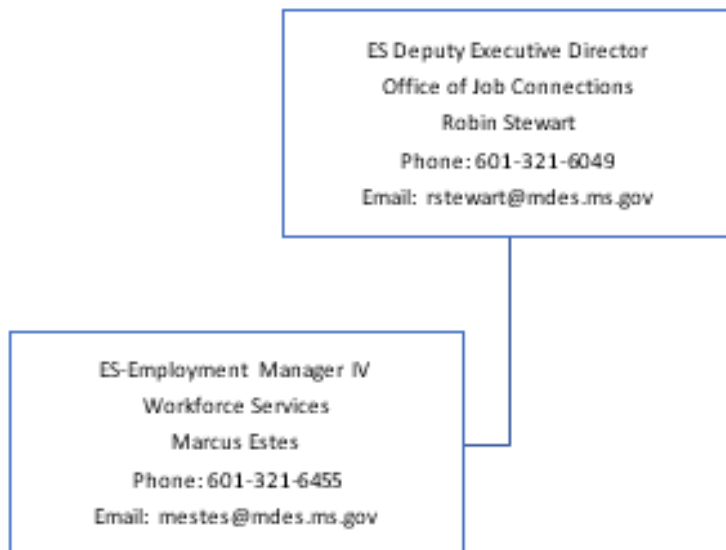
UI Department



Appeals Department



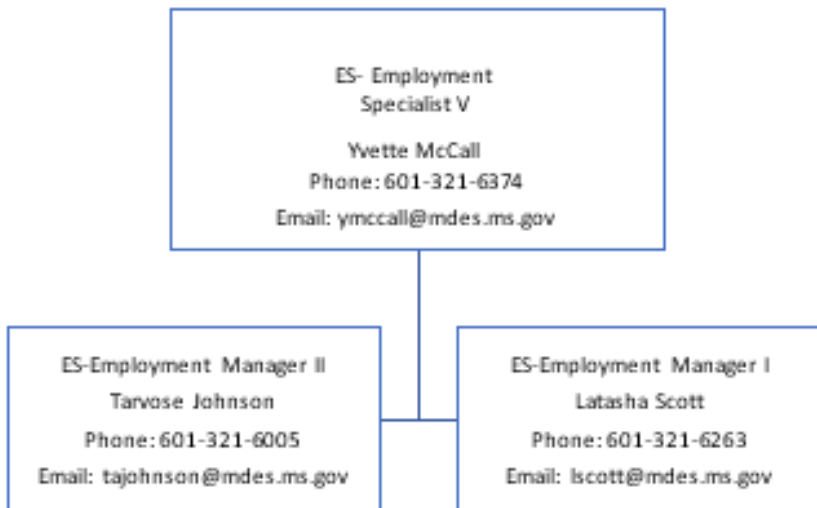
RESEA



Fiscal/Finance Department



DUA



Data Validation

Benefit/Tax

ES-Employment Manager I

Benefit

Latasha Scott

Phone: 601-321-6263

Email: lscott@mdes.ms.gov

ES-Employment Manager II

Tax

Tarvose Johnson

Phone: 601-321-6005

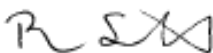
Email: tajohnson@mdes.ms.gov

171. SQSP Signature Page

**U.S. Department of Labor
SQSP SIGNATURE PAGE**

OMB Control No.: 1205-0132

Expiration Date: 02/29/2024

U.S. DEPARTMENT OF LABOR Employment and Training Administration	FEDERAL FISCAL YEAR 2022	STATE MISSISSIPPI
UNEMPLOYMENT INSURANCE STATE QUALITY SERVICE PLAN SIGNATURE PAGE		
<p>This Unemployment Insurance State Quality Service Plan (SQSP) is entered into between the Department of Labor, Employment and Training Administration, and</p> <p align="center"><u>MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY</u> (NAME OF STATE AGENCY)</p> <p>The Unemployment Insurance SQSP is part of the State's overall operating plan and, during this Federal fiscal year, the State agency will adhere to and carry out the standards set forth in Federal UI Law as interpreted by the DOL, and adhere to the Federal requirements related to the use of granted funds.</p> <p>All work performed under this agreement will be in accordance with the assurances and descriptions of activities as identified in the SQSP Handbook and will be subject to its terms.</p>		
TYPED NAME AND TITLE	SIGNATURE	DATE
Robin Stewart, Interim Executive Director		10-14-2021
STATE ADMINISTRATOR (print name)		
DOL - REGIONAL OFFICE APPROVING OFFICIAL (print name)		
DOL - NATIONAL OFFICE APPROVING OFFICIAL (print name) (if required)		

17J. UI Integrity Action Plan (IAP)

Alternate UI Integrity Action Plan (IAP)			
Back to Biennial Overview 2021		Back to Alternate Overview 2022	
State	Federal Fiscal Year	Accountable Agency Official(s): <i>(Enter the name and title of the staff person who is accountable for reducing UI improper payments.)</i>	
Mississippi	2022		
Top Three Root Causes (Calendar Year 2020) https://www.dol.gov/agencies/eta/unemployment-insurance-payment-accuracy/data		Calendar Year 2019 (% of \$ Overpaid)	Calendar Year 2020 (% of \$ Overpaid)
Root Cause #1:	Benefit Year Earnings	52.18%	33.59%
Root Cause #2:	Separation Issues	36.91%	55.13%
Root Cause #3:	Able+Available	5.71%	0.94%
National Priority Strategies and Additional Strategies			
Tools, Strategies, Process Improvements, Procedural Changes to Combat Fraud and Identity Theft and Enhance Recovery Efforts			
Use of UI Integrity Center Resources			
State and Employer Use of SIDES			
Support Claimant Compliance with State Work Search Requirements			
Overpayment Recovery Efforts (Including High Dollar Overpayments)			
<p>Summary: Provide a detailed summary of the integrity plan that the state developed to combat fraud and identity theft; reduce the UI improper payment rate (targeting root causes); improve prevention, detection, and recovery of improper and fraudulent overpayments; and address the current National Priorities and additional strategies outlined in the SQSP UIPL.</p> <p>The Integrity Task Force will meet regularly to identify and implement strategies to prevent improper payments for the three root causes. The taskforce will continue to educate employers and claimants as well as UI and Workforce staff on the importance of properly reporting issues and earnings information. Activities includes the specific strategies to address prevention and detection of fraud and other improper payments in all UI programs, including the CARES Act programs. States must include recovery strategies, including working directly with financial institutions and or law enforcement agencies to recover UC funds held by banks and financial institutions. Actions to address the state's top three improper payment root causes.</p> <p>MDES utilizes specific strategies such as Integrity Data Hub, NASWA fraud alerts, Fraud Report, New Hire reports to prevent and detection fraud and improper payments. MDES will continue to utilize the recovery methods of Tax offsets, Garnishments, Voluntary Repayments and Offsets weekly certifications while working directly with Conduent and financial institutions to recover UC funds.</p>			
<p>Six-Month Update (October-March): Provide a progress report on all integrity strategies outlined in the IAP and provide details on any new identity theft and fraud prevention strategies, solutions, and/or activities; changes to existing integrity strategies; plan or strategy delays; positive outcomes; and identified successes.</p>			
<p>Instructions for the following section: In each individual section below, provide the state's top three focused strategies that will be employed to correct or reduce the root cause of overpayments or to address the National Priorities. Additional lines are available in each section to include other significant strategies as identified</p>			
Root Cause #1: Benefit Year Earnings			
Strategies	Actions	Targets & Milestones	Resources
1 Employer Education	Mississippi continues to utilize RESTART MS to report return to work, refusals of work, inability to contact ex-employees, job separations and never separated.	On-going	Technology and Human Resources
2 Claimant Education	Ongoing education to claimant through social media, email blast and the MDES website of the importance of properly reporting earnings and return to work dates.	On-going	Technology and Human Resources
3			
Additional:			
Root Cause #2: Separation Issues			
Strategies	Actions	Targets & Milestones	Resources
1 Staff Education	Educate and train staffs to ask specific questions to obtain complete information from claimants/employers so that all separation issues are identified and investigated/adjudicated in a timely manner. Review claimant information to be sure instructions and eligibility requirements are clear. Information provided on claimant dashboard and Chat Bot were used as needed to update/modify information issued to claimants.	On-going	Technology and Human Resources
2 Employer	Use every opportunity to educate employers on the importance of providing separation and refusal information to MDES within the required timeframe through RestartMS and QuickAccess.	On-going	Technology and Human Resources

3			
Additional:			
Root Cause #3: Able+Available			
Strategies	Actions	Targets and Milestones	Resources
Training	Provide additional training for staff performing address able and available issues promptly. Staff will be attentive to detecting able and available issues during the work search audit verification and address those issues.	On-going	Human Resources
2			
3			
Additional:			
Tools, Strategies, Process Improvements, Procedural Changes to Combat Fraud and Identity Theft and Enhance Recovery Efforts			
Strategies	Actions	Targets and Milestones	Resources
1 Training	Mississippi has incorporated ID.me identity verification for every applicant to complete in efforts to prevent fraudulent claims paid. Ongoing in-house training and training with NASWA will be provided to the staff to prevent, detect and recover overpayments.	On-going	Technology and Human Resources
2 Messaging	Messaging efforts planned by the state to inform all UI and workforce staff of the state's integrity plan. Hire two additional staff and continue training UI and Workforce staff on MDES's integrity plan for identity verification and the importance of claimants reporting earnings and employers reporting new hire/rehires timely.	On-going	Human Resources
3			
Additional:			
Use of UI Integrity Center Resource			
Strategies	Actions	Targets and Milestones	Resources
1 Training	Training with NASWA will be provided to the staff to prevent, detect and recover overpayments.	On-going	Human Resources
2			
3			
Additional:			
State and Employer Use of SIDES			
Strategies	Actions	Targets and Milestones	Resources
1 Employers SIDES messaging	Explain to employer the importance and benefits of responding timely through E-Response.	On-going	Technology and Human Resources

2 Claimant messaging Additional:	Generate a detail mailer/message alert to claimant after first payment advising them of the requirement and method to properly report earnings and return to work. Include the penalty for failing to do so but emphasize the potential overpayment issue and progression.	On-going	Technology and Human Resources
Support Claimant Compliance with	Actions		
Strategies		Targets and Milestones	Resources
Claimant messaging	Ensuring that Work Search documents communicate clear language and plain instructions on work search requirements.	On-going	Technology and Human Resources
Work Search Audit Review 3	Changes are being made to the audit process to ensure functions are being performed properly in regards to claimant being paid while remaining in compliance with the requirements.	3/31//2022	Technology and Human Resources
Additional:			
Overpayment Recovery Efforts (Including High Dollar Overpayments)	Actions		
Strategies		Targets and Milestones	Resources
1 Integrity Data Hub	MDES utilizes specific strategies such as Integrity Data Hub, NASWA fraud alerts, Fraud Report, New Hire reports to prevent and detection fraud and improper payments.	On-going	Technology and Human Resources
2	MDES will continue to utilize the recovery methods of Tax offsets, Garnishments, Voluntary Repayments and Offsets weekly certifications while working directly with Conduent and financial institutions to recover UC funds.	On-going	Technology and Human Resources
3			
Additional:			

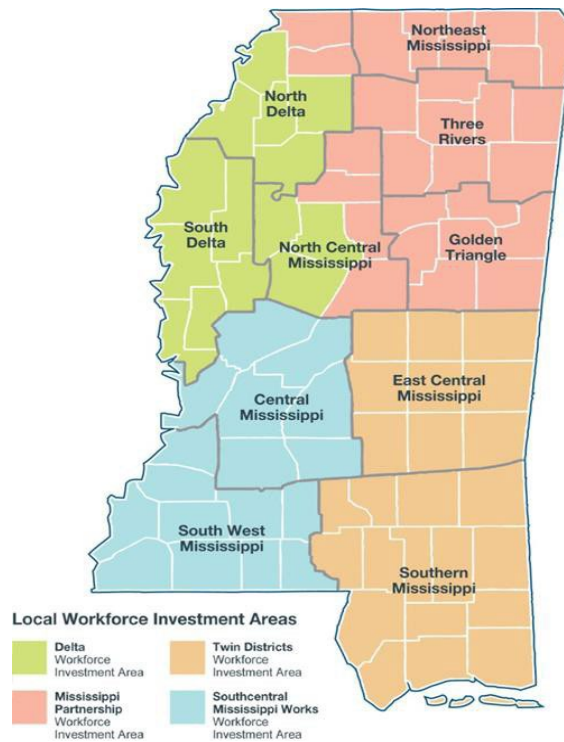
Section 18. Senior Community Service Employment Program Specific Requirements and Assurances

18A. Program Year 2021 Equitable Distribution List by National and State Grantee with Counties

County	MDES State Grant Modified Positions	MDES State Grant Enrolled	MDES State Grant Variance	National Council on Black Aging Modified Positions	National Council on Black Aging Enrolled	National Council on Black Aging Variance	Center for Workforce Inclusion (previously SSAI) Modified Positions	Center for Workforce Inclusion Enrolled	Center for Workforce Inclusion Variance	Institute for Indian Development [Set-Aside] Modified Positions	Institute for Indian Development [Set-Aside] Enrolled	Institute for Indian Development [Set-Aside] Variance
Adams	3	2	-1				5	4	-1			
Alcorn	7	6	-1									
Amite							4	1	-3			
Attala				4	4	0						
Benton				2	2	0						
Bolivar				7	7	0						
Calhoun				4	1	-3						
Carroll				2	1	-1						
Chickasaw				3	1	-2						
Choctaw				2	2	0						
Claiborne							3	9	6			
Clarke							4	2	-2			
Clay				4	5	1						
Coahoma				6	6	0						
Copiah							6	4	-2			
Covington	4	4	0									
DeSoto	5	1	-4	8	4	-4						
Forrest	4	4	0				8	8	0			
Franklin							1	1	0			
George							4	1	-3			
Greene							2	3	1			
Grenada	4	2	-2									
Hancock							9	6	-3			
Harrison	5	2	-3				23	26	3			
Hinds	4	4	0				35	28	-7			
Holmes				6	7	1						
Humphreys				3	3	0						
Issaquena												
Itawamba				4	4	0						
Jackson							18	5	-13			
Jasper							4	2	-2			
Jefferson							3	4	1			
Jefferson Davis	4	6	2									
Jones	4	1	-3				8	5	-3	2	2	0
Kemper							2	0	-2	1	0	-1
Lafayette				5	4	-1						
Lamar							6	3	-3			
Lauderdale	4	4	0				10	14	4			
Lawrence							2	3	1			
Leake				5	4	-1				4	6	2
Lee	13	10	-3									
Leflore				8	8	0						
Lincoln							6	11	5			

County	MDES State Grant Modified Positions	MDES State Grant Enrolled	MDES State Grant Variance	National Council on Black Aging Modified Positions	National Council on Black Aging Enrolled	National Council on Black Aging Variance	Center for Workforce Inclusion (previously SSAI) Modified Positions	Center for Workforce Inclusion Enrolled	Center for Workforce Inclusion Variance	Institute for Indian Development [Set-Aside] Modified Positions	Institute for Indian Development [Set-Aside] Enrolled	Institute for Indian Development [Set-Aside] Variance
Lowndes	9	9	0									
Madison				10	11	1						
Marion							6	7	1			
Marshall				6	6	0						
Monroe				7	8	1						
Montgomery				2	2	0						
Neshoba							6	2	-4	21	17	-4
Newton	4	1	-3							6	11	5
Noxubee				3	4	1						
Oktibbeha				5	5	0						
Panola				6	5	-1						
Pearl River	4	2	-2				5	1	-4			
Perry							3	2	-1			
Pike							11	8	-3			
Pontotoc	6	5	-1									
Prentiss				6	3	-3						
Quitman				2	3	1						
Rankin	4	1	-3				10	0	-10			
Scott							6	3	-3	2	0	-2
Sharkey				1	1	0						
Simpson							7	2	-5			
Smith							3	0	-3			
Stone							3	1	-2			
Sunflower				4	6	2						
Tallahatchie	4	1	-3									
Tate				4	4	0						
Tippah	4	2	-2									
Tishomingo				4	5	1						
Tunica				2	3	1						
Union	3	3	0									
Walthall							5	5	0			
Warren							8	6	-2			
Washington	4	2	-2	7	8	1						
Wayne							4	2	-2			
Webster				2	2	0						
Wilkinson							3	1	-2			
Winston				5	5	0				1	1	0
Yalobusha				2	2	0						
Yazoo				5	4	-1						

I8B. Mississippi AAA Map

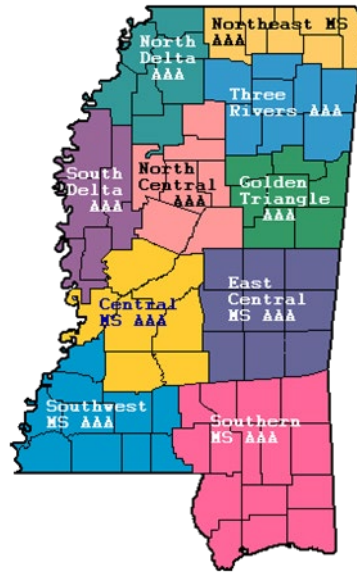


Map of the ten PDDs/AAAs overlaid on the state's four LWDAs.

DOL#	Subgrantee Name	Address	Total Slots	Location of Slots by County		Level of Experience
MS001	North Delta PDD	Post Office Box 1488 Batesville, MS 38606	9	DeSoto	5	20+ Years
				Tallahatchie	4	
MS003	North Central PDD	28 Industrial Park Boulevard Winona, MS 38967	4	Grenada	4	20+ Years
MS004	Golden Triangle PDD	Post Office Box 828 Starkville, MS 39760-0828	9	Lowndes	9	20+ Years
MS005	Three Rivers PDD	Post Office Box 690 Pontotoc, MS 38663	25	Calhoun	4	20+ Years
				Lee	12	
				Pontotoc	6	
				Union	3	
MS006	Northeast MS PDD	619 East Parker Drive Booneville, MS 38829	11	Tippah	4	20+ Years
				Alcorn	7	
MS007	Central MS PDD	1020 Centre Pointe Blvd Pearl, MS 39208	8	Rankin	4	20+ Years
				Hinds	4	
MS008	East Central PDD	Post Office Box 499 Newton, MS 39345	8	Newton	4	20+ Years
				Lauderdale	4	
MS009	Southern MS PDD	10441 Corporate Drive Suite 1 Gulfport, MS 39503	25	Jeff. Davis	4	20+ Years
				Covington	4	
				Jones	4	
				Forrest	4	
				Pearl River	4	
				Harrison	5	
MS010	Southwest MS PDD	100 South Wall Street Natchez, MS 39120	3	Adams	3	20+ Years

Mississippi's Area Agencies Aging

Area Agencies on Aging were created under the Older Americans' Act of 1965. The overall purpose of an area agency on aging is to develop a comprehensive system of services whereby older adults will be able to remain in their own home as long as possible, thereby avoiding premature institutionalization. Mississippi has ten (10) area agencies on aging and all of them are housed in Planning and Development Districts.



Area Agency On Aging	Directors	Phone Number	Website	Counties Served
Central MS Area Agency on Aging 1020 Centre Pointe Blvd Pearl, MS 39208	Chelsea Crittle	(601) 981-1516 1-800-315-3103	www.cmpdd.org	Copiah, Hinds, Madison, Rankin, Simpson, Warren, Yazoo
East Central Area Agency on Aging Post Office Box 499 Newton, MS 39345	Rosie Coleman	(601) 683-2401 1-800-264-2007		Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, Smith
Golden Triangle Area Agency on Aging Post Office Box 828 Starkville, MS 39760-0828	Bobby Gann	(662) 324-4650 (662) 323-2636 (toll free within a 55 mile radius) 1-888-324-9000	www.gtpdd.com	Choctaw, Clay, Lowndes, Noxubee, Oktibbeha, Webster, Winston
North Central Area Agency on Aging 711 South Applegate Winona, MS 38967	Darlana Allen	(662) 283-2675 (662) 283-2771 (toll free within a 55 mile radius) 1-888-427-0714		Attala, Carroll, Grenada, Holmes, Le Flore, Montgomery, Yalobusha
North Delta Area Agency on Aging Post Office Box 1488 Batesville, MS 38601-1488	Rod Gordon	(662) 561-4100 1-800-844-2433	www.ndpdd.com	Coahoma, Desoto, Panola, Quitman, Tallahatchie, Tate, Tunica
Northeast MS Area Agency on Aging Post Office Box 600 Booneville, MS 38829	Carla Newman	(662) 728-6248 1-800-745-6961		Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo
South Delta Area Agency on Aging Post Office Box 1776 Greenville, MS 38702-1776	Daryl Richards	(662) 378-3831 1-800-898-3055	www.sdpdd.com	Bolivar, Humphreys, Issaquena, Sharkey, Sunflower, Washington

Southern MS Planning & Development District 10441 Corporate Drive, Suite 1 Gulfport, MS 39503	Patricia Morrison, Economic Workforce Development Manager	(228) 868-2326☎ 1-800-444-8014☎	www.smpdd.com	Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jefferson Davis, Jones, Lamar, Marion, Pearl River, Perry, Stone, Wayne
Southwest MS Area Agency on Aging 100 South Wall Street Natchez, MS 39120	Yolanda Campbell	(601) 446-6044☎ 1-800-338-2049☎		Adams, Amite, Claiborne, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall, Wilkinson
Three Rivers Area Agency on Aging Post Office Box 690 Pontotoc, MS 38863	Abby Stafford	(662) 489-2415☎ (662) 489-6911☎ (toll free within a 55 mile radius) 1-877-489-6911☎	www.trpdd.com	Calhoun, Chickasaw, Itawamba, Lafayette, Lee, Monroe, Pontotoc, Union

Chelsea Crittle
Central MS Area Agency on Aging
1020 Centre Pointe Blvd.
Pearl, MS 39208

Carla Newman
Northeast MS Area Agency on
Aging
Post Office Box 600
Booneville, MS 38829

Rosie Coleman
East Central Area Agency on Aging
Post Office Box 499
Newton, MS 39345

Daryl Richards
South Delta Area Agency on Aging
Post Office Box 1776
Greenville, MS 38702-1776

Bobby Gann
Golden Triangle Area Agency on
Aging
Post Office Box 828
Starkville, MS 39760-0828

Patricia Morrison, Economic
Workforce Development Manager
Southern MS Planning &
Development District
9229 Highway 49
Gulfport, MS 39503

Darlana Allen
North Central Area Agency on
Aging
711 South Applegate
Winona, MS 38967

Yolanda Campbell
Southwest MS Area Agency on
Aging
100 South Wall Street
Natchez, MS 39120

Rod Gordon
North Delta Area Agency on Aging
Post Office Box 1488
Batesville, MS 38601-1488

Abby Stafford
Three Rivers Area Agency on Aging
Post Office Box 690
Pontotoc, MS 38663

**Mississippi Department of Employment Security
Senior Community Service Employment Program (SCSEP)
State Termination Policy**

I. SCOPE AND PURPOSE

This policy sets forth the State's procedures for termination of participants in the SCSEP based on the guidance set forth in the Older Americans Act Amendments of 2006 and the SCSEP Final Rule.

II. PARTICIPANT INVOLUNTARY TERMINATION POLICY

There are six (6) reasons a participant may be involuntarily terminated from the SCSEP. The reasons are listed below along with an explanation. This Termination Policy will be followed fairly and equitably when involuntarily terminating participants. Participants will not be terminated based on age; there is no upper age limit for participation in the SCSEP. Except as noted below in the case of serious violations, participants will receive progressive discipline and an opportunity for corrective action before a formal termination notice is issued. In all cases, participants will receive a 30 day termination letter notifying them of the date of exit, the reason for the termination, and the right to appeal under Mississippi Department of Employment Security grievance procedure. A copy of the grievance procedure will be attached to the termination letter. Participants will receive both a copy and a verbal explanation of the Involuntary Termination Policy during orientation. This policy is based on the Older Americans Act Amendments of 2006 and the SCSEP Final Rule.

Types of Involuntary Terminations

A participant can be involuntarily terminated from the SCSEP for six (6) reasons. The reasons are:

1. Knowingly providing false information in the eligibility process
2. Being incorrectly determined eligible at enrollment or the annual recertification
3. Being determined no longer eligible at recertification
4. Reaching the maximum 48 months enrollment limit
5. Becoming employed during enrollment
6. For cause, including refusing to accept a reasonable number of job offers or referrals to unsubsidized employment based on the Individual Employment Plan (IEP) (with no extenuating circumstances hindering the participant from moving to unsubsidized employment)

1. Termination Due to Knowingly Providing False Information in the Eligibility Process

A participant may be terminated for fraudulent actions, such as intentionally providing inaccurate information to qualify for the SCSEP. If this occurs, the participant will be placed on Leave without Pay immediately, and a 30 day notification of termination will be sent to the participant.

2. Termination Due to Being Incorrectly Determined Eligible

A participant will be terminated if found ineligible for participation in the SCSEP either after enrollment or after the annual recertification through no fault of the participant. A participant may be enrolled or deemed eligible for continued enrollment based on an error in determining program eligibility, e.g. income may be recorded or calculated inaccurately. When this occurs, the participant will be notified regarding the error and immediately sent a 30 day notification of termination letter. The participant will be able to continue participating in the program until the date of exit as noted in the letter.

3. Termination Due to No Longer Being Eligible

Annually, or more frequently if there is a substantial change in circumstances, each participant is recertified to determine if he or she continues to be eligible for participation. During the recertification, a participant may be determined no longer eligible due to a change in eligibility criteria such as income, family of one due to a change in disability status, employment status, and number of household members. The participant will be notified and immediately sent a 30 day notification of termination letter. The participant will be able to continue participating in the program until the date of exit as noted in the letter.

4. Termination Due to 48 Month Participation Limitation

A participant will be terminated when he or she meets the 48 month maximum participation date. The Mississippi Department of Employment Security's Individual Durational Limit Policy does NOT provide for the issuance of waivers. A waiver factor qualifies the participant for a temporary 12 month extension. When a participant approaches the 48 month maximum participation limit, he or she will be sent a 30 day notification of termination letter 30 days before the 48 month maximum participation date. The participant will be able to continue participating in the program until the date of exit as noted in the letter.

5. Termination Due to Becoming Employed During Enrollment

To qualify for enrollment in the SCSEP, a participant has to be unemployed; all participants are informed that they may not be employed while participating in the program and that they must notify the program representative immediately upon becoming employed. A participant who is discovered to be employed while enrolled without having notified the program of the employment will be terminated from the program. If this

occurs, the participant will be placed on Leave without Pay immediately, and a 30 day notification of termination will be sent to the participant.

6. Termination for Cause

There are several reasons to terminate a participant “for-cause.” When warranted, a participant may be terminated for certain behaviors and/or conduct. The following are specific reasons; however, other similar reasons that demonstrate willful misconduct or an intentional disregard of program rules may cause involuntary termination:

- IEP related reasons: Refusing to accept a reasonable number of job offers or referrals to unsubsidized employment or for not complying with the Individual Employment Plan (IEP). A participant may be subject to disciplinary action up to and including termination when he or she refuses a total of three job offers and/or referrals to job openings and/or to follow through with objectives to achieve goals that are based on the IEP. If the participant fails, without good cause, to cooperate fully with the Mississippi Department of Employment Security’s subgrantee staff to accomplish the goals of his or her service strategy, an IEP-related termination “for-cause” may be in order. Examples of lack of cooperation with staff to accomplish IEP service strategies may include but are not limited to the following when provided for in the participant’s IEP:
 - Refusing to search for a job
 - Sabotaging a job interview, for example, a participant tells the interviewer that he or she is not interested in the job or tells the interviewer that he or she is not qualified.
 - Refusing or not participating fully in training opportunities
 - Refusing to transfer to a new community service training assignment
 - Refusing to register at the One-Stop/Job Service
 - Refusing to take advantage of WIA opportunities
 - Refusing to accept or lack of follow-through in obtaining supportive services that will enhance the participant’s ability to participate in a community service assignment consistent with the IEP
 - Refusing to cooperate with other IEP-related referrals
 - Refusal to cooperate with the assessment or IEP process, e.g., refusing to participate in completing the assessment and training development plan
- Non-IEP related reasons:
 - Refusal to cooperate in recertifying eligibility, for example, refusing to provide required document to determine continued eligibility or refusing to attend or be available for the recertification appointment.
 - Failure or refusal to perform assigned duties, e.g., refusing without good cause to do assignments that are part of the training description and required to increase skills and knowledge.

- Falsification of official records, such as timesheets, for example, intentionally signing the signature of the host agency supervisor on a timesheet or other official document, or including hours on a time sheet that are not accurate.
- Intentional disclosure of confidential or private information obtained from the host agency, grantee, or local project, for example, informing others of information that is supposed to be kept private or confidential.
- Frequent tardiness or unauthorized absences, including reporting to the assignment late or not reporting to the assignment and not informing the supervisor. Generally, three instances of absence without good cause or without proper notice may warrant termination.
- Insubordination, defined as intentionally refusing to carry out the direction or instructions of a host agency supervisor or MDES subgrant staff member, provided there were no extenuating circumstances and the directions or instructions were reasonable.
- Workplace harassment or discrimination on the basis of sex, race, color, religion, national origin, age, marital status, or disability.
- Obscene, abusive, harassing, or threatening language or behavior.
- Physical violence or intentional destruction of property, for example, being violent and threatening to or carrying out threats that physically harm individuals or property.
- Theft, meaning illegal taking or withholding the property of another without permission.
- Causing an imminent threat to health or safety of self or others.
- Non-compliance with the drug and alcohol free policy of the Host Agency, which prohibits participants from consuming, selling, purchasing, manufacturing, distributing, possessing or using any illegal or non-prescribed drug or from being under the influence of alcohol and or drugs while performing their host agency assignment or while carrying out objectives required by the IEP. Legally prescribed medications are excluded if they do not affect the participant's ability to perform his or her duties or protect the safety of the participant or others.
- Exceeding approved Leave without Pay by failing to return from an approved break by the required date without due notice or good cause.

III. Participant Corrective Action and Warning

A participant will be given an opportunity to correct his or her behavior or conduct, or his or her failure to comply with the IEP requirements, except in cases involving serious harm or imminent threat to health, safety, property, etc. At any point, if a participant makes positive efforts or the participant's lack of action is justified, corrective action will be discontinued. The following steps for corrective action will be taken:

- Step 1: First Formal Warning

If a participant displays behavior or conduct outlined in the reasons for “for-cause” terminations or refuses to comply with the IEP requirements, the participant will be given a verbal warning and counseled to correct his or her actions. Absent extenuating circumstances, the participant will be informed in writing by the State Manager or State Director of the requirement to correct his or her behavior or conduct.

- **Step 2: Second Formal Warning**

When a participant for a second time displays behaviors or conduct outlined in the reasons for “for-cause” terminations or refuses to comply with the IEP requirements, the participant will be verbally warned and counseled to correct his or her actions. Absent extenuating circumstances, the State Director will send the participant a written warning that he or she has 30 days from the date of the letter to correct his or her behavior or conduct. In the case of an IEP violation, the participant may be directed to complete specific IEP-related task. The written warning will include a statement that failure to make improvement or complete the IEP-related tasks will result in termination.

- **Step 3: When a participant does not make improvement in his or her actions or for a third time displays behavior or conduct outlined in the reasons for “for-cause” terminations, a letter will be sent notifying the participant that he or she will be exited 30 days from the date of the letter.**

For example, a participant’s training goal is to become computer literate in preparation for a clerical position. First the Employment and Training Coordinator (ETC) identified a community service assignment at the library but the participant refused it because she wouldn’t have her own cubicle (she would be in an open area) so she turned down that opportunity. Next, the ETC identified a training site in a school, but the participant turned down that opportunity. Finally, the ETC tried the local museum, and the participant refused the training assignment at the museum, too. The ETC spoke with the participant, and she had no legitimate reason for refusing the training offered at various assignments. After the first refusal, the ETC asked the State Director to send the participant the first written warning letter. The State Director sent her the second warning letter stating that she risked being terminated if she continued to fail to follow her IEP or to take corrective action. When Ms. Short turned down a third assignment and there was no extenuating circumstance, the State Director sent a 30-day notification of termination letter.

IV. For-Cause Terminations that Require Immediate Removal from Host Agency and Leave without Pay Pending Termination

When a participant’s violation of the SCSEP Termination Policy is of a serious nature, immediate action to remove the participant from the host agency may be required. In this case, the participant will be placed on leave without pay and a written 30-day notice of termination sent. Examples of circumstances warranting immediate removal from the host agency and leave without pay include, but are not limited to:

- Gross misconduct such as violating the Host Agency's Drug and Alcohol Policy or intentionally endangering the lives of themselves or others, or
- Violence, including but not limited to physical or extreme verbal violence at the training site.

V. EFFECTIVE DATE:

This policy is effective April 1, 2013.

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY

State Community Service Employment Program (SCSEP)

Policy # 3 - Discrimination Complaints

I. SCOPE AND PURPOSE:

This policy sets forth the State's procedures for complaints alleging violations of the discrimination requirements of the Civil Rights Act of 1964. The Act prohibits employment discrimination based on race, color, sex, religion, or national origin. It also prohibits reprisal or retaliation for participating in the Equal Employment Opportunity (EEO) process or for opposing any unlawful employment practice covered by Title VII.

II. PARTICIPANT'S RIGHT TO FILE A COMPLAINT:

Participants in Older Americans Act (OAA) programs, including SCSEP, have the right to file complaints regarding specific actions or activities affecting their personal participation in the program. Additionally, participants may file a complaint regarding the conduct of the program as it relates to all participants at a given site or location without fear of reprisal.

III. REQUIREMENTS:

- A. Participants must file complaints in writing and within one hundred eighty (180) days of a specific incident.
- B. Presentation of the complaint: An authorized representative, including a caregiver, may present a complaint on behalf of a participant.
- C. Complaints may be filed with the appropriate entity at the following:
 - Host Agency: site manager, director, or EO Contact;
 - Subgrantee/Planning and Development District (PDD): Program Director and EO Contact;
 - Grantee: State SCSEP Director or the MDES State EO Officer
 - Civil Rights Center (CRC)
- D. A copy of the complaint must be sent immediately to the State level EO Officer at:

Mississippi Department of Employment Security
Randy Langley/State EO Officer
Post Office Box 1699
Jackson, Mississippi 39215-1699

- E. Planning and Development Districts (PDD) must maintain a complaint log for all EO complaints.
- F. Complaints must be recorded on the Subgrantee PDD complaint log.
- G. Complaints should include the following information:
 - The complete name, current address, telephone number, and social security number of the participant or other affected party filing the appeal;
 - Identity of the individual or entity that you allege is responsible for the discrimination;
 - Brief summary of the facts, grounds for the complaint, any other relevant material or information;
 - Description of the corrective action or remedy sought; and
 - Complaint must be signed and dated by the complainant.
- H. Resolution: Discrimination complaint processing procedures must be completed and a Notice of Final Determination issued within ninety (90) calendar days from the date the written complaint was filed.
- I. A participant may file a complaint with the CRC within thirty (30) calendar days from the date the Notice of Final Action is issued if:
 - You are not satisfied with the written decision or
 - The Notice of Final Determination was not issued within ninety (90) days of the date on which the written complaint was filed.

Civil Rights Center
U.S. Department of Labor
Room N-4123, 200 Constitution Avenue NW
Washington, DC 20210

IV. POLICY AND PROCEDURES:

Each Planning and Development District (PDD), Host Agency, and State must:

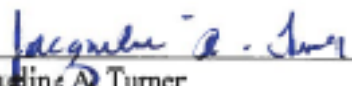
- A. Maintain an office complaint log;
- B. Have a process for addressing complaints from participants and other interested parties affected by SCSEP;
- C. Provide information about the content of the complaint procedures to participants and other interested parties affected by the Senior Community Service

Employment Program (SCSEP), including WIN Job Center partners and service providers;

- D. Require that every entity to which it awards Title V funds must provide information about the content of the complaint procedures to participants receiving Title V-funded services from such entities; and
- E. Make reasonable efforts to assure that the information about the content of the complaint and complaint procedures will be understood by affected participants and other individuals, including youth and those who are limited-English speaking individuals. (OAA Section 306(a)).

V. EFFECTIVE DATE:

This policy is effective July 1, 2019.



Jacqueline A. Turner
Executive Director

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
Senior Community Service Employment Program (SCSEP)
Policy Number 4 - Programmatic Grievances

I. SCOPE AND PURPOSE:

This policy sets forth the State's procedures for grievances, other than those describing discrimination, alleging violations of the requirements of the Older Americans Act of 1965 (OAA) from participants and other interested or affected parties based on the guidance set forth at OAA sections 306(a)(10) and 307(a)(5)(B) and at 20 CFR, 641.910.

II. PARTICIPANT'S RIGHT TO FILE A GRIEVANCE:

Participants in Older Americans Act programs, including SCSEP, have the right to file grievances regarding specific actions or activities affecting their personal participation in the program or the conduct of the program as it relates to all participants at a given site or location without fear of reprisal.

A. Participants may file grievances orally or in writing.

B. Presentation of the grievance: An authorized representative, including a caregiver, may present a grievance on behalf of a participant. If the client chooses this option, he/she shall accompany the representative to every meeting at which the complaint is discussed.

C. Resolution: Every effort shall be made to resolve grievances at the lowest level of authority to avoid the creation of burdensome documentation and ineffective use of staff time. Complaints shall be directed as appropriate to the situation to the following authorities in the order indicated:

- Host Agency: site manager or director or case manager;
- Subgrantee/Planning and Development District: Program Director;
- State SCSEP Director or her/his designee.

D. Grievances relating to alleged violations of a client's rights provided by law may be directed to the Office of Grant Management of MDES, but only after efforts to resolve the matter locally have failed. This does not remove the right of the individual to pursue other avenues of redress, such as filing with the Office of Civil Rights of the U.S. Department of Health and Human Services.

E. Timeframes for filing: Grievances may be filed at any time. If the issue is related to an event which occurred at a specific time and place, the participant(s) shall notify the site

manager or other appropriate authority within ten (10) days of the event having occurred of the intent to file the grievance.

F. A participant may withdraw a grievance at any time.

III. REQUIREMENTS:

A. General Requirements

Each Planning and Development District (PDD), State, and direct recipient of funds under Title V of OAA must establish and maintain a procedure for grievances.

Each Host Agency, PDD, and State recipient must:

- 1) Provide information about the content of the grievance procedures to participants and other interested parties affected by the Senior Community Service Employment Program (SCSEP), including WIN Job Center partners and service providers;
- 2) Require that every entity to which it awards Title V funds must provide information about the content of the grievance procedures to participants receiving Title V-funded services from such entities; and
- 3) Make reasonable efforts to assure that the information about the content of the grievance and complaint procedures will be understood by affected participants and other individuals, including youth and those who are limited-English speaking individuals. (OAA Section 306(a)).

B. Host Agency Requirements

Host Agency procedures must provide:

- 1) A process for addressing grievances from participants and other interested parties affected by SCSEP;
- 2) An opportunity for an informal resolution and a hearing to be completed within sixty (60) calendar days of the filing of the grievance.
- 3) An opportunity for a participant to appeal to a PDD when:
 - No decision is reached within sixty (60) days; or
 - Either party is dissatisfied with the PDD decision.

C. Planning and Development District (PDD) Requirements

Each PDD must:

- 1) Maintain an office complaint log;
- 2) Have a process for addressing grievances from participants and other interested parties affected by SCSEP, including service providers;
- 3) Have a process for resolving appeals from the Host Agency level;
- 4) Provide an opportunity for an informal resolution and a hearing to be completed within sixty (60) days of the filing of the grievance;
- 5) Have a process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides; and
- 6) Provide an opportunity for a participant to appeal to a State entity when:
 - No decision is reached within sixty (60) days; or
 - Either party is dissatisfied with the local hearing decision.

D. State Requirements

State procedures must provide:

- 1) A process for addressing grievances from participants and other interested parties affected by SCSEP;
- 2) A process for resolving appeals from the PDD level;
- 3) A process for remanding grievances related to the local SCSEP programs to the PDD grievance process; and
- 4) An opportunity for an informal resolution and a hearing to be completed within sixty (60) days of the filing of the grievance.

IV. POLICY AND PROCEDURES:

A. Host Agency/PDD Level Grievances and Complaints

The State requires PDDs to establish and maintain a policy and procedure for grievances. The PDD process must allow participants and other interested parties

affected by SCSEP an opportunity for an informal resolution and the option to have a hearing to be completed within sixty (60) calendar days of the filing of the grievance or complaint. The PDDs shall notify MDES of any grievance filed at the PDD/Host Agency level within ten (10) calendar days and provide a copy of the final decision regarding the grievance or complaint to MDES within five (5) calendar days. The decision made at the PDD level may be appealed to the State as described below (C. PDD Level Appeals to the State).

B. State Level Grievances

- 1) Grievances from participants and other interested parties affected by SCSEP must be made in writing and filed with MDES within ten (10) days of the alleged incident. Grievances should be addressed to:

Mississippi Department of Employment Security
Office of Grant Management
WIOA Grievances and Complaints
P.O. Box 1699
Jackson, MS 39215-1699

- 2) Grievances should include the following information:
 - a. The name, address, and telephone number of the participant or other affected party filing the grievance or complaint;
 - b. The name and address of the designated State agency to which the grievance or complaint is being submitted;
 - c. A statement documenting the nature of the grievance or complaint and noting all relevant parties; and
 - d. The signature of the complainant and the date on which the document was signed.
- 3) MDES will review the grievance and notify the involved parties within fifteen (15) calendar days of the receipt of the grievance or complaint. MDES will provide the involved parties an opportunity for an informal resolution. If the grievance or complaint cannot be resolved informally, MDES, within thirty (30) calendar days of receipt of the grievance or complaint, will schedule a hearing before a designated Administrative Law Judge (ALJ). MDES will notify the involved parties at least ten (10) calendar days prior to a scheduled hearing.

- a. The hearing notice will include:
 - 1) The date of the notice;
 - 2) The name and address of the participant or other affected party filing the grievance or complaint and all other involved parties;
 - 3) A statement documenting the nature of the grievance or complaint and noting all relevant parties;
 - 4) The date, time, and place of the hearing; and
 - 5) The name, address, and telephone number of the contact person issuing the notice.
- b. The hearing shall be conducted in an informal manner with strict rules of evidence not being applicable.
- c. Parties shall have the right to:
 - 1) Present written and/or oral testimony and arguments;
 - 2) Call and question witnesses;
 - 3) Request and examine records and documents relevant to the issues; and
 - 4) Be represented by a friend, advocate, or attorney at his/her own expense.
- d. The hearing will be recorded electronically. The ALJ shall follow the applicable procedures set forth at Benefit Appeal Regulations, Section 200 of the MDES Regulations.
- e. Following the completion of the hearing, the ALJ will present the findings of fact to the State Review Panel. The State Review Panel shall be made of members designated by the Executive Director or his designee. The State Review Panel will listen to the recording of the hearing and review the findings of fact presented by the ALJ. The State Review Panel may accept, reject, or modify the ALJ's recommendation and shall issue a written decision to the involved parties within sixty (60) days of receipt of the grievance.

- f. Statewide procedures provide for an appeal to the U.S. Department of Labor (USDOL) when:
 - No decision is reached within sixty (60) calendar days; or
 - Either party is dissatisfied with the State hearing process.
- g. Grievances filed at the State level may be remanded to the PDD level if it is determined that the alleged incident is related to the local SCSEP. Once the PDD grievance process has been completed, an appeal of the PDD's decision may be made to the State.

C. Planning and Development District Level Appeals to the State

- 1) Appeals must be made in writing and filed with MDES within fifteen (15) calendar days of the receipt of the PDD level decision or fifteen (15) calendar days from the date on which the decision should have been received (sixty (60) calendar days after filing the original grievance or complaint with the PDD). Appeals should be addressed to:

Mississippi Department of Employment Security
Office of Grant Management
OAA/SCSEP Grievances and Complaints
P.O. Box 1699
Jackson, MS 39215-1699

- 2) Appeals should include the following information:
 - a. The name, address, and telephone number of the participant or other affected party filing the appeal;
 - b. A copy of the original grievance filed at the PDD level, documenting the nature of the alleged incident and noting all relevant parties;
 - c. A copy of the original decision reached at the PDD level, including documentation of the date on which the decision was received;
 - d. The grounds on which the appeal is sought; and
 - e. The signature of the complainant and the date on which the appeal was signed.

- 3) MDES will review the appeal and notify the involved parties within fifteen (15) calendar days of the receipt of the appeal. MDES may affirm, modify, set aside, or remand any decision made at the PDD level or, at its sole discretion, direct that additional evidence be taken.
- 4) If a hearing was held at the PDD level, MDES shall request a record of the hearing. An ALJ will review the record of the PDD level hearing. If the PDD level hearing is determined to be sufficient, a State level hearing will not be held. The ALJ will present the findings of fact to the State Review Panel. The State Review Panel will review the findings of fact presented by the ALJ. The State Review Panel may accept, reject, or modify the PDD's decision and will issue a written decision to the involved parties within sixty (60) calendar days of receipt of the appeal.
- 5) If a hearing was not held at the PDD level, MDES shall instruct the PDD to hold a hearing within thirty (30) calendar days of receipt of the appeal. If the PDD fails to hold a hearing within the required timeframe, MDES will schedule a State level hearing before a, ALJ. MDES will notify the involved parties at least ten (10) calendar days prior to a scheduled hearing.

D. Fair Hearing

- 1) The hearing notice will include:
 - a. The date of the notice;
 - b. The name and address of the participant or other affected party filing the appeal and all other involved parties;
 - c. A statement documenting the nature of the appeal, including: information about the original grievance or complaint filed, the original decision reached at the PDD level, and the grounds on which the appeal is being sought;
 - d. The notice. The date, time, and place of the hearing; and
 - e. The name, address, and telephone number of the contact person issuing
- 2) The hearing shall be conducted in an informal manner with strict rules of evidence not being applicable. Parties shall have the right to present written and/or oral testimony and arguments; the right to call and question witnesses; the

right to request and examine records and documents relevant to the issues; and the right to be represented. The hearing will be recorded electronically. The ALJ shall follow the applicable procedures set forth at Benefit Appeal Regulations, Section 200 of the MDES Regulations.

- 3) Following completion of the hearing, the ALJ will present the findings of fact to the State Review Panel. The State Review Panel will listen to the recording of the hearing and review the findings of fact presented by the ALJ. The State Review Panel may accept, reject, or modify the ALJ's recommendation and shall issue a written decision to the involved parties within sixty (60) days of receipt of the appeal.
- 4) Statewide procedures provide for an appeal to USDOL when:
 - No decision is reached within sixty (60) calendar days; or
 - Either party is dissatisfied with the State hearing process.

E. State Level Appeals to the U.S. Department of Labor

Allegations of violations which are not resolved within sixty (60) days under the grantee's procedures may be filed with USDOL at the following address:

Chief Division of Adult Services
ETA/U.S. Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

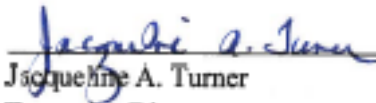
F. Disposition of Grievances

- 1) If the facts support the grievance, the responsible authority shall, within thirty (30) working days of the receipt of the written grievance, make the changes necessary to resolve the issue.
- 2) If the Host Agency Director's/PDD's response is not satisfactory to the participant, the participant may, within ten (10) working days, take the matter for further consideration to the next higher authority as specified in II.3., relating to resolving issues at the lowest possible level of authority.
- 3) The site manager, host agency, or PDD, and each level of authority at which the grievance remains unresolved, shall within ten (10) working days following receipt of a request (oral or written) for continuing grievance action, develop a memorandum detailing the circumstances of the grievance, attach all pertinent

documentation regarding the findings and actions taken at that level of authority and forward it to the next level with a request for a meeting of the parties concerned with the issue.

V. EFFECTIVE DATE:

This policy is effective July 1, 2019.



Jacqueline A. Turner
Executive Director

I8E. Mississippi Individual Duration Limit Policy

**Mississippi Department of Employment Security
Senior Community Service Employment Program (SCSEP)
Individual Durational Limit Policy**

I. SCOPE AND PURPOSE

The purpose of this policy is to provide guidance to SCSEP subgrantees and participants concerning the duration of participation in SCSEP.

II. BACKGROUND

Section 641.570 (a)(1) of the SCSEP final rules states that SCSEP eligible individuals may participate in the program for a maximum duration (Participant's Individual Durational Limit) of 48 months in the aggregate (whether or not consecutive) from the date of the individual's enrollment in the program.

Mississippi Individual Durational Limit Policy:

The state of Mississippi Department of Employment Security implemented a policy in 2012 which states that the individual participant durational limit shall be 48 months without the possibility of extensions. This means that no participant will be offered an extension beyond the 48-month time limit for participation in SCSEP.

III. IMPLEMENTATION INSTRUCTIONS

July 1, 2007, changes were implemented which reduce the time a participant may be enrolled in SCSEP. *Individual enrollments must average no more than 27 months in duration.* In addition, participants have *48 months life-time* to utilize the services of this program. This means that it is imperative that participants find unsubsidized employment as quickly as possible – hopefully within 3 to 9 months of enrollment – allowing for time remaining for additional assistance, should it be needed in the future. This time allowance will be monitored by the DOL SCSEP database, known as SPARQ, and will take into account all work-training time accumulated from all SCSEP providers in the country for each participant. *It is vital to the success of each participant in the attainment of their employment goals that they understand these restrictions, and that they work to achieve unsubsidized employment as quickly as possible.*

Subgrantees must inform SCSEP participants of the maximum 48-month time limit for participating in the program at the time of their enrollment in the program. It is imperative that participants receive this information, as they must plan for their lives and incomes after their SCSEP eligibility ends. *To the extent possible, subgrantees must*

operate the program so that employment in an unsubsidized job within the 27-month average enrollment is the ultimate goal for each enrollee.

Participants also need to be made aware that there will not be any extension beyond the maximum 48 months. Subgrantees must develop a form that the participant will sign that states that he/she is aware of this durational limit that is mentioned in the SCSEP Participant Handbook. This signed form must be kept in the participant's file.

Transition Planning:

Appropriate transition plans must be in place for each participant affected by a durational limit, and will be implemented in a timely manner to ensure the best possible outcome for each participant. Sub-grantees should identify other relevant community partners and should collaborate with SCSEP partners, including WIN Job Centers, to ensure that participants have opportunities during the transition process to use SCSEP partner services. The WIN Job Centers provide employment services, resume writing, interviewing workshops, Career Readiness Certificate testing, and education training opportunities.

Sub-grantees should invite community partners and WIN Job Center partners to meetings to discuss services provided and eligibility requirements and to also introduce participants to the partners prior to exiting the program.

Participant Notification Requirement:

Sub-grantees are required to send a 90 day and 30 day notice to participants who are about to reach their durational limit.

IV. EFFECTIVE DATE:

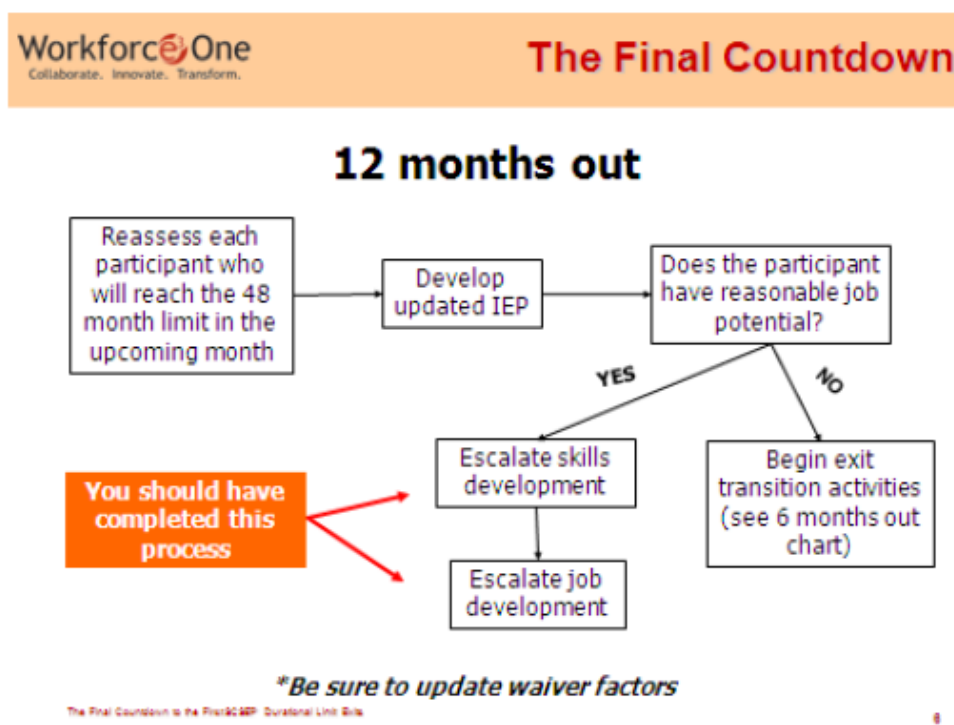
This policy is effective April 2017 until modified or rescinded.

V. ATTACHMENT:

Process Chart for Participant Final Year in SCSEP

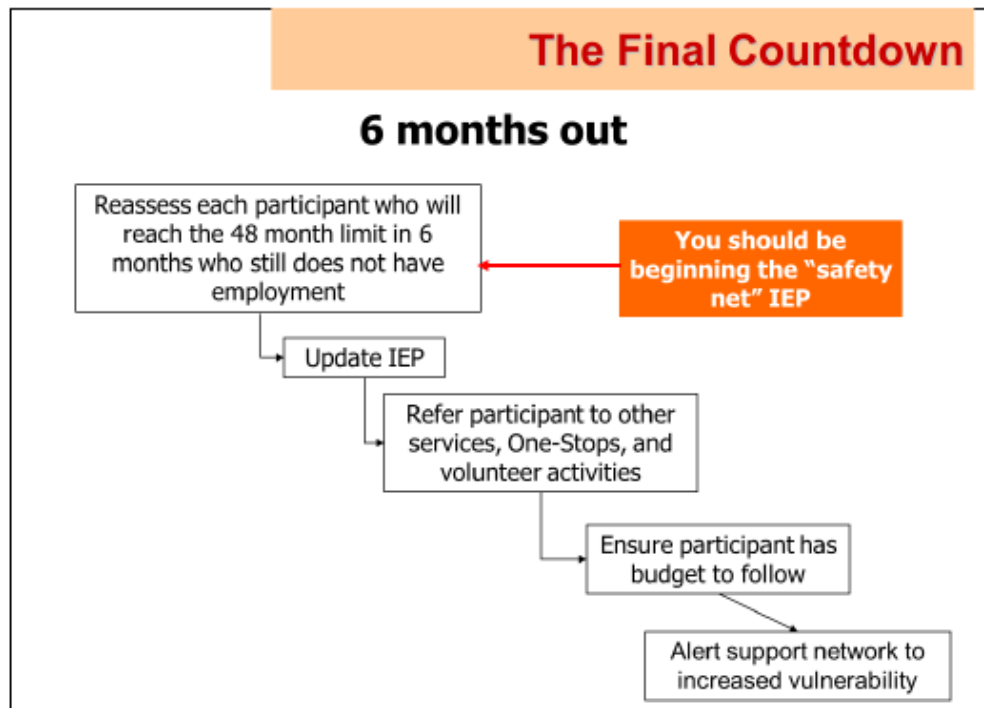
For participants approaching durational limit in 1 Year:

You should send a 1 year letter to each participant at the beginning of their 4th year. **All participants on current WDL list should have gotten a letter by now.**



For participants approaching durational limit in 6 Months:

- 1) Develop transition plans and include those plans in the participants' IEPs.
- 2) Send a letter to the participants to remind them they will be leaving the program in six months. **Call in those participants to discuss their transition plans.**



For participants approaching durational limit within 30 Days:

Participants **must** be given 30 days' written notice of their termination and **must** be informed that the termination is subject to appeal under the grantee's grievance policy.

- A copy of the grievance policy should be attached to the written termination notice.
- On the Exit Form, "Durational Limit" should be checked as the reason for exit.

Appendix J: Local Workforce Development Area Guidelines



MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY
OFFICE OF THE GOVERNOR
MARK HENRY
EXECUTIVE DIRECTOR

WIOA COMMUNICATION NUMBER: 15-014

DATE: January 15, 2016

- I. SUBJECT:** Local Workforce Development Area Four-Year Strategic Plans
- II. BACKGROUND:** On July 22, 2014, President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA), comprehensive legislation that reforms and modernizes the public workforce system. In accordance with WIOA Section 103, the State of Mississippi submitted a combined plan to meet the requirements of the Act. The Plan was submitted to the U.S. Department of Labor on October 30, 2015. A kickoff meeting was held December 10, 2015 to begin the planning process for the local area plans that will align with the State Plan. Each Local Workforce Development Board must develop and submit to the Governor a comprehensive four-year local plan in accordance with WIOA Section 108.
- III. REQUIRED ACTION AND DUE DATE:** Local area plans should be developed according to the instructions provided in this communication and any subsequent instruction issued by MDES. The local plans should be submitted **by May 31, 2016**, for review by the Office of Governor Phil Bryant, MDES Office of Grant Management, and by Core and Strategic Partners included in the State Plan.
- IV. CONTACT:** Questions concerning this instruction should be addressed to Laura Ring at 601-321-6017 or lring@mdes.ms.gov or to Bob DeYoung at 601-321-6477 or rdeyoung@mdes.ms.gov.
- V. ATTACHMENTS:** Timeline from December 10th Kickoff Meeting
Local Workforce Development Board Plan Guidelines


Jacqueline A. Turner
Deputy Executive Director, CFO

HENRY J. KIRKSEY BUILDING
1235 ECHELON PARKWAY • JACKSON, MISSISSIPPI 39213
TELEPHONE: 601-321-6002 • mdes.ms.gov

Workforce Innovation and Opportunity Act

Guidelines for Mississippi Local Workforce
Development Board Plans

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Introduction

Program Year 2015 marks the first year of the Workforce Innovation and Opportunity Act (WIOA). WIOA requires each workforce development board to develop a comprehensive four-year plan, in partnership with the local chief elected official, and submit to the state. The WIOA four-year plan will be effective July 1, 2016 - June 30, 2020. At the end of each year of the four-year local plan, each local board shall review the local plan and prepare and submit modifications to the local plan to the MDES Office of Grant Management. Modifications should reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

The Mississippi Department of Employment Security (MDES), as designated by the Office of the Governor, is issuing these instructions for local plans. The local plan shall support the alignment strategy described in the state plan in accordance with WIOA Section 102(b)(1)(E), and otherwise be consistent with the state plan. Local Workforce Development Boards may obtain a copy of the Mississippi WIOA Plan from MDES. Workforce Development Boards shall also comply with WIOA, Section 108 in the preparation and submission of the plan. Additional information about the WIOA, Public Law 113-128, enacted July 22, 2014, may be obtained from the U.S. Department of Labor Employment and Training Administration website: www.doleta.gov.

These guidelines have been written to assist the Local Workforce Development Areas (LWDAs) in structuring their workforce plan to meet to federal WIOA regulations and alignment with the overarching workforce goals of the state. Any future advisement will be provided by the Office of Grant Management (OGM) via WIOA communications.

Public Comment Requirements

In accordance with the Workforce Innovation and Opportunity Act, Section 108(d), the Workforce Development Board shall make copies of the proposed local plan available to the public through electronic and other means, such as public hearings and local news media; allow for public comment not later than the end of the 30 day period beginning on the date the proposed plan is made available; and, include with submission of the local plan any comments that represent disagreement with the plan.

Submission Requirements

Local plans must be submitted to the MDES Office of Grant Management no later than 5:00 PM CDT on May 31, 2016. Local plans should be submitted electronically in PDF format and uploaded via JSCAPE with an email notification to rdeyoung@mdes.ms.gov that the plan has been uploaded. The original plan and attachments should be retained by each local area.

Plan Outline

A. Local Workforce Development Area Overview

The purpose of this section is to provide an overview of the local area and identify the individuals and entities responsible for general operations within the local area.

A.1. Provide the Local Area's official (legal) name established to administer the Workforce Innovation and Opportunity Act (WIOA). Name document: *"(insert local area name) Re-designation Approval Letter."*

A.2. Provide the name, title, organization name, address, telephone number and e-mail address of the Workforce Development Director.

A.3. Provide the name, elected title, local government affiliation, address, telephone number and e-mail address of the Local Area's Chief Elected Official.

A.4. Provide the name, title, business name, address, telephone number and e-mail address of the individual authorized to receive official mail for the Chief Elected Official, if different than A.3.

A.5. Provide the name, address, and telephone number of the Administrative/Fiscal Agent responsible for disbursing Local Area WIOA grant funds. This is the entity responsible for the disbursement of grant funds. [WIOA Sections 107(d)(12)(B)(i)(III) and 108(b)(15)].

A.6. Provide the name, title, organization name, address, telephone number and e-mail address of the Administrative/Fiscal Agent's signatory official.

A.7. Attach a copy of the Administrative Entity/Local Workforce Development Area/Fiscal Agent's organizational chart with an effective-as-of date. Include position titles of Local Area staff. Name document: *"(insert name of administrative entity name/local workforce development area/fiscal agent name) Organizational Chart."*

A.8. Provide the Administrative Entity's Data Universal Numbering System (DUNS) number and assurance that the 'System for Award Management' (SAM) status is current. Administrative Entities must register at least annually on the SAM website (<https://www.sam.gov/ccr/>) to receive federal funding [required by Federal Acquisition Regulation (FAR) Section 4.11 and Section 52.204-7].

A.9. Provide the Local Workforce Development Board (LWDB) Chairperson's name, business title, business name and address, telephone number and e-mail address.

A.10. Attach the LWDB's Membership List. The first block is reserved to identify the Board Chairperson. Indicate all required representation and indicate if vacant. [WIOA Section 107(b)(2)]. Name document: *"(insert local area name) Local Workforce Development Board Membership List."*

A.11. Attach the LWDB By-laws including date adopted/amended. Name document: *"(insert local area name) Local Workforce Development Board By-laws."*

A.12. Attach a copy of the signed 'Certification Regarding Debarment, Suspension, and other Responsibility Matters-Primary Covered Transactions.'¹ [Required by the Regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, participants' responsibilities.] Document must bear the original signature of the Administrative Entity signatory official. Name document: *"(insert local area name) Debarment Form."*

A.13. The local plan must include the LWDB and Chief Elected Official (CEO) Signatory Submission Page, bearing the original signatures of the Chief Elected Official(s) and the LWDB Chairman. Include a signed copy with the submission of the Local Plan. Name document: *"(insert local area name) Signatory Submission Page."*

B. Regional Strategic Planning

If the local area is part of a planning region that includes other local areas, the local boards and chief elected officials of the local areas represented shall collaborate to prepare and submit a regional plan as described in Section 106(c)(2).

As outlined in the State Plan, the State Board and the local boards will work together to define regions that occupy space in one or more workforce areas. These regions will be defined according to industry and sector needs and these regional concerns will be taken into account in training and other local administration of WIOA priorities.

For the purpose of this section, regions are currently identified as the Local Workforce Development Areas.

The purpose of this section is to identify businesses and industries that operate within major enterprises that might cross jurisdictional boundaries (e.g., county boundaries, state borders) and might involve multiple LWDAs. Through analysis of the regional needs and market trends, this section is designed to levy the strengths of the local areas in order to create strategies for meeting the needs of employers for in-demand industries across the region.

B.1. Include the following statement: For the purpose of this section, regions are currently identified as the Local Workforce Development Areas.

B.2. Describe how the regional vision aligns with the "Mississippi Works Smart Start Career Pathway Model" as outlined in the Mississippi WIOA Plan.

B.3. Provide an analysis of the regional economic conditions to include: a) existing and emerging in-demand industry sectors and occupations; and, b) knowledge and skills needed to meet the employment needs of employers in those industry sectors and occupations. Include sources used and business involvement in determining needs. [WIOA Section 108 (b)(1)(A)(i)(ii) and (B)].

B.4. Provide an analysis of the workforce in the region, including current labor force employment and unemployment data, and information on labor market trends, and the educational and skill

¹ https://www.sba.gov/sites/default/files/articles/SBA_Form_1623_Debarment_and_Suspension.pdf

levels of the workforce in the region, including individuals with barriers to employment. [WIOA Section 108 (b)(1)(C)].

B.5. Describe strategies to facilitate engagement of businesses and other employers, including small employers and in-demand industry sector occupations. Describe methods and services to support the workforce system in meeting employer needs. [WIOA Section 108 (b)(4)(A)(i)(ii)].

B.6. Describe strategies and services used to coordinate workforce development programs and economic development. [WIOA Section 108 (b)(4)(A)(iii)].

B.7. Outline regional transportation issues related to workforce development and ways the region is/will address needs identified. Include a description and/or map of the regional commuting patterns. [WIOA Section 108(b)(11)].

B.8. Describe how the region coordinates with area secondary education, community colleges and universities to align strategies, enhance services and avoid duplication of services. [WIOA Section 108(b)(10)].

B.9. Provide details on how the region addresses workforce issues specifically related to its: a) cities and/or towns; b) suburban areas; and, c) rural areas.

B.10. Provide details on how the region connects military skills to occupational demands to serve military veterans and families.

C. Local Area Planning

Mississippi's State Plan includes the Combined Plan Programs and Strategic Programs. The purpose of this section is to explain how the LWDA will prepare and support an educated and skilled workforce for all eligible job seekers. This section includes descriptions of the local workforce development system and the role the local board plays in coordinating with workforce development partners and stakeholders.

C.1. Provide a description of the LWDB's strategic vision and goals for preparing an educated and skilled workforce including youth and individuals with barriers to employment. Include goals relating to the performance accountability measures based on primary indicators of performance in order to support regional economic growth and economic self-sufficiency. [WIOA Section 108 (b)(1)(E)].

C.2. Taking into account the analyses described in the Regional Strategic Planning section, describe strategies to work with the entities that carry out the core programs that align resources available to the local area to achieve the strategic vision and goals described in C.1. [WIOA Section 108 (b)(1)(F)].

C.3. Describe local area's workforce development system, including identifying the programs included in the system, and how the local board will work with the entities administering core programs and other workforce development programs to support alignment and provision of

services, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.). [WIOA Section 108 (b)(2)].

C.4. Provide a description of how the LWDB, working with the entities carrying out core programs, will expand access to employment, training, education and supportive services for eligible individuals, particularly eligible individuals with barriers to employment. Include how the LWDB will facilitate the development of career pathways and co-enrollment, as appropriate, in core programs, and improve access to activities leading to a recognized postsecondary credential including a credential that is an industry-recognized certificate or certification, portable, and stackable. [WIOA Section 108 (b)(3)].

C.5. Describe the LWDB's use of initiatives such as incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies, designed to meet the needs of employers in the corresponding region in support of the regional strategy to meet the needs of businesses. [WIOA Section 108 (b)(4)(B)].

C.6. Describe how the LWDB coordinates and promotes entrepreneurial skills training and microenterprise services. [WIOA Section 108(b)(5)].

C.7. Describe how the local board enhances the use of apprenticeships to support the regional economy and individuals' career advancement.

C.8. Provide a description of how the LWDB coordinates workforce investment activities carried out in the local area with statewide rapid response activities as described in WIOA Section 134(a)(2)(A). [WIOA Section 108 (b)(8)].

C.9. Provide a description of plans, strategies and assurances concerning maximizing coordination of services provided under the Wagner-Peyser Act and services provided in the local area through the WIN Job Center system. Include how improved service delivery and avoidance of duplication of services will be achieved. [WIOA Section 108 (b)(12)].

C.10. Provide a description of how the LWDB coordinates workforce investment activities carried out in the local area with the provision of Adult Education and Literacy activities. [WIOA Section 108 (b)(13)].

C.11 Provide a description of cooperative agreements, as defined in WIOA Section 107(d)(11), between the LWDB or other local entities described in Section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination. [WIOA Section 108 (b)(14)].

C.12. Provide a description of the competitive process used to award sub-grants and contracts in the local area for activities carried out under WIOA Title I. [WIOA Section 108 (b)(16)].

C.13. Describe methods used to track Adult, Dislocated Worker and Youth performance measures throughout Program Year 2015 and plans for continuous improvement of performance.

C.14. Provide a brief description of the actions the LWDB will take toward becoming or remaining a high-performing board, consistent with the factors developed by the State Board. [WIOA Section 108 (b)(18)].

C.15. Describe the role of the local board in coordinating with local economic developers to attract target industries as defined by the Mississippi Development Authority.

C. 16. Describe the process for preparing and submitting modifications of the plan that reflect changes in local and/or state priorities or target industries on an annual basis.

D. WIN Job Centers (One-Stop Delivery System) and Programs

Note: Section 121 of the Workforce Innovation and Opportunity Act focuses on the establishment of one-stop centers.

The purpose of this section is to describe how the job centers in the LWDA will operate and deliver program services.

D.1. Provide a brief description of the WIN Job Center system in the local area. [WIOA Section 108 (b)(6)].

D. 2. Attach the Memorandum of Understanding (MOU) among the local LWDB and partners concerning operation of the WIN Job Center system. [WIOA Section 121(b)(A (iii))]. Name document: *“(insert local area name) WIN Job Center MOU.”*

D. 3. Describe how WIN Job Centers will use the Mississippi Works integrated, technology-enabled intake and case management information system for programs carried out under WIOA and programs carried out by WIN Job Center partners. [WIOA Section 108 (b)(21)].

D. 4. Describe how WIN Job Center staff will be trained in integrated services delivery and have appropriate access to Mississippi Works (wings.mdes.ms.gov) technology. Include methods and timeline for accomplishing training for both.

D. 5. Describe the LWDB's method for planning oversight of the WIN Job Center system in the local area, including processes for ensuring quality customer service. Include the review/oversight process and frequency of review. [WIOA Section 121(a)(3)].

D. 6. Identify WIN Job Center location(s) including Sector Training Plus Comprehensive, Comprehensive, Affiliate, and Virtual-Access sites; program services offered in each; how WIN Job Center operator(s) are designated; provider(s) of WIOA career services and youth services and method of selection. [WIOA Section 121 (b)(1)(A) and (b)(1)(B)]. Name document: *“(insert local area name) WIN Job Centers.”*

D.7. Describe the steps that will be taken to prepare for the development and eventual creation of a Sector Training Plus Comprehensive One-Stop Center. [MS WIOA Plan]

D.8. Describe how career services are provided through the WIN Job Centers. [WIOA Section 134(c)(2)].

D.9. Describe the integrated customer service process for participants. Attach a flow chart for services to include initial one-on-one interviews with customers, including Mississippi Works registration, skills assessments, and determination of further services. Name document: *"(insert local area name) Service Flow Chart 2015."*

D.10. Describe how the LWDB facilitates access to services provided through the WIN Job Center delivery system, including remote areas, through the use of technology and through other means. [WIOA Section 108 (b)(6)(B)].

D.11. Describe how the LWDB uses a portion of funds available to the local area to maintain the WIN Job Center system, including payment of the infrastructure costs of job centers. [WIOA Section 121 (b)(1)(A)(ii) and (h)].

D.12. Describe the roles and resource contributions of the WIN Job Center partners. [WIOA Section 108 (b)(6)(D)].

D.13. Provide a description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area. [WIOA Section 108 (b)(7)].

Youth Services

D.14. Will the LWDB have a standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth? [WIOA Section 107(b)(4)(A)(ii)].

If yes, please provide the committee's purpose/vision, planning meeting schedule, and list of members to include members' agency/organization, one of which must be a community based organization with a demonstrated record of success in serving eligible youth. [WIOA Section 107(b)(4)(A)(ii)].

If no, will the LWDB have a formal Youth Council or Youth Advisory group?

Provide a description and assessment of the type and availability of youth workforce activities in the local area, including activities for youth who are individuals with disabilities. Include identification of successful models of such youth workforce investment activities being used and/or planned. [WIOA Section 108 (b)(9)].

Provide the LWDB's approach to meeting the required: a) 75% minimum youth expenditures on out of school youth and include planned program design; and b) required 20% minimum for work experience. [WIOA Section 129 (a)(4)(A) and (c)(4)].

D.15. Describe local area strategies and services that will be used to strengthen linkages between the WIN Job Center system and unemployment insurance programs. [WIOA Section 108 (b)(4)(A)(iv)].

D.16. Provide a description of how the LWDB coordinates workforce investment activities carried out in the Local Area with the provision of TANF activities.

D.17. Describe strategies and services to strengthen K-12 career pathways and expand high school programs to reflect the employment needs of the local area and how these strategies and services will address the findings from the analysis that is required for each local board referenced in Section 108(b)(1)(A-D). Describe how these services and strategies align and support the core strategies of the Mississippi WIOA plan.

D.18. Describe how the local area will integrate services for:

- a) persons with disabilities;
- b) veterans;
- c) Temporary Assistance to Needy Families (TANF) recipients
- d) Senior Community Service Employment Program (SCSEP) participants;
- e) individuals with other barriers to employment; and
- f) additional specific populations, if applicable

D.19. Describe how entities within the WIN Job Center system, including center operators and partners, will comply with Section 188, if applicable, and provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities. [WIOA Section 108 (b)(6)(C)].

E. Sector Strategy Plan

Sector strategies are regional, industry-focused approaches to building skilled workforces that result in job opportunities for all workers across a range of industries. The purpose of this section is to describe the processes that the LWDA will follow to create a local sector strategy(s) plan that will help existing business and industry prosper and aid in the recruitment of new businesses to the state. This section should include how the local area plans to: 1) engage new and emerging industries along with those already established in the area; and 2) promote the programs and services that better meet the demand of the workforce needs of the industries in the area.

E.1. Identify the sectors and their respective supporting industries that best define the current and future economic identity of the local workforce area. Describe how the identified sectors make up the economic identity of the area, why they are relevant for the growth of the area and the region, and how they support the implementation of statewide strategies and support the core strategies State Plan. Clearly identify sectors that are of particular importance to the region versus those that have a more statewide relevance. In this regard, describe how the target industries defined by the Mississippi Development Authority fit within the economic identity of the local area.

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E. 2. Describe the local area plan for engaging local businesses reflective of the main sector(s) along with those supporting the main sector(s) to identify priorities for workforce development. Also include the role state and local economic developers will play in establishing sustainable partnerships with local businesses.

E.3. Describe how the local area plans to map local assets including identify critical stakeholders and the roles they will play in the realization of workforce strategies in support of the local economic identity. Stakeholders should include entities and organizations such as the Mississippi Development Authority, local economic developers, foundations, local school districts, community colleges, and community based organizations.

E.4. Taking into account the strategies to work with the entities that carry out the core programs, describe the steps the local area will take to increase the awareness of services offered at the WIN Job Center and increase the utilization of the WIN Job Center by the target-industries.

E.5. Describe how the local area will meet the training and employment needs of businesses within the target-industries, especially those not currently offered through the WIN Job Center, that emphasizes industry-focused short-term, credential based training programs and two-year degree programs that provide a qualified and quantifiable labor pool.

E.6. Describe the steps the local area will take to align basic education credentials with the skills necessary to meet the middle-skill needs of employers in the target-industries. Explain the steps the Local Area will take to objectively assess training and ensure that the skills and credentials earned through training are both portable and stackable.

F. Business Plan

The purpose of this section is to describe how the LWDA will align resources to accomplish the strategies and goals outlined in the overall plan as well as define a timeline for the completion of each component below. The information reported in the business plan will be used as part of each LWDA's annual plan review.

F.1. List the workforce goals and intended outcomes for the Local Area, and how they contribute to the primary goals of the State Plan.

F.2. Describe how the goals and intended outcomes will be achieved and the proposed activities support the core strategies of the State Plan.

F.3. Identify the procedures the local area will take to achieve activities listed in G.2, including specific steps and achievements for planning, implementation, and evaluation.

F.4. Provide a timetable of milestones for the duration of the plan that the local area will maintain to ensure timely achievement of the workforce goals and outcomes.

F.5. Describe the procedures for reporting progress and performance on reaching the goals and achievements set by the local area including steps to be taken for lack of progress and underperformance in relation to achieving milestones.

F.6. Gauge the LWDA capacity to meet the workforce needs of the area and the region. This should take into consideration everything the local area plans to do to support a workforce necessary to maintain and grow economic opportunities in the area. This should include an estimate of the magnitude of the need and the size of the target population to be served. Also describe how the LWDA will achieve the necessary capacity to fully meet local needs.

F.7. Map out and provide a matrix of the resources of each stakeholder and describe how these resources can be aligned to achieve the main goals of the local and state WIOA plans.

G. Policies

Oversight and Monitoring

G.1. Provide a description of the local area's oversight and monitoring procedures including processes for program and fiscal monitoring. [WIOA Section 107(d)(8)]. Attach a copy of monitoring document(s). Name document: *"(insert local area name) LWDB Oversight and Monitoring PY 2015."*

G.2. Provide a brief description of how the local area will ensure the continuous improvement of eligible providers of services and ensure that such providers meet the employment needs of local employers, workers and jobseekers. [WIOA Section 108 (b)(6)(A)].

Equal Opportunity

G.3. Describe processes to ensure individuals are not discriminated against on the basis of age, disability, sex, race, color or national origin. [WIOA Section 188].

G.4. Attach the local area's current Equal Opportunity (EO) Complaint Grievance Procedure to address EO requirements [29CFR Part 37.71]. Name document: *"(insert local area name) EO Complaint Grievance Procedure 2015."*

G.5. Describe methods to ensure local Equal Opportunity procedures are updated.

Other Policies

G.6. Provide the local area policy(ies) on supportive services for Adults, Dislocated Workers and Youth (i.e., amount, duration, qualifying criteria). [WIOA Section 134(d)(2)]. Name document: *"(insert local area name) Supportive Services Policy."*

G.7. Provide the local area policy(ies) on Needs-Related Payments for Adults, Dislocated Workers and Youth. (i.e., amount, duration, qualifying criteria). [WIOA Section 134(d)(3)]. Name document: *"(insert local area name) Needs-Related Payments Policy."*

G.8. Provide the local area policy for local Incumbent Worker Training.

The policy should include eligibility and the non-Federal share for employers. The local area may use not more than 20 percent of WIOA Adult and Dislocated Worker funds to pay for the federal share of the cost of training through a training program for incumbent workers. [WIOA Section 134(d)(4)]. Name document: *"(insert local area name) Incumbent Worker Training Policy."*

G.9. Provide the local area policy for local Transitional Jobs. The local area may use not more than 10 percent of Adult and Dislocated Worker funds to provide transitional jobs. [WIOA Section 134(d)(5)]. Name document: *"(insert local area name) Transitional Jobs Plan."*

G.10. Describe the local area's planned use of On-the-Job Training (OJT). Provide the local area's On-the-Job Training policy(ies). [WIOA Section 134 (c)(3)(H)]. Name document: *"(insert local area name) OJT Policy."*

G.11. Provide the local area's process to meet priority of service requirements and include policy. Name document: *"(insert local area name) Priority of Service Policy."*

G.12. Provide the local area's Individual Training Account (ITA) Policy and include the following elements in summary. [WIOA Section 108(b)(19)]. Name document: *"(insert local area name) ITA Policy."*

G.13. Provide the local area's process to avoid conflict of interest. Name document: *"(insert local area name) Conflict of Interest Policy."*

G.14. Provide the local area's Sunshine Provision Policy. Name document: *"(insert local area name) Sunshine Provision Policy."*

G.15. Specify if the Local Area plans to offer incentives for youth. If yes, attach the Youth Incentive Policy to include: a) criteria to be used to award incentives; b) type(s) of incentive awards to be made available; c) whether WIOA funds will be used and d) the Local Area has internal controls to safeguard cash/gift cards. Name document: *"(insert local area name) Youth Incentive Policy."*

Local Area Plan Attachment Checklist

1. Local Area Re-designation Approval Letter
2. Administrative Entity/Local Workforce Development Area/Fiscal Agent Organizational Chart
3. Local Workforce Development Board Membership List
4. Local Workforce Development Board By-laws
5. Local Area Certification Regarding Debarment
6. Local Area Signatory Submission Page
7. Local Area WIN Job Center Memorandum of Understanding
8. Local Area WIN Job Centers
9. Local Area Services Flow Chart
10. Local Area Oversight Monitoring Policies and Tools
11. Local Area Equal Opportunity Procedures
12. Local Area Supportive Services Policy
13. Local Area Needs-Related Payments Policy
14. Local Area Incumbent Worker Training Policy
15. Local Area Transitional Jobs Policy (optional)
16. Local Area OJT Policy
17. Local Area Priority of Service Policy
18. Local Area ITA Policy
19. Local Area Conflict of Interest Policy
20. Local Area Sunshine Provision Policy
21. Local Area Youth Incentive Policy (optional)

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STATE OF MISSISSIPPI

WORKFORCE INNOVATION & OPPORTUNITY ACT

Mississippi Works Smart Start Career Pathway