



**NORTH DAKOTA  
WORKFORCE DEVELOPMENT COUNCIL**

**Job Service North Dakota  
1601 E Century Ave  
Bismarck ND 58501**

**AGENDA  
Wednesday, January 28, 2015 10:00 AM – 3:00 PM**

| <b>TIME</b>  | <b>ACTIVITY</b>  | <b>PRESENTER</b>  |
|--|--|---|
| 10:00 am   | Call to Order <ul style="list-style-type: none"><li>• Welcome and Introductions</li><li>• Review and approve today's agenda</li><li>• Review and approve October 21, 2014 minutes</li><li>• Next meeting date and membership suggestion for sector presentation</li></ul>  | Dave Farnsworth   |
| 10:15 am   | Directors Report <ul style="list-style-type: none"><li>○ Budget &amp; Membership update</li></ul>  | Susan Gunsch  |
| 10:30 am   | Workforce Innovation and Opportunity Act <ul style="list-style-type: none"><li>○ Board Membership</li><li>○ RFP for the One Stop Operator</li><li>○ Eligible Training Provider Criteria and application process</li><li>○ Sector Strategies</li><li>○ Discussion of WDC Policies WIA vs. WIOA</li><li>○ Adult Priority of Service</li><li>○ Youth eligibility - additional assistance</li><li>○ Youth Provider</li><li>○ Infrastructure funding formula for the Governor</li></ul> | Susan Gunsch<br>Pat Anderson  |
| Working Lunch – Review and Discussion of Sunset Policies |  |   |
| 12:45 pm   | Vote on Sunset Policies <ul style="list-style-type: none"><li>• Family Definition</li><li>• Adult Priority of Service</li><li>• North Dakota One-Stop Career Center Certification</li></ul>  | Dave Farnsworth   |
| 1:00 pm  | JSND Labor Market Information  | Michael Ziesch<br>Craig Koch  |
| 1:20 pm  | Agency Reports and Workforce Training Updates <ul style="list-style-type: none"><li>• Job Service North Dakota</li><li>• Department of Public Instruction</li><li>• Vocational Rehabilitation</li><li>• Career &amp; Technical Education</li><li>• Department of Commerce, Workforce Development Division</li></ul>  | Ruth Lacher<br>Valerie Fischer<br>Russ Cusack<br>Wayne Kutzer<br>Wayde Sick |
| 2:45 pm  | WIOA Core Partner Progress Report  | Ruth Lacher<br>Valerie Fischer<br>Russ Cusack                               |
| 3:00 PM  | Member Legislative Update  | Dave Farnsworth   |



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January 28, 2015**

**MEMBERS PRESENT:** Pat Bertagnolli, Sonja Bommersbach, Drake Carter, David Farnsworth, Valerie Fischer, Cheri Giesen, Rosella Grant, Uma Hoffman, Lee Ann Johnston, Jan Kamphuis, David Kemnitz, Wayne Kutzer, Jane Priebe, Dan Rood, Greg Schmalz

**MEMBERS ABSENT:** Laetitia Mizero, Wendlin Piatz, Rae Schobinger, Bruce Walker, Jim Walker

**DESIGNEES PRESENT:** Wayde Sick, Russ Cusack

**EX-OFFICIO MEMBERS PRESENT:** Susan Gunsch

**GUESTS PRESENT:** Jess Kenny Raupp, Debbie Painte, Darci Asche, Brenda Vennes

**STAFF PRESENT:** Ruth Lacher, Pat Anderson, Phil Davis, Tammy Barstad

**CALL TO ORDER:** (David Farnsworth)

- Welcome and Introductions
- Next meeting date and membership suggestion for sector presentation
  - Tuesday, May 12 – tentative
  - Future Sector presentation possibilities include value-added agriculture, trucking/transportation, manufacturing, and prepare for the March 2016 State Plan for the four core programs (Wagner Peyser, WIOA Adult, Dislocated Worker and Youth, Adult Ed and Vocational Rehabilitation).

**APPROVAL OF AGENDA:**

Rosella Grant motioned to approve the agenda. Seconded by Greg Schmalz. All in favor. Approved.

**APPROVAL OF MINUTES:**

Jane Priebe motioned to approve the October 21, 2014 minutes. Valerie Fischer seconded. All in favor. Approved.

**DIRECTORS REPORT:** (Susan Gunsch)

- Budget & Membership update
  - Reviewed WDC budget, 44.2% is expended as of September 30, 2014
  - Reviewed membership

**WORKFORCE INNOVATION AND OPPORTUNITY ACT:** (Susan Gunsch)

- **Board Membership**
  - It has been recommended to the governor that he keep the membership as it is, grandfathering the Board members currently in place as allowed under WIOA
- **RFP for the One Stop Operator**
  - WIOA requires competitive procurement for the One Stop Operator in the state
  - The RFP will be submitted by Dave Farnsworth on behalf of the Workforce Development Council, the Executive Committee is the selection committee to review any proposals and make selection.
- **Youth Provider**
  - Members were informed about the historic and current situation regarding the Youth services provider. ND has been operating under a USDOL approved WIA waiver since 2000 stating that Job Service is the Youth Services provider for the state for all WIA Youth elements. The most recent approval process for

WIA waivers was with the submission of the State Plan early January 2013. Reviewed WIOA Section 123 Eligible Providers of Youth Workforce Investment Activities. Susan read the Exception which addresses competitive procurement: "Exceptions – A local board may award grants or contracts on a sole-source basis if such board determines there is an insufficient number of eligible providers of youth workforce investment activities in the local area involved (such as a rural area) for grants and contracts to be awarded on a competitive basis..." Members reviewed WIA Youth performance levels from Program Years 2002 through 2013. David Farnsworth opened discussion on Youth Services Provider.

- **ACTION:** Under the provision of WIOA that allows the local Board may award a grant on a sole source basis, Rosella Grant made a motion that this Board adopt Job Service as the sole source provider for youth services. Dan Rood seconded. All in favor. Approved.
- Susan will develop an agreement with this board and Job Service as the sole source Youth Services provider.
- **Eligible Training Provider Criteria And Application Process** (Pat Anderson)
  - The list of eligible training providers is on jobsnd.com Trainers must be on the approved list to receive WIA, and soon WIOA, funds for training services. This Council will need to establish the criteria for Eligible Training Providers to be on the approved list.
  - Under WIOA there is no indication from DOL that waivers will be granted for reporting performance outcomes. Training providers are required to provide student performance data and be ready to report the data by January 2016. Pat reviewed WIOA reporting requirements for Eligible Training Providers.
- **Sector Strategies**
  - The role of the public workforce side is to be a partner in convening and facilitating discussions to find solutions. The law states the local Board is the key lead to sector strategies. North Dakota has a strong foundation already laid and will continue to work to strengthen these partnerships.
- **Discussion of WDC Policies WIA vs. WIOA**
  - 2-01-03 (3) Criteria for Determining Self-Sufficiency for WIA Eligibility. This policy may no longer be a part of WIOA and may be eliminated.
  - 2-05-03 (3) Transfer of Funds. This has pretty much been done away with because with the Governor's approval, 100% of funds could be transferred if needed.
  - 2-07-03 (4) Youth Eligibility. This one will have major changes.
- **Adult Priority of Service**
  - 2-14-09 (1) WIA Adult Program for Adult Priority of Service. This one has additional requirements. WIOA includes a priority for individuals that are basic skills deficient. We'll be looking to future DOL guidance to determine how to establish an individual as basic skills deficient?
- **Youth Eligibility - additional assistance**
  - 2-07-03 (3) Youth Eligibility. Section currently under WIA for earnings and barriers and the local Board has a policy for additional assistance. WIOA does not say the local Board has to set criteria for additional assistance.
- **Infrastructure funding formula for the Governor**
  - Under WIA there is a One Stop MOU that says partner contributions to the cost can be considered "in kind". Under WIOA, partners must contribute financial support to the One Stop system. There is a very strong potential that this Board will have to develop a formula or determine an amount of how much the partners will have to contribute to the cost for things like the building, utilities, supplies, computers, and assistive technologies.
- **Other WIOA topics**
  - The WDC bylaws will need to be updated. There are several references to WIA and a Youth Council that will no longer required under WIOA. Final approval of the modified bylaws is by the Governor. One of the other states is implementing voting by email. The Board is in favor of this though it may not be allowed under "open record" laws. Susan will research this possibility.
  - Implementation of WIOA is July 1, 2015. Though the proposed regulations, which were due January 18, 2015, have been delayed, implementation of the law remains July 1, 2015.
  - Cheri recognized Susan and her team with moving forward from WIA to WIOA on the local, regional and national levels.

## **WORKING LUNCH – Review and Discussion of Sunset Policies**

### **VOTE ON SUNSET POLICIES:** (David Farnsworth)

- 2-15-10 (1) Definition of Family for WIA Eligibility – Jan Kamphuis motioned to extend the policy as written, seconded by Greg Schmalz. All in favor. Approved.
- 2-14-09 (1) WIA Adult Program Priority of Service – Wayne Kutzer motioned to extend the policy as written, seconded by David Kemnitz. All in favor. Approved.
- 2-12-06 (2) North Dakota One-Stop Career Center Certification – Dan Rood motioned to extend the policy with one change - on page 2 number 1, change “Two-Year” to “Five-Year” State Plan. Seconded by David Kemnitz. All in favor. Approved.

### **JSND LABOR MARKET INFORMATION:** (Michael Ziesch, Craig Koch)

Provided an overview of Education Profile data report. Report can be found on the ndwin website:

<https://www.ndworkforceintelligence.com/gsipub/index.asp?docid=565>

## **AGENCY REPORTS AND WORKFORCE TRAINING UPDATES**

### **Job Service North Dakota** (Ruth Lacher)

- Reviewed WIA Participation and Performance Report.
- Reviewed WIA Financial Report
- Reviewed Workforce 20/20 Report
- Reviewed SkillBuildND Report

### **Department of Public Instruction** (Valerie Fischer)

- Report provided in packet

### **Vocational Rehabilitation** (Russ Cusack)

- Reviewed report

### **Career & Technical Education** (Wayne Kutzer)

- Reviewed Enrollment Totals Report
- Reviewed 2014 Performance of CTE Concentrators Report
- Reviewed Performance of CTE 12<sup>th</sup> Grade Concentrators/ND Assessment and Graduation Rates 2012-2014 Report
- Reviewed Three Year Trend Data on CTE Enrollment Report
- Reviewed Career Ready Practice Rubrics

### **Department of Commerce, Workforce Development Division** (Wayde Sick)

- Reviewed report on Find the Good Life in North Dakota campaign, Workforce Enhancement Grants, and Tribal College Grants.

## **WIOA CORE PARTNER PROGRESS REPORT**

### **Job Service** (Ruth Lacher)

We are proceeding with plans to implement by July 1, 2015, realizing that the proposed regulations are not out yet and adjustments may be needed as more guidance becomes available. Training is scheduled in May for office managers and then in June for local office staff who deliver front line services. Vendor for the case management data system will also need to make changes to accommodate WIOA.

### **Adult Education** (Valerie Fischer)

Adult services has been involved in a lot of conference calls to try to stay on top of this. A transitional plan must be submitted by April 1, 2015. The plan is an outline at this point, leaving room for updates as the regulations become available.

### **Vocational Rehabilitation** (Russ Cusack)

WIOA became law for Vocational Rehabilitation the moment that the President signed it into law because it includes an amendment of the current law for Vocational Rehabilitation. Under WIOA there are three major items: 1. Spend 15% of grant award dollars on pre-employment transition for youth in school age 14-21. 2. As of July 2016, individuals under 24 can no longer be employed by an entity that holds a shelter workshop unless that individual is first determined by VR to be too severely disabled for competitive employment or is served through a plan with VR

and is unsuccessful. 3. Business will become a client of Vocational Rehabilitation just as our consumers with disabilities, so there will be business service standards. We are hiring business service specialists to form a network to meet the needs of these clients across the state.

**Member Legislative Update**

Jane Priebe motioned to adjourn, seconded by Wayne Kutzer. All in favor. Motion passed.

Meeting adjourned at 2:55 pm