

ASSURANCES AND ATTACHMENTS – PLANNING PROCESS AND PUBLIC COMMENT

	STATEMENT	REFERENCE	DOCUMENTATION and COMMENTS	
1.	☒ ☒	The state established processes and timelines, consistent with WIA Section 111(g) – and, where appropriate, 20 CFR 641.325 (g) – to obtain input into the development of the Integrated Workforce Plan and to give opportunity for comment by representatives of local elected officials, local workforce investment boards, businesses, labor organizations, other primary stakeholders, and the general public.	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d) 20 CFR 641.325(f), (g), (h), 20 CFR 641.335	<i>Include a link or copy of a summary of the public comments received.</i> http://wib.delawareworks.com/2012-state-plan.php No comments received
2.	☒	The state afforded opportunities to those responsible for planning or administering programs and activities covered in the Integrated Workforce Plan to review and comment on the draft plan.	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d)	
3.	☒	The final Integrated Workforce Plan and State Operational Plan are available and accessible to the general public.		http://wib.delawareworks.com/2012-state-plan.php
4.	☒	The state afforded the State Monitor Advocate an opportunity to approve and comment on the Agricultural Outreach Plan. The state solicited information and suggestions from WIA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. At least 45 days before submitting its final outreach, the State provided a proposed plan to the organizations listed above and allowed at least 30 days for review and comment. The State considered any comments received in formulating its final proposed plan, informed all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore, and included the comments and recommendations received and its responses with the submission of the plan.	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20CFR 661.220(d) 20 CFR 653.107 (d) 20 CFR 653.108(f)	<i>Include a link or copy of comments received.</i> http://wib.delawareworks.com/2012-state-plan.php No comments received

5.	<input checked="" type="checkbox"/>	In the development of the plan, the state considered the recommendations submitted by the State Monitor Advocate in the annual summary of services to Migrant and Seasonal Farmworkers.	20 CFR 653.108(t)	
6.	<input checked="" type="checkbox"/>	The state established a written policy and procedure to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes.	WIA Sections 111(g), 112(b)(9), 117(e) 20 CFR 661.207	http://wib.delawareworks.com/documents/Open%20Meetings%20Policy.pdf
7.	<input checked="" type="checkbox"/>	Where SCSEP is included in the Integrated Workforce Plan, the state established a written policy and procedure to obtain advice and recommendations on the State Plan from representatives of the State and area agencies on aging; State and local boards under the WIA; public and private nonprofit agencies and organizations providing employment services, including each grantee operating a SCSEP project within the state, except as provided under section 506 (a)(3) of OAA and 20 CFR 641.320(b); Social service organizations providing services to older individuals; Grantees under Title III of OAA, Affected Communities, Unemployed older individuals, Community-based organizations serving older individuals; business organizations and labor organizations	20 CFR 641.315(a)(1-10), 641.325 (f), (g), (h)	<i>NA We are not submitting a senior worker portion</i>

ASSURANCES AND ATTACHMENTS - REQUIRED POLICIES AND PROCEDURES

	STATEMENT	REFERENCE	DOCUMENTATION or COMMENTS
8.	<input checked="" type="checkbox"/> The state made available to the public state-imposed requirements, such as state-wide policies or guidance, for the statewide public workforce system, including policy for the use of WIA title I statewide funds.	WIA Sections 112(b)(2), 129, 134 20 CFR 665.100	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 8</i>

9.	<input checked="" type="checkbox"/>	The state established a written policy and procedure that identifies circumstances that might present a conflict of interest for any state or local workforce investment board member or the entity that s/he represents, and provides for the resolution of conflicts. The policy meets the requirements of WIA Sections 111(f) and 117(g).	WIA Sections 112(b)(13), 111(f), 117(g)	http://wib.delawareworks.com/2012-state-plan.php Assurance 9
10.	<input checked="" type="checkbox"/>	The state has established a written policy and procedure that describes the state's appeals process available to units of local government or grant recipients that request, but are not granted, designation of an area as a local area under WIA Section 116.	WIA Sections 112(b)(15), 116(a)(5) 20 CFR 661.280 20 CFR 667.700	<i>Delaware is a single service delivery area.</i>
11.	<input checked="" type="checkbox"/>	The state established written policy and procedures that describe the state's appeal process for requests not granted for automatic or temporary and subsequent designation as a local workforce investment area.	20 CFR 667.640 20 CFR 662.280	<i>Delaware is a single service delivery area</i>
12.	<input checked="" type="checkbox"/>	The state established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members.	WIA Sections 112(b)(6), 117(b) 20 CFR 661.300(a), 20 CFR 661.325	http://wib.delawareworks.com/2012-state-plan.php Assurance 12
13.	<input checked="" type="checkbox"/>	The state established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years.	WIA Sec 117(c) 20 CFR 661.325	<i>Delaware is a single service delivery area.</i>
14.	<input checked="" type="checkbox"/>	Where an alternative entity takes the place of an SWIB, the state has written policy and procedures to ensure the alternative entity meets the definition under section 111(e) and the legal requirements for membership.	WIA Sections 111(e), (b) 20 CFR 661.210	NA.
15.	<input checked="" type="checkbox"/>	Where the alternative entity does not provide representative membership of the categories of required SWIB membership, the state has a written policy or procedure to ensure an ongoing role for any unrepresented membership group in the workforce investment system. (Only applicable in cases where a state uses an alternative entity as its SWIB, and that entity does not provide for representative membership by individuals in the categories required by WIA sec. 111(b).)	WIA Sections 111(b), (e) 20 CFR 661.210(c)	NA..

16.	<input checked="" type="checkbox"/>	When applicable, the state takes any action necessary to assist local areas in developing and implementing the One-Stop system.	WIA Sections 112(b)(14), 134(c) W-P Section 8(c)	<i>Delaware is a single service delivery area</i>
17.	<input checked="" type="checkbox"/>	The state established procedures for determining initial and subsequent eligibility of training providers.	WIA Sections 112(b)(17)(A)(iii), 122, 134(d)(4) 20 CFR 663.515, 663.535	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 17.</i>
18.	<input checked="" type="checkbox"/>	All partners in the workforce and education system described in this plan will ensure the physical, programmatic, and communications accessibility of facilities, programs, services, technology, and materials for individuals with disabilities in One-Stop Career Centers.	WIA Section 188 W-P Section 8(b) 29 CFR part 37 20 CFR 652.8(j)	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 18.</i>
19.	<input checked="" type="checkbox"/>	The state ensures that outreach is provided to populations and sub-populations who can benefit from One-Stop Career Center services.	WIA Section 188 29 CFR 37	
20.	<input checked="" type="checkbox"/>	The state implements universal access to programs and activities to all individuals through reasonable recruitment targeting, outreach efforts, assessments, services delivery, partnership development, and numeric goals.	WIA Section 188 29 CFR 37.42	
21.	<input checked="" type="checkbox"/>	The state complies with the nondiscrimination provisions of section 188, including that Methods of Administration were developed and implemented.	WIA Section 188 29 CFR 37.20	
22.	<input checked="" type="checkbox"/>	The state collects and maintains data necessary to show compliance with nondiscrimination provisions of section 188.	WIA Section 185	
23.	<input checked="" type="checkbox"/>	For WIA Single-Area States only, the state has memorandums of understanding between the local workforce investment board and each of the One-Stop partners concerning the operation of the One-Stop delivery system in the local area.	WIA Sections 112(b)(5), 116(b), 118(b)(2)(B), 20 CFR 661.350(a)(3)(ii)	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 23</i>

ASSURANCES AND ATTACHMENTS - ADMINISTRATION OF FUNDS

	STATEMENT	REFERENCE	DOCUMENTATION and COMMENTS
24	<input checked="" type="checkbox"/> The state established written policy and procedures that outline the methods and factors used in distributing funds, including WIA Adult, Dislocated Worker, and Youth formula and rapid response funds. The policy establishes a process for funds distribution to local areas for youth activities under WIA Section 128(b)(3)(B), and for adult and training activities under WIA Section 133(b), to the level of detail required by Section 112(b)(12)(a). In addition, the policy establishes a formula, prescribed by the governor under Section 133(b)(2)(B), for the allocation of funds to local areas for dislocated worker employment and training activities.	WIA Sections 111(d)(5), 112(b)(12)(A), (C), 128 (b)(3)(B), 133(b)(2)(B), 133(b)(3)(B) 20 CFR 661.205(e)	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 24.</i>
24a.	<input checked="" type="checkbox"/> For Dislocated Worker funding formulas, the state's policy and procedure includes the data used and weights assigned. If the state uses other information or chooses to omit any of the information sources set forth in WIA when determining the Dislocated Worker formula, the state assures that written rationale exists to explain the decision.	WIA Section 133(b)(2)(B) 20 CFR 667.130(e)(2)(i)-(ii)	
25.	<input checked="" type="checkbox"/> The state established a written policy and procedure for how the individuals and entities represented on the SWIB help to determine the methods and factors of distribution, and how the state consults with chief elected officials in local workforce investment areas throughout the state in determining the distributions.	WIA Sections 111(d)(5), 112(b)(12)(A), 128(b)(3)(B), 133(b)(3)(B), 20 CFR 661.205(e)	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 25.</i>
26.	<input checked="" type="checkbox"/> The state established written policy and procedures for any distribution of funds to local workforce investment areas reserved for rapid response activities, including the timing and process for determining whether a distribution will take place.	WIA Sections 133(a)(2), 134(a)(2)(A) 20 CFR 667.130(b)(2), (e)(4), 665.340	<i>Delaware is a single Service delivery area.</i>

27.	<input checked="" type="checkbox"/>	The state established written policy and procedures to competitively award grants and contracts for WIA Title I activities.	WIA Section 112(b)(16)	http://wib.delawareworks.com/2012-state-plan.php Assurance 27.
28.	<input checked="" type="checkbox"/>	The state established written criteria to be used by local workforce investment boards in awarding grants for youth activities, including criteria that the governor and local workforce investment boards will use to identify effective and ineffective youth activities and providers of such activities.	WIA Sections 112(b)(18)(B), 123, 129	http://wib.delawareworks.com/2012-state-plan.php Assurance 28.
29.	<input checked="" type="checkbox"/>	The state established written criteria for a process to award a grant or contract on a competitive basis for Summer Youth Employment Opportunities element of the local youth program, where a provider is other than the grant recipient/fiscal agent.	WIA Sections 123, 129(c)(2)(C) 20 CFR 664.610.	NA
30.	<input checked="" type="checkbox"/>	The state distributes adult and youth funds received under WIA equitably throughout the state, and no local areas suffer significant shifts in funding from year-to-year during the period covered by this plan.	WIA Section 112(b)(12)(B)	http://wib.delawareworks.com/2012-state-plan.php Assurance 30
31.	<input checked="" type="checkbox"/>	The state established written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to ensure the proper disbursement and accounting of funds paid to the state through funding allotments made for WIA Adult, Dislocated Worker, and Youth programs, and the Wagner-Peyser Act.	WIA Sections 112(b)(11), 127, 132, 184 W-P Sections 9(a), (c) 20 CFR 652.8(b), (c)	http://wib.delawareworks.com/2012-state-plan.php Assurance 31
32.	<input checked="" type="checkbox"/>	The state ensures compliance with the uniform administrative requirements in WIA through annual, onsite monitoring of each local area.	WIA Sections 184(a)(3), (4) 20 CFR 667.200, .400(c)(2), 667.410	http://wib.delawareworks.com/2012-state-plan.php Assurance 32
33.	<input checked="" type="checkbox"/>	The state follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIA, and applicable Departmental regulations.	WIA Sections 136(f)(2), (f)(3), 122, 185(a)(4)(B) 20 USC 1232g 20 CFR 666.150 20 CFR part 603	Include a link or copy of the policy, if available in the state. Documentation not required.
34.	<input checked="" type="checkbox"/>	The state will not use funds received under WIA to assist, promote,	WIA Section	

or deter union organizing.	181(b)(7) 20 CFR 663.730	
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ASSURANCES AND ATTACHMENTS - ELIGIBILITY

	STATEMENT	REFERENCE	DOCUMENTATION and COMMENT
35. <input checked="" type="checkbox"/>	Where the SWIB chooses to establish them, the state established definitions and eligibility documentation requirements regarding the “deficient in basic literacy skills” criterion.	WIA Sections 101(13)(C)(i) CFR 664.205(b)	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 35.</i>
36. <input checked="" type="checkbox"/>	Where the SWIB chooses to establish them, the state established definitions and eligibility documentation requirements regarding “requires additional assistance to complete and educational program, or to secure and hold employment” criterion.	WIA Sections 101(13)(C)(iv) 20 CFR 664. 200(c)(6), 664.210	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 36</i>
37. <input checked="" type="checkbox"/>	The state established policies, procedures, and criteria for prioritizing adult title I employment and training funds for use by recipients of public assistance and other low-income individuals in the local area when funds are limited.	WIA Section 134(d)(4)(E) 20 CFR 663.600	http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 37.</i>

38. <input checked="" type="checkbox"/>	<p>The state established policies for the delivery of priority of service for veterans and eligible spouses by the state workforce agency or agencies, local workforce investment boards, and One-Stop Career Centers for all qualified job training programs delivered through the state's workforce system. The state policies:</p> <ol style="list-style-type: none"> 1. Ensure that covered persons are identified at the point of entry and given an opportunity to take full advantage of priority of service; and 2. Ensure that covered persons are aware of: <ol style="list-style-type: none"> a. Their entitlement to priority of service; b. The full array of employment, training, and placement services available under priority of service; and c. Any applicable eligibility requirements for those programs and/or services. 3. Require local workforce investment boards to develop and include policies in their local plan to implement priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers. 	<p>WIA Sections 112(b)(17)(B), 322 38 USC Chapter 41 20 CFR 1001.120-.125 Jobs for Veterans Act, P.L. 107-288 38 USC 4215 20 CFR 1010.230, 1010.300-.310</p>	<p>http://wib.delawareworks.com/2012-state-plan.php <i>Assurance 38.</i></p>
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ASSURANCES AND ATTACHMENTS - PERSONNEL AND REPRESENTATION

	STATEMENT	REFERENCE	DOCUMENTATION and COMMENTS
39. <input checked="" type="checkbox"/>	<p>The state assures that Migrant and Seasonal Farmworker (MSFW) significant office requirements are met.</p> <p>Note: The five states with the highest estimated year-round MSFW activities must assign full-time, year-round staff to outreach activities. The Employment and Training Administration designates these states each year. The remainder of the top 20 significant MSFW states must make maximum efforts to hire outreach staff with MSFW experience for year-round positions and shall assign outreach staff to work full-time during the period of highest activity.</p> <p>If a state proposes that its State Monitor Advocate work less than full-time, the state must submit, for approval by the Department, a plan for less than full-time work, demonstrating that the state MSFW Monitor Advocate function can be effectively performed with part-time staffing.</p>	<p>WIA Section 112(b)(8)(A)(iii), 112(b)(17)(A)(iv) W-P Sections 3(a), (c)(1)-(2) 20 CFR 653.107(a), 107(i), 653.112(a), 653.108(d)(1)</p>	<p>http://wib.delawareworks.com/2012-state-plan.php <i>See Appendix M of the State Plan</i></p>
40. <input checked="" type="checkbox"/>	<p>Merit-based public employees provide Wagner-Peyser Act-funded labor exchange activities in accordance with Departmental regulations.</p>	<p>W-P Sections 3(a), 5(b) 20 CFR 652.215 Intergovernmental Personnel Act, 42 USC 4728(b)</p>	
41. <input checked="" type="checkbox"/>	<p>The state has designated at least one person in each state or Federal employment office to promote and develop employment opportunities, job counseling, and placement for individuals with disabilities.</p>	<p>W-P Section 8(b) 20 CFR 652.211</p>	
42. <input checked="" type="checkbox"/>	<p>If a SWIB, department, or agency administers state laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services.</p>	<p>W-P Section 8(b) 20 CFR 652.211</p>	