

EXHIBIT 11

WORKFORCE INVESTMENT NOTICE 08-17

SUBJECT: Local Plan Modification Guidance

DATE: May 11, 2009

PURPOSE

To provide guidance to local areas regarding modification procedures relative to the receipt of additional funding through the American Recovery and Reinvestment Act (Recovery Act) of 2009 and Program Year 2009 Workforce Investment Act Formula funds

REFERENCES

Workforce Investment Act (WIA) of 1998; 20 CFR Part 652 et al Workforce Investment Act Final Rules; Training and Employment Guidance Letter (TEGL) 14-08

BACKGROUND

The Workforce Investment Act (20 CFR 661.355) states that modifications to the local plan may be required under certain situations, including when significant changes in local economic conditions occur or there are changes in financing available to support WIA Title 1 and partner provided WIA services. The current economic crisis and the infusion of funds as a result of the Recovery Act meet these conditions; therefore a modification to the plan is necessary.

The guide should be considered as an interim final, since there are additional components to the guide that have yet to be developed e.g., negotiated performance levels and funding information.

To expedite the modification process, the participant service level summaries for Program Year 2009 formula activities have been included. The budget summaries are in an Excel format in Exhibit 11a. These can be submitted with the Recovery Act information.

The State Plan will not be finalized prior to June 30, 2009. A copy of the draft State Plan will be provided to the Local Boards as soon as available. There will be opportunities for public comment to assure that the plan does, in fact, address the most critical needs of Rhode Island's job seekers and employers while working to build a premier workforce development system.

PLANNING FORMAT AND PROCEDURES

1. LOCAL PLAN MODIFICATION SUBMISSION

Local areas are required to adhere to the following Local Plan Modification format when submitting their local plans:

- Cover Sheet and Signature Page
 - Executive Summary
 - Modification Content (Q & A)
 - Responses to Questions provided in Attachment 1
 - Budget Summaries; Adult, DW, Youth (Recovery Act only)
 - Participant Service Levels; Adult, DW, Youth (Recovery Act only)
 - Budget Summaries; Adult, DW, Youth (PY09 Formula only)
 - Participant Service Levels; Adult, DW, Youth (PY09 Formula only)
 - Assurances
 - Signature Page
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- All pages numbered, including attachments (if any)
 - Single spaced, double sided, 12 point font on 8.5 X 11 white paper
 - Set left hand margin at one inch to allow for hole punching
 - Microsoft Word document
 - A maximum of 50 pages, excluding attachments
 - Three-holed punched, not bound
 - Place in three ring notebooks.

Draft and Final Plan Modification Submission and Approval Process

One of the guiding general policies of the Recovery Act is the timely spending of the funds and timely implementation of activities. To that end, please submit two originals (hard copies) and one copy by email of the **Draft Local Plan Modification** as soon as possible. The State will begin reviewing draft modifications upon receipt in an effort to assist those areas that may have any difficulties in the preparation of the modification. Technical assistance will be provided to all local areas upon request. There will be discussions/communications with local areas to resolve, clarify, or correct points raised by the review. Once completed, submit two original (hard copies) and one copy by e-mail of the **Final Local Plan Modification** should be submitted.

Both Draft and Final modifications should be clearly identified and submitted to:

Ms. Sandra Powell
Director/WIA Liaison
Department of Labor & Training
1511 Pontiac Avenue
Cranston, Rhode Island 02920

2. PUBLIC COMMENT AND REVIEW

The WIA regulations at 20 CFR 661.345 require that the local plan must be available to the public, include an opportunity for comment from members of the public and provide at least a 30 day period for comment beginning on the date on which the proposed plan is made available, prior to its submission to the Governor.

3. PLAN APPROVAL PROCESS

Draft and Final Plan Modifications must be approved through the local board process. Final Plan Modifications submitted to the State in accordance with these guidelines, that are (1) consistent with and meet all provisions of the WIA and Recovery Act as appropriate; and (2) where no substantive issues have been identified by the State; and (3) that establish acceptable levels of performance, will be presented to the Governor's Workforce Board, acting in its capacity as the State Workforce Investment Board, for review and approval. Plan Modifications will be considered approved with written notification provided from the State.

4. MODIFICATION CONTENT

1. **[Ref. WIA Sec. 118(b)(1)(B)]** Have the current and projected employment opportunities in the local area changed?
 YES NO Describe if yes.
2. **[Ref. WIA Sec. 118(b)(1)(C)]** Have the job skills necessary to obtain such employment opportunities changed?
 YES NO Describe if yes.
3. **[Ref. WIA Sec. 118(b)(2)]** Has the one-stop delivery system designated in the local area changed?
 YES NO Describe if yes.
4. **[Ref. WIA Sec. 118(b)(2)(B)]** Are all memoranda of understanding signed between the local board and each of the one-stop partners?
 YES NO Describe if no.
5. **[Ref. WIA Sec.118 (b)(4)]** Have the type and availability of adult and dislocated worker employment and training activities in the local area changed?
 YES NO Describe if yes.
6. **[Ref. WIA Sec. 134(d)(4)(G)(ii), Regs. Sec. 663.430]** Has the local Individual Training Account (ITA) system and the procedures for ensuring that exceptions to the use of ITAs changed?
 YES NO Describe if yes.
7. **[Ref. WIA Sec.134 (d)(4)(G)]** Has the process to procure contracts for training services, if exceptions to the ITA process are made, changed?
 YES NO Describe if yes.
8. **[Ref. WIA Sec.118 (b)(6)]** Has the type and availability of youth activities in the local area changed?
 YES NO Describe if yes.
9. **[Ref. WIA Sec. 117(d)(3)(B)(i)(III), 118(b)(8)]** Has the fiscal agent responsible for the disbursement of grant funds changed?
 YES NO Describe if yes.
10. **[Ref. WIA Sec.118 (b)(9)]** Has the competitive process used to award the grants and contracts for activities carried out under this plan changed?
 YES NO Describe if yes.
11. **[Ref. WIA Sec. 134(d)(4)(E) Regs. 663.600, 661.350(a)(11)]** Are funds allocated to the local area for adult employment and training activities limited and are the priorities the same as previously projected?
 YES NO Describe if no.

5. ASSURANCES

- 1) The Local Workforce Investment Board, including the chief elected official of the area, and providers receiving funds under Title I of the WIA, will all maintain fiscal controls and fund accounting procedures to ensure the proper disbursement of, and accounting for all funds received through the Workforce Investment Act.
- 2) Local Workforce Investment Board will assure that it shall keep records that are sufficient to permit the preparation of reports required by the Act and shall maintain such records, including standardized records for all individual participants, and submit such reports as the State may require.
- 3) Local Workforce Investment Board assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of the Act. The Board assures compliance with Section 504 of the Rehabilitation Act of 1973 and the American's with Disabilities Act of 1990.
- 4) Local Workforce Investment Board assures that funds will be spent in accordance with the Workforce Investment Act, regulations, written Department of Labor guidance, State guidance, and all other applicable Federal and State laws.
- 5) Local Workforce Investment Board assures that veterans will be afforded employment and training activities authorized in the Workforce Investment Act in compliance with the Jobs for Veterans Act.
- 6) The Local Workforce Investment Board assures that no funds received under WIA will be used to assist, promote, or deter union organizing.
- 7) The Local Workforce Investment Board assures that it developed this plan in consultation with the business community, labor organizations, and required partners.
- 8) Local Workforce Investment Board will assure it will comply with any grant procedures prescribed by the Secretary which are necessary to enter into contracts for the use of funds under WIA; including, but not limited to the following:

General Administrative Requirements

29 CFR part 97(OMB Circular A-102) --Uniform Administrative Requirements for State and Local Governments (as amended by the Act)

29 CFR part 95 (OMB Circular A-110) as applicable -- Uniform Administrative Requirements for Institutions of Higher Education

Audit Regulations and Requirements

29 CFR part 96 (as amended by OMB Circular A-133) -Single Audit Act;

29 CFR part 99 (OMB Circular A-133) Audit Requirements for recipients of Federal Financial Assistance

Cost Principles

OMB Circular A-87 -- (as amended by the Act), Cost Principles for State, Local, and Indian Tribal Governments

OMB Circular A-122 and A-22 Cost Principles for Non-Profit Organizations as applicable.

Assurances and Certifications

SF 424 B – Assurances for Nonconstruction Programs;

29 CFR part 31, 32 – Nondiscrimination and Equal Opportunity Assurance (and Regulation);

Miscellaneous Provisions

CFR part 93 – Certification Regarding Lobbying (and Regulation);

29-CFR part 98 –Drug Free Workplace and Debarment and suspension;
Certifications (and regulation)

6. SIGNATURE PAGE

This Plan Modification is submitted for the period of July 1, 2009 through June 30, 2010 in accordance with the provisions of the Workforce Investment Act and the American Recovery and Reinvestment Act. We further certify that we will operate the Workforce Investment Act Program in accordance with this Modification, the current plan and applicable federal and state laws and regulations.

Local Board Chair:

_____	_____	_____
Original Signature	Name (printed or typed)	Date

Executive Director

_____	_____	_____
Original Signature	Name (printed or typed)	Date

SECTION I. Context, Vision, and Strategy

1. Please update your analysis to indicate how the economic downturn has impacted the local area economy and the labor market context. This analysis should include current and anticipated impacts on employment by sector, current and projected demographics of the available labor pool including income levels as appropriate, and describe any skills gaps the area faces, based on the skills held by current and expected dislocated workers and the skills demanded by industries and occupations expected to grow through economic recovery.
2. How will workforce investment system resources, both stimulus and regular formula funds, be deployed to serve increased numbers of workers in need?
3. How will adults and dislocated workers, including low-income adults, who need to acquire new skills have increased access to education and training opportunities?
4. How will the local area address a dual-customer approach, meeting the skill needs of existing and emerging employers and high-growth occupations as well as the needs of under-skilled adults?
5. How will workforce activities (e.g., adult education, job training, postsecondary education, registered apprenticeship, career advancement, needs based payments, and supportive service activities) be aligned in career pathways both now in implementing the Recovery Act and in the transformed workforce system of the future?
6. How will the local area partner to develop workforce solutions with community colleges, business and labor organizations, registered apprenticeship program sponsors, civic groups, and community organizations to align workforce development strategies?
7. Please describe innovative strategies that the local area will use to accomplish the local area's vision and achieve the goals of the Recovery Act, including how the local area will:
 - (a) Increase services to workers in need.
 - (b) Support the full range of One-Stop Career Center customers in acquiring the skills needed to attain jobs in high-growth, high-wage industries and occupations, including such supports as needs-based payments, basic skills remediation, English as a second language, and supportive services.
 - (c) Ensure education and training delivered through the workforce system results in education and workforce skills of demonstrated value, and focus assessments and certifications towards the next level of education and employment.
 - (4) Strategically use youth, dislocated worker and adult funds to quickly deliver innovative services.
 - (5) Provide targeted work experiences in order to prepare individuals for job opportunities in new industries or occupations, particularly using registered apprenticeship and on-the-job-training for all jobseekers, and summer work experience for youth.
 - (6) Align workforce activities with education strategies and economic and community development strategies to meet skill needs of jobs and industries important to the local and regional economies and meet the needs of under-skilled adults.

7. Describe how your local vision and workforce development strategy is consistent with the Governor's workforce development priorities and plan. (**WIA section 118(a)**)

SECTION II Service Delivery

8. How will the sequence of services be streamlined to facilitate individual access to services and training?

9. Outline the changes to local strategies that make them sufficient to meet the requirements of 20 CFR 1010.230 published on December 19, 2008 of the Jobs for Veterans Act and of Workforce Investment Notice #04-09 (Change 1). Attach a copy of your local policy for priority of service.

10. Describe the strategy the local area will use to effectively implement the Recovery Act priority of service for veterans and eligible spouses, low income individuals and recipients of public assistance under the WIA Adult program.

SECTION III Operations

11. The Recovery Act places a high priority on transparency. Please describe the local area's efforts to promote transparency and the process used to make the plan modification available to the public and the outcome of the local area's review of the resulting public comments.

12. How will providers of all youth services be procured under the Recovery Act? If using funds for summer employment opportunities and the grant recipient / fiscal agent is not administering the program, please specifically describe procedures for procuring summer employment operational entities and job opportunities, including how potential bidders are notified.

13. How will the local area efficiently and effectively use its Recovery Act funding to support the hiring of sufficient levels of staff to serve the increased numbers of customers in the economic downturn? How will training be provided to the new staff?

14. Please demonstrate, through a monitoring plan or otherwise, that the local area's monitoring system meets the requirements of 20 CFR 667.410(a) and Workforce Investment Notice #05-05. In addition, demonstrate that the plan includes monitoring and oversight of the additional funds provided under the Recovery Act, particularly a plan to monitor summer employment, including summer employment worksites.

SECTION IV Additional Information

Please include any other information that will affect implementation of WIA and the Recovery Act.

<p>WORKFORCE INVESTMENT ACT</p> <p><u>RECOVERY ACT OF 2009</u></p> <p>ADULT PARTICIPANT SERVICES PLAN</p>	<p>WIA NAME</p>	<p>PY 2008</p> <p>MOD. NO.:</p> <p>DATE:</p>
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ADULT PARTICIPANT SERVICES PLAN
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	3/31/09	6/30/09	9/30/09	12/31/09	3/31/10
1. CORE					
2. INTENSIVE					
3. TRAINING					
a. ITA					
b. OJT					
c. CUSTOMIZED					
TOTAL					
	6/30/10	9/30/10	12/31/10	3/31/11	6/30/11
1. CORE					
2. INTENSIVE					
3. TRAINING					
a. ITA					
b. OJT					
c. CUSTOMIZED					
TOTAL					

WORKFORCE INVESTMENT ACT <u>RECOVERY ACT OF 2009</u> DISLOCATED WORKER PARTICIPANT SERVICES PLAN	WIA NAME	PY 2008 MOD. NO.: DATE:
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DISLOCATED WORKER PARTICIPANT SERVICES PLAN
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	3/31/09	6/30/09	9/30/09	12/31/09	3/31/10
1. CORE					
2. INTENSIVE					
3. TRAINING					
a. ITA					
b. OJT					
c. CUSTOMIZED					
TOTAL					
	6/30/10	9/30/10	12/31/10	3/31/11	6/30/11
1. CORE					
2. INTENSIVE					
3. TRAINING					
a. ITA					
b. OJT					
c. CUSTOMIZED					
TOTAL					

<p>WORKFORCE INVESTMENT ACT</p> <p><u>RECOVERY ACT OF 2009</u></p> <p>YOUTH PARTICIPANT SERVICES PLAN</p>	<p>WIA NAME</p>	<p>PY 2008</p> <p>MOD. NO.:</p> <p>DATE:</p>
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YOUTH PARTICIPANT SERVICES PLAN

	3/31/09	6/30/09	9/30/09	12/31/09	3/31/10
1. CONTRACTED SERVICES					
a. IN SCHOOL					
b. OUT OF SCHOOL					
TOTAL					
	6/30/10	9/30/10	12/31/10	3/31/11	6/30/11
1.CONTRACTED SERVICES					
a. IN SCHOOL					
b. OUT OF SCHOOL					
TOTAL					

<p>WORKFORCE INVESTMENT ACT</p> <p>ADULT PARTICIPANT SERVICES PLAN</p>	<p>WIA NAME</p>	<p>PY2009</p> <p>MOD.NO.</p> <p>DATE:</p>
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ADULT PARTICIPANT SERVICES PLAN					
		9/30/09	12/31/09	3/31/10	6/30/10
1	CORE				
2	INTENSIVE				
3	TRAINING				
a	ITA				
b	OJT				
c	CUSTOMIZED				
4	TOTAL				

WORKFORCE INVESTMENT ACT DISLOCATED WORKER PARTICIPANT SERVICES PLAN	WIA NAME	PY2009 MOD.NO. DATE:
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DISLOCATED WORKER PARTICIPANT SERVICES PLAN					
		9/30/09	12/31/09	3/31/10	6/30/10
1	CORE				
2	INTENSIVE				
3	TRAINING				
a	ITA				
b	OJT				
c	CUSTOMIZED				
4	TOTAL				

WORKFORCE INVESTMENT ACT YOUTH PARTICIPANT SERVICES PLAN	WIA NAME	PY2009 MOD.NO. DATE:
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YOUTH PARTICIPANT SERVICES PLAN					
		9/30/09	12/31/09	3/31/10	6/30/10
1	CONTRACTED SERVICES				
a	IN SCHOOL				
b	OUT OF SCHOOL				
2	TOTAL				