



**Missouri Division of Workforce Development  
DWD Issuance 19-2015**

**Issued: June 22, 2016  
Effective: June 22, 2016**

**Subject: Local Plan and Regional Plan Modification Procedures**

1. Purpose: This Issuance is written to transmit the Division of Workforce Development (DWD) procedures for Local Workforce Development Boards (Board) to modify local plans.
2. Background: The Boards, in partnership with the Chief Elected Officials (CEO), are required to develop and submit Workforce Innovation and Opportunity Act (WIOA)<sup>1</sup> plans for Program Years 2016–2020.<sup>2</sup> As these plans mature, modifications will need to be made to ensure the plans reflect their Local Workforce Development Areas' (LWDA) current situations. The Governor is required to establish procedures for modifying these local plans.<sup>3</sup> DWD performs this function on behalf of the Governor. Please see section (c) Plan Modification Procedures for submittal instructions.

The procedures for regional plan modifications are the same as the local plans.

3. Substance:
- (a) A plan modification is required when any one of the following situations occurs in a LWDA:
- (1) Change in the amount of funding available to support WIOA Title I and partner-provided WIOA services (Planning Budget Summaries for the upcoming Program Year and Fiscal Year need to be sent to DWD as directed in annual allocation issuance.);
  - (2) Designation of a new grant recipient and/or fiscal agent;
  - (3) Change in the One-Stop Operator;
  - (4) Change in the CEO who is *designated as the local grant recipient* for grant funds allocated to the Board (other changes in the roster of the consortium of elected officials do not require a plan modification);
  - (5) Change in the Board staffing (change in *organization* or *entity*, not individuals);
  - (6) Change in the Board structure, including a change in Board chairperson, change in membership, adding members or removing members (Changes in Board structure *may* require a new Board certification or a recertification.);
  - (7) Any addition or deletion of a local comprehensive One-Stop Center or affiliated site,<sup>4</sup> or any change in one of these facilities' operating name, street, or mailing addresses, or telephone number;
  - (8) If the Board is sanctioned for failure to meet performance, the Technical Assistance Plan or Performance Improvement Plan must be developed and added as a separate attachment to the local plan;
  - (9) Change in the strategies used to meet local performance goals;

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<sup>1</sup> Pub. Law 113-128 [29 U.S.C. 3101 et seq.].

<sup>2</sup> WIOA Sec. 1098(a).

<sup>3</sup> 20 CFR 679.580, as proposed.

<sup>4</sup> As defined in 20 CFR 678.300, as proposed.

- (10) Change due to use of a state waiver that the Department of Labor has approved for implementation;
  - (11) Request to transfer funds between the Adult and Dislocated Worker programs (See the current DWD Issuance regarding allowable transfer amounts for details. Plan modification is only a requirement when the total transferred exceeds 20 percent of the Board's original allocated or re-allotted formula allocation.);
  - (12) Change in the *Memorandum of Understanding* for One-Stop Partners, including change to the infrastructure costs allocation agreement it contains;
  - (13) Change in the procedures to select service providers;
  - (14) Addition or deletion of a planned activity or supportive service;
  - (15) Significant change in labor market and economic conditions or local economic conditions; or
  - (16) Any other changes that are locally defined as a substantial deviation from the plan, including changes in local criteria or local standards for service coordination beyond the state criteria.
- (b) At a minimum, a plan modification package consists of:
- (1) A cover letter, signed by both the Board Chair and the CEO, identifying which of the above situations in Section 3(a) are requiring the modification and including a brief identification of the revised sections. Any *deletions* from the plan must be referenced in the cover letter.
  - (2) The actual pages of the plan that were changed or added. Each replacement or added page should be numbered and have an identification header in the upper right hand corner, including:
    - Name of LWDA;
    - Date of change; and
    - Applicable section of the plan.
  - (3) Planning Budget Summaries, as necessary. (Use the Planning Budget Summary from the Financial Reporting System.) If transferring funds between Adult and Dislocated Worker programs, be sure to include the justification for this transfer [*see 3(a)(11)*].
  - (4) An updated Table of Contents for the plan, if it is affected by the plan modification;
  - (5) A public notice, consistent with the “sunshine” provisions of WIOA sec. 107(e), concerning the plan modification and directing any comments to be sent to either the Board Chair, Board Director, and/or to DWD [*see address in 3(c)(1)*]. Public notices for plan modification disclosures can be published in newspapers, disclosed in open meetings of the Board or posted on the Board's website. Simply posting a notice in a public place (such as a local government building) does *not* fulfill the WIOA sunshine requirements. Proof of publication must be included in the plan modification package. This proof could include:
    - An insertion order/receipt from the publication;
    - A copy of the minutes of the Board meeting where the modification was discussed;
    - A newspaper tear sheet that includes the name and date of the publication; or
    - A screen shot of the Board's website showing the public notice and the date of publication.

- (6) The above public-notice procedure must ensure that the plan modification is available for public review and comment for a minimum of 30 calendar days prior to submission to DWD.
  - (7) Include any public comments that express disagreement with the modifications, per 20 CFR 679.550(b)(4), as proposed.
- (c) Plan modification procedure:
- (1) The original plan modification must be submitted via email to:  
  
Director of the Division of Workforce Development  
Attention: Planning and Research Section  
[DWDlocalplan@ded.mo.gov](mailto:DWDlocalplan@ded.mo.gov)
  - (2) A copy should be emailed to both Clinton Flowers, [clint.flowers@ded.mo.gov](mailto:clint.flowers@ded.mo.gov), and Debra Lee, [debra.lee@ded.mo.gov](mailto:debra.lee@ded.mo.gov).
  - (3) A plan modification should be published prior to submission to DWD.
  - (4) A complete plan modification submitted to DWD shall be approved or disapproved within 90 calendar days from the date received.
  - (5) An approved plan modification is effective either:
    - (A) 30 calendar days from the latest publishing date of the public notice(s); or
    - (B) 30 calendar days from the date a complete plan modification is received for review, whichever is later.
  - (6) If changes are made to the original plan modification, including the Table of Contents, send a finalized electronic document to both Clinton Flowers and Debra Lee. The Board will receive approval of the plan via letter to the Board, the CEO, and Board Chair with an email copy to the Board Director. Approved plan modifications should be posted on the Board's website with the Board's original plans.

4. Action: This policy is effective June 22, 2016. Plan modifications filed on or after the effective date should follow the above procedures. Distribute this information to the CEO and all appropriate Board staff.
5. Contact: Direct questions or comments regarding this Issuance to Clinton Flowers, Planning and Research Manager, at (573) 526-8261, [clint.flowers@ded.mo.gov](mailto:clint.flowers@ded.mo.gov), or Debra Lee, Lead Planner, at (573) 751-7822, [debra.lee@ded.mo.gov](mailto:debra.lee@ded.mo.gov).
6. Reference: Code of Federal Regulations, Title 20 (rules as proposed):
- §679.550, Development of Local Plans;
  - §679.570, Review of Local Plans;
  - 679.580, Modifying Local Plans;
  - §678.300(c) and (d), One-Stop Delivery System;

<https://www.gpo.gov/fdsys/pkg/FR-2015-04-16/pdf/2015-05530.pdf>

Public Law 113-128:

- WIOA Section 106—Workforce Development Areas
- WIOA Section 107—Local Boards
- WIOA Section 108—Local Plan

<https://www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf>

DWD – Current Issuances Library

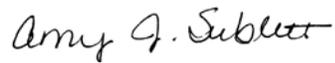
<https://jobs.mo.gov/dwdissuances>

- DWD Issuance 08-2015: Transfer Amount Allowable between Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Programs' Funding Streams  
[https://jobs.mo.gov/sites/jobs/files/dwdissuance08-2015\\_100915.pdf](https://jobs.mo.gov/sites/jobs/files/dwdissuance08-2015_100915.pdf)
- DWD Issuance 12-2015: Memorandum of Understanding Guidelines for Local Workforce Development Boards.  
[https://jobs.mo.gov/sites/jobs/files/dwdissuance12-2015\\_12232015.pdf](https://jobs.mo.gov/sites/jobs/files/dwdissuance12-2015_12232015.pdf)
- DWD Issuance 14-2015: Planning Policy and Guidelines for Missouri Local Workforce Development Boards.  
[https://jobs.mo.gov/sites/jobs/files/dwdissuance14-2015\\_02162016.pdf](https://jobs.mo.gov/sites/jobs/files/dwdissuance14-2015_02162016.pdf)

7. Rescissions: None. (Previous policy on this subject was rescinded by DWD Issuance 14-2015, February 16, 2016.)

8. Attachments: None.

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Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.



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