

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION
	CORRESPONDENCE SYMBOL OWI
	DATE April 5, 2007

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 13-06, Change 1

TO: ALL STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE ADMINISTRATORS
ALL STATE WORKFORCE LIAISONS

FROM: EMILY STOVER DeROCCO 
Assistant Secretary

SUBJECT: Instructions for Workforce Investment Act and Wagner-Peyser Act State Planning and Waiver Requests for Years Three and Four of the Strategic Five-Year State Plan (Program Years 2007 and 2008)

1. **Purpose.** TEGL No. 13-06, Change 1, has four purposes:

- To inform states that May 1, 2007, is the revised deadline for submission of modifications of their State Strategic Plans for Title I of the Workforce Investment Act of 1998 (WIA) and the Wagner-Peyser Act (“the State Plan”) for years three and four of the current five-year planning cycle;
- To announce an option for states with newly-elected governors to request an additional sixty days to submit their State Plan modifications;
- To announce an electronic mail address for states to submit inquiries regarding the planning process to the Employment and Training Administration; and
- To provide additional instructions to states for modifying their State Plans using the unified planning guidance issued on April 12, 2005.

2. **References.** Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.); Workforce Investment Act of 1998 (WIA), as amended (29 U.S.C. 2801 et seq.); WIA Final Rule, 20 C.F.R. parts 660-671; Planning Guidance and Instructions for Submission of Two Years of the Strategic Five-Year State Plan for Title I of the Workforce Investment

RESCISSIONS	EXPIRATION DATE June 30, 2010
--------------------	---

Act of 1998 and the Wagner-Peyser Act (70 FR 19206 (April 12, 2005)); Workforce Investment Act: Revisions to the Workforce Investment Act Title I, Wagner Peyser Act and the Senior Community Service Employment Program Unified Planning Guidance (70 FR 19222 (April 12, 2005)); and Training and Employment Guidance Letter, No. 13-06 (Jan. 24, 2007).

3. **Background.** Training and Employment Guidance Letter (TEGL) No. 13-06, issued January 24, 2007, provides instructions to states for modifying their State Strategic Plans for Title I of the Workforce Investment Act of 1998 (WIA) and the Wagner-Peyser Act (“the State Plan”) for years three and four of the current five-year planning cycle. When preparing the modifications, states are required to follow the state planning instructions included in Part II of the stand-alone planning guidance or Part III of the unified planning guidance, published in the April 12, 2005, issue of the Federal Register and available through the Internet at www.doleta.gov.
4. **Change in Deadline for Submitting State Plan Modifications.** TEGL 13-06 stated that the deadline for submitting modifications to State Plans is April 1, 2007. The deadline has been changed to May 1, 2007. The Employment and Training Administration (ETA) will complete its review of the modifications by June 30, 2007.
5. **Extension Option for States with New Governors.** For states with new governors, ETA is offering to extend the time frame for submitting a modification to June 30, 2007, in recognition that many new governors may still be appointing cabinet positions for their state workforce agencies and making new appointments to their state workforce investment boards. State boards play a major role in the governance of the state workforce system, and this includes, among other functions, assisting the governor in the development of the State Plan. This extension allows new boards to effectively carry out their statutory function.

States with newly-elected governors are:

Alaska	Arkansas
Colorado	District of Columbia (Mayor)
Florida	Idaho
Iowa	Maryland
Massachusetts	Nevada
New York	Ohio
Virgin Islands	

The eligible states interested in pursuing this option must inform the Federal coordinator for plan review and approval and the appropriate Regional Administrator of the state’s request: 1) to extend the deadline to June 30, 2007, for submission of a modification to the State Plan, and 2) to extend the end date of the current State Plan through September 28, 2007. Requests must be submitted prior

to May 1, 2007. Approval of the extension of the current State Plan through September 28, 2007, is conditional upon the submission of the modification to the State Plan by June 30, 2007. ETA will complete its review of the modification within 90 days. A suggested template is provided for governors to use when making this request (see Attachment).

6. **Electronic Mail Address for Submitting Inquiries.** TEGL 13-06 announced that states submitting their plans by electronic mail should send it to WIA.PLAN@DOL.GOV. States may also use this address to submit questions to the ETA regarding the planning process. In addition to responding to specific questions directly, ETA will post the answers to questions for the benefit of all states on its Web site at www.doleta.gov/usworkforce/wia-planning.
7. **Unified Planning.** In TEGL 13-06, Section 7, ETA committed to issuing additional instructions for those states interested in submitting a modification request using the Unified Planning Guidance issued on April 12, 2005. This change provides the additional instructions. It is ETA's position that a demand-driven, integrated service delivery system can best be achieved through comprehensive strategic planning involving a wide range of partners, including business, education, and economic development, to address the present and projected economic conditions of a state. However, there is a distinction between collaborative planning and the submission of a unified plan. ETA expects that collaboration and strategic partnerships will undergird the planning process regardless of the plan format a state chooses to document its efforts.

States are authorized to submit a Unified State Plan under Title V, Section 501 of the Workforce Investment Act. The Unified State Plan Planning Guidance facilitates the development and submission of such a plan, and addresses two or more of the programs or activities specified at WIA Section 501(b)(2). These include: secondary vocational education programs and post-secondary vocational education programs authorized under the Carl D. Perkins Vocational and Applied Technology Education Act; activities authorized under WIA Title I; activities authorized under WIA Title II; programs authorized under Section 6(d) of the Food Stamp Act of 1977; work programs authorized under Section 6(o) of the Food Stamp Act of 1977; activities authorized under Chapter 2, Title II, of the Trade Act of 1974; programs authorized under the Wagner-Peyser Act; programs authorized under Title I of the Rehabilitation Act of 1973, other than Section 112; activities authorized under chapter 41 of Title 38, United States Code; programs authorized under state unemployment compensation laws; programs authorized under Part A of Title IV of the Social Security Act; programs authorized under Title V of the Older Americans Act of 1965; training activities carried out by the Department of Housing and Urban Development; and programs authorized under the Community Services Block Grant Act.

New legislation for two of the Federal partner programs precludes states from using the program-specific guidance provided in the unified planning guidance as the basis to submit a plan covering the activities of those programs. Secondary and post-secondary vocational education programs authorized under the Carl D. Perkins Vocational and Applied Technology Education Act and programs authorized under Title V of the Older Americans Act of 1965 (Senior Community Service Employment Program) have been impacted by changes in law. For these programs (discussed further below), responding to the questions in the April 12, 2005, unified planning guidance will not meet the requirements of the new legislation and forthcoming regulations governing each program.

8. **Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV)**. It is important to note that, on August 12, 2006, President George W. Bush signed into law the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV). The Perkins IV envisions that all students will achieve challenging academic and technical standards and be prepared for high-skill, high-wage, or high-demand occupations in current or emerging professions. It provides an increased focus on the academic achievement of career and technical education students, improves state and local accountability, and strengthens the connections between secondary and post-secondary education. Each state must now prepare a new state plan in accordance with the requirements of Perkins IV.

Under Section 122(d)(2) of Perkins IV, a state may choose to submit the post-secondary portion of their new Perkins IV state plan as part of the plan submitted under Section 501 of Public Law 105-220. A state also may include the secondary portion of their new Perkins IV state plan only with the prior approval of its state legislature (see Section 501(b)(1) of the Workforce Investment Act of 1998). Any state that chooses to submit the post-secondary and/or secondary portions of their new Perkins IV state plan as part of a unified plan must address every item in the "Carl D. Perkins Career and Technical Education Act of 2006: Guide for the Submission of State Plans," which was issued by the Department of Education on March 12, 2007.

9. **Senior Community Service Employment Program**. On October 17, 2006, President George W. Bush signed into law the Older Americans Act Amendments of 2006, Public Law 109-365, which authorizes the Senior Community Service Employment Program (SCSEP). SCSEP's purpose is to foster individual economic self-sufficiency and promote useful opportunities in community service activities for unemployed low-income persons who are age 55 or older (particularly persons who have poor employment prospects), and to increase the number of persons who may enjoy the benefits of unsubsidized employment in both the public and private sectors. The 2006 Amendments instituted a number of program changes. The amendments increased the emphasis on placement in unsubsidized employment; imposed a time limit on enrollees' program participation; restricted fringe benefits for participants; enabled grantees to spend additional funds on training; and mandated the

adoption of core indicators of performance, aligned with ETA's Common Measures. The new law becomes effective July 1, 2007.

Each state SCSEP grantee must prepare an application for funding each year. This application is a thorough explanation of how the project will operate. The 2007 application requirements will incorporate the changes brought about by the amendments to the Older Americans Act. Once ETA has established procedures for submitting plans/applications in accordance with the new requirements, each state grantee will have the option of submitting their application as part of the unified plan, but this is not likely to occur by the established deadline for submitting the WIA and Wagner-Peyser portion of the plan to ETA. Thus, it does not appear to be feasible to include SCSEP in a unified plan at this point in the 2007 modification cycle.

10. **Other Section 501 Programs and Activities.** States that choose to modify their State Plans using the unified planning guidance for programs, other than the secondary and post-secondary vocational education programs and SCSEP, authorized under Perkins IV and the Older Americans Act Amendments of 2006, respectively, will continue to use the guidance and instructions in Part III of the unified planning guidance, published in the April 12, 2005, issue of the Federal Register.
11. **Inquiries.** Questions regarding this guidance should be directed to Janet Sten, the Federal coordinator for plan review and approval, at sten.janet@dol.gov, or Robin Fernkas at fernkas.robin@dol.gov. Both can be reached by calling (202) 693-3045.

Attachment

Attachment

**Suggested Template for Requesting Additional Time to
Submit State Plan Modifications**

The Honorable Elaine L. Chao
Secretary
United States Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210-0002

Dear Secretary Chao:

I would like to take advantage of the option available to new governors as outlined in the U.S. Department of Labor, Employment and Training Administration's Training and Employment Guidance Letter (TEGL) No. 13-06, Change 1, to request an additional sixty days to submit a modification to the State's Strategic Plan for Title I of the Workforce Investment Act of 1998 (WIA) and the Wagner-Peyser Act ("the State Plan") for years three and four of the current five-year planning cycle. I understand that this option extends the deadline for submission from May 1, 2007, to June 30, 2007.

As a condition of exercising this option, I am requesting an extension of our current State Plan from June 30, 2007, to September 28, 2007. I understand that the approval of the extension of the current plan is conditional upon the submission of a modification to the State Plan by June 30, 2007.

Sincerely,

Governor

cc: ETA Regional Administrator