



State Policy

Workforce Innovation and Opportunity Act (WIOA)

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Regional and Local Plans, Change 4

REFERENCE

Federal and state laws, regulations, rules, and other guidance and documentation relied upon for the development of this policy are cited in footnotes.

BACKGROUND

Each local board must submit and obtain approval for a four-year plan for its assigned planning region and local area.¹

ACTION

This policy supersedes and cancels the State’s² policy titled Regional and Local Plans, Change 3 (effective date July 13, 2017). Questions and comments regarding this policy may be submitted in writing to the WIOA policy mailbox at ndol.wioa_policy@nebraska.gov.

Each local board must:³

- participate in regional planning activities for the planning region to which its local area is assigned, in partnership with local chief elected officials (CEOs⁴) of the planning region,

¹ WIOA Secs. 106(c)(1)(A) and 108(a)

² The term “State” refers to the Nebraska Workforce Development Board and the Nebraska Department of Labor (acting on the Governor’s behalf pursuant to the Governor’s Executive Order No. 15-03).

³ WIOA Secs. 106(c)(1)(A) and 108(a); 20 CFR § 679.510 and 679.550

⁴ For purposes of this policy, CEO also refers to a *chief elected officials board*.

that result in the preparation of a four-year plan for the planning region and a two-year modification of that plan;

- participate in local planning activities, in partnership with the local CEO, that result in the preparation of a four-year plan for its local area and a two-year modification of that plan;
- ensure that the regional and local plan and modifications support the vision and strategic and operational goals described in the state's four-year plan and its subsequent two-year modification; and
- submit the regional and local plan and modification according to the requirements and procedures established in this policy and relevant Employment and Training Notices issued by NDOL.

CHANGES

This policy establishes the following material changes to the superseded policy.

- Provisions regarding required content for regional and local plans have been revised and simplified (refer to [Section II\(b\)](#) and [APPENDIX I](#)).
- Provisions regarding plan modifications and revisions have been combined and simplified (refer to [Section II\(c\)](#)).
- Submission procedures and timelines have been revised (refer to [Section III](#)).
- The approval process for regional and local plans has been revised (refer to [Section IV](#)).
- The former APPENDIX I (map of WIOA planning regions showing areas of economic concentration) and former APPENDIX II (list of areas of economic concentration) have been removed.

POLICY

This policy establishes the following regarding regional and local plans and modifications:

- requirements;
- submission procedures;
- approval process; and
- timelines.

This policy includes five sections and one appendix.

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Section I. Purpose⁵

The regional and local plan serves as a four-year action plan to:

- develop, align, and integrate regional and local service delivery strategies; and
- support the state’s vision and strategic and operational goals as described in the state plan for the workforce system.

In addition, the regional and local plan establishes strategies for:

- directing investments in economic, education, and workforce training programs to focus on providing relevant education and training to ensure that individuals, including youth and individuals with barriers to employment, have the skills to compete in Nebraska’s job market and to ensure that employers have a ready supply of skilled workers;
- enabling economic, education, and workforce partners to build a skilled workforce through innovation in and alignment of employment, training, and education programs;
- coordinating resources among local boards within a planning region; and
- applying job-driven strategies in the local one-stop delivery system.

Section II. Requirements

(a) Planning

Each local board is required to participate in regional and local planning activities that result in the preparation, submission, and approval of a four-year regional and local plan and a two-year modification of the plan.⁶

The lead local board for the planning region is the local board assigned to the planning region by the Governor.⁷ The lead local board, in partnership with the local CEOs of the planning region, is responsible for facilitating and conducting regional planning activities for the planning region in

⁵ 20 CFR § 679.500

⁶ 20 CFR §§ 679.510 and 679.550

⁷ Local boards have been assigned to planning regions pursuant to the Governor’s letter of designation dated August 30, 2016, which is on file at NDOL.

collaboration with the partnering local board. The partnering local board is the local board having one or more of its local area counties included in the planning region, as identified in Table 1.

Table 1. Planning regions, lead and partnering local boards

Planning region	Lead local board	Partnering local board
Metro Region ⁸	Greater Omaha Workforce Development Board	Greater Nebraska Workforce Development Board
Southeast Region ⁹	Greater Lincoln Workforce Development Board	Greater Nebraska Workforce Development Board
Greater Nebraska Region ¹⁰	Greater Nebraska Workforce Development Board	Not applicable

Each local board is also responsible for conducting local planning activities for its respective local area, in partnership with the local CEO.

(b) Content

The regional and local plan must include the elements described in [APPENDIX I](#).

(c) Modifications

Modification of the regional and local plan is required at the end of the first two-year period of the four-year regional and local plan.¹¹

(1) Regional plans

The local boards within a planning region, in partnership with the region's CEOs, must review the regional plan and prepare and submit a modification to the plan to reflect changes in:¹²

- regional labor market and economic conditions; and
- other factors affecting the implementation of the regional plan, including but not limited to changes in the financing available to support WIOA Title I programs and partner-provided WIOA services.

(2) Local plans

The local board, in partnership with the local area CEO, must review the local plan and prepare and submit a modification to the plan to reflect changes in:¹³

- local labor market and economic conditions; and

⁸ The Metro Region includes Dodge, Douglas, Cass, Sarpy, and Washington Counties.

⁹ The Southeast Region includes Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Saline, Saunders, Seward, Thayer, and York Counties.

¹⁰ The Greater Nebraska Region covers the remaining 74 counties in Nebraska.

¹¹ 20 CFR §§ 679.530(b) and 679.580(b)

¹² 20 CFR § 679.530(b)

¹³ 20 CFR § 679.580(b)

- other factors significantly affecting the implementation of the plan, including:
 - financing available to support the WIOA Title I programs and partner-provided WIOA services;
 - local board structure; and
 - a need to revise strategies to meet local performance goals established in the plan.

(d) Public comment¹⁴

The lead local board must provide an opportunity for public comment on the development of the regional plan and its local plan, and any modification of either plan, before submission to NDOL. To provide adequate opportunity for public comment, the lead local board must:

- make copies of the proposed plan and modification available to the public through electronic and other means, such as public hearings and local news media;
- provide an opportunity for comment by members of the public, including representatives of business, labor organizations, and education; and
- provide no more than 30 days for public comment on the plan and modification before submission to NDOL, beginning on the date on which the proposed plan and modification are made available to the public;
- submit any comments that express disagreement with the plan and modification to NDOL, along with the plan and modification;
- make information about the plan and modification available to the public on a regular basis through electronic means and open meetings; and
- ensure that all open meetings are held in compliance with the Nebraska Open Meetings Act.

Section III. Submission procedures and timelines

Procedures and timelines for submission of the regional and local plan and modification are provided by NDOL through Employment and Training Notices.

¹⁴ 20 CFR §§ 679.510(b) and 679.550(b); Neb. Rev. Stat. §§ 84-1407 through 84-1414

Section IV. Approval process

NDOL must review each submitted regional and local plan and modification, which are considered approved 90 days after NDOL's receipt unless NDOL notifies the local board in writing that:¹⁵

1. there are deficiencies in workforce investment activities that have been identified through audits and the local area has not made acceptable progress in implementing plans to address the deficiencies;
2. the plan or modification does not comply with applicable provisions of WIOA and WIOA regulations, including required consultations and public comment provisions and the nondiscrimination requirements of WIOA Sec. 188 and 29 CFR Part 38; or
3. the plan or modification does not align with the state plan, including with regard to the alignment of the core programs to support the strategy identified in the state plan in accordance with WIOA Sec. 102(b)(1)(E) and 20 CFR § 676.105.

Section V. Technical assistance

NDOL provides technical assistance and labor market data to assist with regional planning and subsequent service delivery efforts.¹⁶ For technical assistance with labor market data, submit a request to lmi_ne@nebraska.gov. For technical assistance with all other aspects of the regional and local plan and modification, submit a request to the WIOA policy mailbox at ndol.wioa_policy@nebraska.gov.

DISCLAIMER

This policy is based on NDOL's reading of the applicable statutes, regulations, rules and guidance released by the US Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.

¹⁵ 20 CFR §§ 679.520 and 679.570

¹⁶ 20 CFR § 679.510(c)

APPENDIX I. Regional and local plan elements¹⁷

(a) Regional plan elements¹⁸

1. Provide an analysis of regional economic conditions, including existing and emerging in-demand industry sectors and occupations,¹⁹ based on regional labor market data.²⁰
2. Provide an analysis of employment needs of employers in existing and emerging in-demand industry sectors and occupations in the planning region based on regional labor market data.²¹
3. Provide an analysis of the knowledge and skills needed by job seekers to meet the employment needs of the employers in the region, including employment needs in in-demand industry sectors and occupations.
4. Provide an analysis of the regional workforce, including current labor force employment and unemployment data, information on labor market trends, and educational and skill levels of the workforce including individuals with barriers to employment.
5. Provide an analysis of workforce development activities, including education and training activities, in the region. This analysis must include the strengths and weaknesses of workforce development activities and capacity to provide the workforce development activities to address the education and skill needs of the workforce, including individuals with barriers to employment, and the employment needs of employers.
6. Describe the strategic vision of the lead and partnering local board to support regional economic growth and economic self-sufficiency. This must include goals:
 - a. for preparing an educated and skilled workforce (including youth and individuals with barriers to employment); and
 - b. relating to the performance accountability measures based on the performance indicators described in 20 CFR § 677.155(a)(1).

¹⁷ 20 CFR §§ 679.510(a), 679.550, and 679.560

¹⁸ NDOL has designated items 1 through 7 as appropriate for common responses in the regional plan where there is a shared regional responsibility, as permitted under 20 CFR §§ 679.540(b) and 679.560(d).

¹⁹ WIOA Sec. (3)(23)(A) IN GENERAL.—The term “in-demand industry sector or occupation” means—
(i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or (ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate. (B) DETERMINATION.—The determination of whether an industry sector or occupation is in-demand under this paragraph shall be made by the State board or local board, as appropriate, using state and regional business and labor market projections, including the use of labor market information.

²⁰ As permitted 20 CFR § 679.560(a)(1)(iii), a local board may use an existing analysis, which is a timely current description of the regional economy to meet this requirement.

²¹ Ibid.

7. Taking into account the analyses described in items 1 through 5, describe a strategy to work with entities that carry out the core programs and required one-stop partner programs to align resources available to the planning region in order to achieve the strategic vision and goals described in item 6.
8. Describe regional service strategies established by the lead and partnering local boards, including the use of cooperative service delivery agreements.²²
9. Describe the development and implementation of sector initiatives by the lead and partnering local boards for in-demand industry sectors or occupations in the planning region.
10. Describe how the lead and partnering local boards coordinate transportation and other supportive services.
11. Describe how the lead and partnering local boards coordinate services with regional economic development services and providers.
12. Describe the agreement established between the lead and partnering local boards regarding how the planning region will collectively negotiate and reach agreement with NDOL on local levels of performance for the performance indicators described in WIOA Sec. 116(c) for local areas or the planning region and report on that performance.
13. Describe the process used by the local boards to provide a public comment period (no more than 30 days) prior to submission of the plan and modification, including an opportunity for involvement in the development of the regional plan, particularly for representatives of businesses, education, and labor organizations.
14. Provide comments submitted during the public comment period that represent disagreement with the plan and modification. If disagreeing public comments are not received, indicate that this is the case.
15. The regional plan and modification must include a signature sheet signed and dated by the chairs of the lead and partnering local boards and CEOs of the planning region.²³

(b) Local plan elements

1. Describe the one-stop delivery system in the local area, including:
 - a. the partners and programs that are included in the system;
 - b. how the local board will ensure the continuous improvement of service providers in the system and ensure that the providers will meet the employment needs of local employers, workers, and job seekers;

²² For purposes of this policy, the State defines *cooperative service delivery agreement* as an agreement among the local boards and CEOs in a planning region regarding service delivery within the planning region that crosses local area boundaries.

²³ NDOL provides local boards with the signature sheet.

- c. how the local board will facilitate access to services provided through the one-stop delivery system through the use of technology and other means, including access in remote areas;
 - d. how entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with WIOA Sec. 188 and applicable 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, including providing staff training and support for addressing the needs of individuals with disabilities; and
 - e. the roles and resource contributions of the one-stop partners.²⁴
2. Describe how the local board will support the strategic vision and goals identified in the state plan for:
 - a. preparing an educated and skilled workforce, based on the analyses of regional economic conditions and employer and workforce needs provided in the regional plan; and
 - b. aligning the core programs and other one-stop partner programs, as well as other resources available to the local area.
 3. Describe how the local board will work with the entities carrying out core programs and other one-stop partner programs, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 USC 2301 et seq.) to support service alignment.
 4. Describe how the local board will work with entities carrying out the core programs to expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment.
 5. Describe how the local board will work with entities carrying out the core programs to facilitate the development of career pathways and co-enrollment in the core programs.
 6. Describe how the local board will work with entities carrying out the core programs to improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable).
 7. Describe the strategies and services that will be used in the local area to facilitate employer engagement with workforce development programs, including small employers and employers in in-demand industry sectors and occupations.
 8. Describe the strategies and services that will be used in the local area to support a local one-stop delivery system that meets the needs of businesses in the local area.

²⁴ The term *resource contributions* refers to programmatic and service contributions, rather than contributions pursuant to funding agreements.

9. Describe the strategies and services that will be used in the local area to better coordinate workforce development programs and economic development.
10. Describe the strategies and services that will be used in the local area to strengthen linkages between the local one-stop delivery system and state's unemployment insurance programs.
11. Describe the strategies and services that will be used in the local area that may include the implementation 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 regional employers. These initiatives must support the strategies described above in items 7 through 10.
12. Describe how the local board will coordinate local workforce investment activities with regional economic development activities that are carried out in the local area and how the local board will promote entrepreneurial skills training and microenterprise services.
13. Describe and assess the type and availability of adult and dislocated worker employment and training activities in the local area.
14. Describe how the local board will coordinate workforce investment activities carried out in the local area with statewide Rapid Response activities.
15. Describe and assess the type and availability of youth workforce investment activities in the local area including activities for youth who are individuals with disabilities, which must include identification of successful models of such activities.
16. Describe how the local board will coordinate relevant secondary and postsecondary education programs and activities with education and workforce investment activities to align strategies, enhance services, and avoid duplication of services.
17. Describe how the local board will coordinate WIOA Title I workforce investment activities with the provision of transportation and other appropriate supportive services in the local area.
18. Describe plans, assurances, and strategies for maximizing coordination, improving service delivery, and avoiding duplication of Wagner-Peyser Act services and other services provided through the one-stop delivery system.
19. Describe how the local board will coordinate WIOA Title I workforce investment activities with adult education and literacy activities provided under WIOA Title II. This description must include how the local board will carry out the review of local adult education service provider applications, consistent with WIOA Secs. 107(d)(11)(A) and (B)(i) and 232.
20. Provide copies of executed cooperative agreements,²⁵ as attachments to the local plan, which define how all local service providers will carry out requirements for integration of and access to the entire set of services available in through local one-stop delivery system. This includes cooperative agreements, as defined in WIOA Sec. 107(d)(11), between the

²⁵ *Cooperative agreements* is defined at 20 CFR § 675.300.

local board or other local entities described in WIOA Sec. 107(a)(11)(B) and the local office of a designated state agency or designated state unit administering WIOA Title IV programs 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.

21. Identify the entity responsible for the disbursement of grant funds described in WIOA Sec. 107(d)(12)(B)(i)(III), as determined by the CEO or NDOL under WIOA Sec. 107(d)(12)(B)(i).
22. Describe the competitive process that will be used to award local area subgrants and contracts for WIOA Title I activities.
23. Describe the local levels of performance negotiated with NDOL, consistent with WIOA Sec. 116(c), to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent (where applicable), WIOA Title I service providers, and the local one-stop delivery system.
24. Describe the actions the local board will take toward becoming or remaining a high-performing local board, consistent with the factors developed by the state board.
25. Describe how training services outlined in WIOA Sec. 134 will be provided through the use of individual training accounts, including, if contracts for training services will be used, how the use of such contracts will be coordinated with the use of individual training accounts, and how the local board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided.
26. Describe how the local area one-stop center(s) is implementing and transitioning to an integrated, technology-enabled intake and case management information system for programs carried out under WIOA and by other one-stop partners.
27. Describe the direction given by NDOL and the local board to the one-stop operator to ensure that priority for adult career and training services will be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient, consistent with WIOA Sec. 134(c)(3)(E) and 20 CFR § 680.600.
28. Describe the process used by the local board to provide a public comment period (no more than 30 days) prior to submission of the plan and modification, including an opportunity for involvement in the development of the local plan, particularly for representatives of businesses, education, and labor organizations.
29. Provide comments submitted during the public comment period that represent disagreement with the plan or modification. If disagreeing public comments are not received, indicate that this is the case.
30. The local plan must include completed WIOA Title I assurances signed and dated by the chair of the local board and CEO.²⁶

²⁶ NDOL provides local boards with the WIOA Title I assurances form.