

Workforce Investment Act (WIA) Youth Program Requirements PY09/PY10

REQUIRED PROGRAM COMPONENTS

Recruitment: The training provider is responsible for recruitment of eligible youth including advertising and development of related materials that include

- the EEO/ADA disclaimer “(Program partner/name) is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities, TDD NH 711” and
- logos of the NH Works and America’s Workforce Network.

Eligible Youth: All in-school youth clients to be served through these program funds must be

- Age 14 by April 1, 2009 and no older than age 21 at time of registration for PY09 or age 14 by April 1, 2010 and no older than age 21 at time of registration for PY10 for In-School Youth Programs; OR age 18 by April 1, 2009 and no older than age 21 at time of registration for PY09 or age 18 by April 1, 2010 and no older than age 21 at time for registration for PY10 for Out-of-School Youth Programs.
- A low-income individual as defined by the Workforce Investment Act: The term "low-income individual" means an individual whom—
 - A) receives, or is a member of a family that receives cash payments under a Federal, State or local-income-based public assistance program.
 - B) Received an income, or is a member of a family that received a total family income, for the 6- month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402) that, in relation to family size, does not exceed the higher of
 - 1) the poverty line, for an equivalent period; or
 - 2) 70 percent of the lower living standard income level, for an equivalent period;
 - C) is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
 - D) qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

- E) is a foster child on behalf of whom State or local government payments are made; or
- F) is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.

Income Guidelines are determined and issued each spring for the forthcoming year.

INCOME GUIDELINES FOR DETERMINING WIA ELIGIBILITY

Updated and Effective: April 30, 2008

Family Size	Balance of State (Non Metro) 6 months/1 year	Family Size	Hillsborough, Rockingham & Strafford counties (MSA) 6 months/1 year
1	\$5,200 / \$10,400	1	\$5,200 / \$10,400
2	7,447.50 / 14,895	2	8,439.50 / 16,879
3	10,223.50 / 20,447	3	11,588 / 23,176
4	12,126.50 / 25,235	4	14,302.50 / 28,605
5	14,891 / 29,782	5	16,879 / 33,758
6	17,412 / 34,824	6	19,739.50 / 39,476

For families larger than six persons, take the difference between the five and six person family income levels and add to the six-person family income level for each additional person in the family.

- An individual who is one or more of the following:
 - (A) Deficient in basic literacy skills.
 - (B) A school dropout.
 - (C) Homeless, a runaway, or a foster child.
 - (D) Pregnant or a parent.
 - (E) An offender.
 - (F) The sixth barrier is defined by the state.
 - For In-School Youth, it shall be youth at risk of dropping out of school per Jobs for America's Graduates' definition:
 - One or more years behind modal grade for one's age group, with particular emphasis on those two or more years behind modal grade.

- Below average academic test scores relative to students in his/her class with particular emphasis on those in the bottom 25% of the test score distribution.
- Above average number of absences during the past school year in comparison to other students in the school.
- Placed on probation, suspended from school or expelled from school one or more times during the past two years.
- Member of an economically disadvantaged family. Criteria for determining one's economic status is that used in local WIA programs.
- Lives with only one or neither of his/her natural parents.
- Mother has not graduated from high school.
- Closest friends have limited educational expectations, i.e. they do not expect to graduate from high school or have already dropped out of school.
- Substance abuse.
- For Out-of-School Youth, it shall be: Youth that have been unemployed six months out of the last two years.

In keeping with the US Department Vision, priority youth include those youth who are the neediest youth including

- Youth in Foster Care
 - Youth Aging out of foster care
 - Youth Offenders
 - Children of incarcerated parent(s)
 - Migrant youth
 - Youth with disabilities

Up to 2.5% of WIA Out-of-School Youth participants served by NH WIA youth programs may be individuals who do not meet the income criterion for eligible youth, provided that they are within one or more of the following categories:

- a) School dropout;
- b) Basic skills deficient;
- c) Are one or more grade levels below the grade level appropriate to the individual's age;
- d) Pregnant or parenting
- e) Possess one or more disabilities, including learning disabilities;
- f) Homeless or runaway;
- g) Offender;
- h) Face serious barriers to employment, which, for in-school youth, is defined as a student at-risk of dropping out of school; or, for an out-of-school youth, is defined as unemployed for six months out of the last two years. At-risk of dropping out of school is defined as:
 - Below average academic test scores relative to students in his/her class with particular emphasis on those in the bottom 25% of the test score distribution.

- Above average number of absences during the past school year in comparison to other students in the school.
- Placed on probation, suspended from school or expelled from school one or more times during the past two years.
- Lives with only one or neither of his/her natural parents.
- Mother has not graduated from high school.
- Closest friends have limited educational expectations, i.e. they do not expect to graduate from high school or have already dropped out of school.
- Substance Abuse

In spring 2009, contractor staff responsible for recruitment and eligibility certification must attend specific training sessions regarding WIA Youth components including eligibility and documentation requirements. Documentation of eligibility must include documents that establish both identify and employment eligibility; family size, selective service registration, economic eligibility, barrier, and administrative documents (grievance form, release of information, media release form, and proof of residency).

Assessment and Individual Service Strategy: Programs will provide an assessment of each youth's academic levels, skill levels, and service needs and develop an individual service strategy for each participant. Individuals may not be provided assessment or training services until certified eligible by the NH Department of Education.

For eligible youth under WIA Title I Youth, programs shall:

1. provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of such participant, except that a new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conducted pursuant to another education or training program;
2. develop service strategies for each participant that identify an age-appropriate career goal (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted. An exception exists in that a new service strategy for a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program; and
3. provide—
 - (i) preparation for post-secondary educational opportunities, in appropriate cases;

- (ii) strong linkages between academic and occupational learning;
- (iii) preparation for unsubsidized employment ; and
- (iv) in appropriate cases; and effective connections to intermediaries with strong links to-
 - (a) the job market; and
 - (b) local and regional employers.

Assessment occurs prior to delivery of training. If the student is re-entering a second year WIA Youth funded contract, an assessment is required for determining pre and post goals (academic, work readiness and/or occupational goals).

For consistency of goal standardization within New Hampshire, one of the following tools should be selected for each goal and the measures associated with that tool must be used:

Academic Goals:

- CASAS – Below score of 210; 5 point gain in math and reading; 210 or above; 3 point gain in math and reading per program year.
- Other nationally normed assessments on case by case basis (subject to DOE/Youth Council staff approval)

Work Readiness Goals:

- Attainment of pre-employment/work maturity competencies as determined by the CASAS
- WorkKeys system
- Other nationally normed assessments on case by case basis (subject to DOE/Youth Council staff approval)

Occupational Goals (required for all out-of-school youth programs)

- Group occupational skill attainment as outlined in proposal and approved
- Individualized occupational goals (i.e. Apprenticeship) through work-based learning/apprenticeship agreement
- Post-secondary education and/or advance training – through grades, certifications or similar measures to demonstrate attainment of occupational competencies or competencies leading to attainment of occupational skills.

WIA 10 Essential Program Elements: All proposals must make available the required ten program elements. This can be done either through the program itself or through program partners. Follow-up services are required; other services are based on the assessment and service strategy developed. Dropout Recovery/Out-of-school youth programs must provide occupational skill and work readiness training at minimum.

The WIA Ten (10) Essential Elements that need to be available to each participant are:

1. tutoring, study skills training, and instruction, leading to completion of secondary school, including dropout prevention strategies through a school-site mentor;
2. alternative secondary school services, with high academic standards, as appropriate;
3. summer employment opportunities that are directly linked to academic and occupational learning; (Although private sector summer employment is preferred, summer wages may be 100% subsidized with WIA youth funds; or 50% for public work experience; no stipends are permitted with WIA Youth funds);
4. as appropriate, paid and unpaid work and work-based learning experiences, that teach all aspects of the industry and general workplace competencies, including internships job shadowing, and school sponsored workplace mentoring; (please refer to www.dol.state.nh.us School to Work section for requirements for unpaid work experiences as well as youth labor laws.)
5. occupational skill training aligned with career majors/paths, as appropriate, including instruction in general workplace competencies and all aspects of industry; (All training providers for occupational training funded with WIA funds must be approved by the Postsecondary Education Commission or the appropriate licensing board in NH (i.e. Board of Nursing));
6. leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours, including linking youth and adult mentoring, as appropriate;
7. supportive services and transition links;
8. adult mentoring, including academic and workplace mentoring which links youth and adult learning, for the period of participation and a subsequent period, for a total of not less than 12 months;
9. follow up services for not less than 12 months after the completion of participation, as appropriate; including post-program placement;
10. comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, career awareness and exploration, as appropriate.

Minimum Programmatic Expectations:

In-School Youth Program:

Tutoring	1 class period per week
SYP	Minimum of 4 weeks/ 20 hours a week; 5 hours a week academic; 15 hours of work experience (1/2 credit)
Work Based Learning	60 hours outside of summer youth component
Occupational skill	As determined by credential/license

	requirements
Leadership	50 hours
Adult mentoring	Minimum 1.5 hours per month (18 hours year)
Follow-up	Minimum 2 hours per month (24 hours year)
Guidance and Counseling	One class period per week (36 weeks) in addition to summer youth needs
Total	Minimum of 1 credit for school year instruction and 1/2 credit for summer component instruction

Out-of-School Youth Programs

Element	RFP Recommendation Minimum Standards for WIA Youth Funds
Tutoring, Study Skills Training and Instruction	Incorporate within Alternative secondary school services
Alternative secondary school services	Same as GED programs (15 hours week)
Work Based Learning	140 hours
Occupational skill	As determined by credential/license requirements
Leadership	50 hours
Mentoring	Minimum 1.5 hours per month (18 hours year)
Follow-Up	Minimum 2 hours per month (24 hours year)
Guidance and Counseling	1 hour per week
Total	Minimum 30 hours a week to comply with NHEP requirements for training

Services to Youth at NH WORKS Centers: Programs awarded under this RFP are expected to be aware of and work with services available at NH WORKS Centers.

- WIA Services for Youth at NH WORKS Centers:
 - The WIA Title I Adult/Dislocated Worker program staff at the NH WORKS Centers provides the intake and referral function for 18-21 year olds interested in WIA youth and adult/dislocated worker services. The WIA Title I Adult/Dislocated Worker program staff have a regular presence in all of the centers and will assist all 18-21 year olds in accessing the appropriate youth or adult services
 - Written materials will be provided from youth programs to the NH WORKS Center staff annually for WIA youth programs in their geographic area for referral purposes.
 - WIA out-of-school (OSY) youth program providers must make presentations to all of the NH WORKS Center teams in their area

during the OSY program recruitment period (within 90 days after OSY provider annual program start date) for referral purposes.

- Youth 17 or younger have access to self-referral and informational core services at the NH WORKS Centers provided and paid for by New Hampshire Employment Services. Referrals can be made to Adult Basic Education for GED or work on a high school diploma, to NH Community Technical Colleges for skill training (a PELL grant may help pay for training), to New Hampshire Employment Services for help seeking a job, to Group Training funded by WIA Title I Youth, and/or to an agency that can better serve the individual (TANF, Vocational Rehabilitation, etc.).
- Youth 18 and older may receive NH WORKS informational and self-directed core services available to all adults at the NH WORKS Centers. In addition, youth 18 and older will be eligible for other core services and intensive services at the NH WORKS Center. Finally, youth 18 and older can be referred to the WIA Title I Adult/Dislocated Worker program to determine eligibility for training services and individual training accounts.
- A minimum of one person per contractor funded site will serve as a WIA Youth representative to specific committee(s) in the community including 1) NH Works quarterly meetings and 2) local Youth Vision team, an interagency youth committee focused on resolving the gaps and addressing needs for local area's neediest youth.

Performance Accountability: The performance measures for WIA Title I Youth Programming in New Hampshire are found in Attachment A. Levels of performance will be negotiated between the state and the US Department of Labor and minimum levels will be passed on to contractors. Any revised measures will also be passed on to contractors. As required within the Workforce Investment Act, provider and State of New Hampshire must achieve the performance standards for consideration of funding continuity.

Co-Enrollment Performance Measures - 18-21 year olds being served with adult funding may choose to be co-enrolled in a youth funded activity; or an 18-21 year old being served with youth funding may choose to be co-enrolled in an adult funded activity, providing adequate funding is available to support the co-enrollment activities chosen. Co-enrolled 18-21 year olds will be reported out in both the Adult and appropriate Youth performance measures. In the case of co-enrolled youth each partner (i.e., DOE and WIA Title I Adult and Dislocated Worker subrecipient/contractor) will equally be responsible for ensuring that both the adult and youth performance measures are met. DOE will work with the WIA Title I Adult and Dislocated Worker subrecipient/contractor according to the MOU establishing operating policy as it relates to this relationship. The goals for the performance measures for adults and dislocated workers will be shared with youth contractors once they are established.

See Attachment A for how all of the performance measures are calculated.

Information and referrals: Each participant or applicant who meets the minimum income criteria and possesses one of the identified barriers will be considered an eligible youth and shall be provided--

- Information on the full array of applicable or appropriate services that are available through other providers or one-stop partners including those receiving funds under WIA Title I.
- Referral to appropriate training and educational programs that have the capacity to serve the participant or applicant either on a sequential or concurrent basis.

Each eligible provider of a program of youth activities shall ensure that an eligible applicant who does not meet the enrollment requirements of the particular program or who cannot be served shall be referred for further assessment, as necessary, and referred to appropriate programs to meet the basic skills and training needs of the applicant.

Reporting Requirements: Required reports submitted to NH Department of Education include:

- Ongoing Programmatic Reports: Client Applications, Client Notes, Assessment, Individual Service Strategies, Placement, Follow-up, and Case management data within the computerized E-Teams system
- Monthly Attendance Reports
- Monthly Financial Reports
- Semi-annual Success Stories/Press Releases
- Final Cumulative Program Year Reports that includes: Number of People Served, Services Provided, Outcomes Achieved, Weaknesses and Strengths of Services and Placement Status of those completing the contract.
- Equal Opportunity Self-Assessment Review
- Any complaints, written or verbal, need to be communicated in writing to the Department of Education.
- Program Income Reports if applicable; (Program income is defined in 29 CFR 97.25(b) as “the gross income received by the subrecipient directly generated by a grant-support activity or earned only as a result of the grant agreement during the grant period. Program income inclusions may include: fee for services, user or rental fees, sale of products, revenues in excess of expenditures, interest income.

Report forms and formats will be provided by the NH Department of Education at the required May trainings. Many of these reports and data requirements will be submitted through an electronic web-based system requiring computer internet access.

Involvement in design and implementation: Parents, participants, and other members of the community with experience relating to programs for youth should be involved in the design and implementation of the program.

Technical assistance is provided upon request, as part of quarterly compliance reviews, and through voluntary monthly WIA Youth Director Meetings usually held the last Wednesday of the month in Concord.

Additional WIA and effective program information: More information about the Workforce Investment Act and effective youth programs can be found at the following websites:

- Workforce Investment Act (www.doleta.gov/usworkforce)
- National Youth Employment Coalition and the Promising and Effective Practices Network or "PEPNet" (www.nyec.org)
- John J. Heldrich Center for Workforce Development (www.heldrich.rutgers.edu/youth)
- Sar Levitan Center for Social Policy Studies (www.levitan.org)
- American Youth Policy Forum (www.aypf.org)
- U.S. Department of Labor/Employment and Training Administration (www.doleta.gov)

DEFINITIONS

Basic skills deficient: Deficient in basic literacy skills is defined as an individual who computes or solves problems, reads, writes or speaks English at or below grade level 8.9; or is unable to compute or solve problems, read, write or speak English at a level necessary to function on the job, in the individual's family or in society

Case management: The term "case management" means the provision of a client-centered approach in the delivery of services, designed—

- A) to prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and
- B) To provide job and career counseling during program participation and after job placement.

Community-based organization: The term "community-based organization" means a private nonprofit organization that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce investment.

Follow up: Follow-up services for youth may include leadership development and supportive service activities; regular contact with a youth participant's employer, including assistance in addressing work-related problems that may arise; assistance in securing better paying jobs, career development and further education; work-related peer support groups; adult mentoring; and tracking the progress of youth in employment after training.

Leadership development opportunities are opportunities that encourage responsibility, employability, and other positive social behaviors such as exposure to postsecondary educational opportunities; community and service learning projects; peer-centered activities, including peer mentoring and tutoring; organizational and team work training, including team leadership training; training in decision-making, including determining priorities; and citizenship training, including life skills training such as parenting, work behavior training, and budgeting of resources.

Lower living standard income level: The term "lower living standard income level" means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary based on the most recent lower living family budget issued by the Secretary.

Low-income individual: The term "low-income individual" means an individual whom—

- receives, or is a member of a family that receives cash payments under a Federal, State or local-income-based public assistance program.
- Received an income, or is a member of a family that received a total family income, for the 6- month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402) that, in relation to family size, does not exceed the higher of
 - the poverty line, for an equivalent period; or
 - 70 percent of the lower living standard income level, for an equivalent period;
- is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
- qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);
- is a foster child on behalf of whom State or local government payments are made; or
- is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.

Nontraditional employment: The term "nontraditional employment" refers to occupations or fields of work for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.

Offender: The term "offender" means any adult or juvenile—

- A) who is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; or
- B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Out-of-school youth: The term "out-of-school youth" means--

- (A) an eligible youth who is a school dropout; or
- (B) an eligible youth that has received a secondary school diploma or its equivalent but is basic skills deficient, unemployed, or underemployed.

Participant: The term "participant" means an individual who has been determined to be eligible to participate in and who is receiving services (except follow up services authorized under this title) under a program authorized by this title. Participation shall be deemed to commence on the first day, following determination of eligibility, on which the individual begins assessment services.

School dropout: The term "school dropout" means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

Supportive services: Supportive services for youth may include the following: linkages to community services, assistance with transportation, assistance with child care and dependent care, assistance with housing, referrals to medical services, and assistance with uniforms or other appropriate work attire and work-related tools, including such items as eye glasses and protective eye gear, that are necessary to enable an individual to participate in activities authorized under this Request for Proposal.

Tuition: Tuition is defined as charges for training or education provided by an institution of higher education (as defined in section 1201 (a) of the Higher Education Act of 1965, or a proprietary institution of higher education (or defined in Section 481 (b) of such Act). The following conditions must be met regarding tuition charges:

- a) Tuition is charged to the general public to receive the same training, and it must be commercially available *and* off-the shelf.
- b) The costs/charges are not more than the educational institution's catalogue price. The charges as well as the packages/courses must be published/advertised through catalogues, brochures or other promotional materials that evidences the packages/courses are commercially available. Copies of the published prices and description for the package/courses must be submitted with the proposal.
- c) Performance criteria, content, grade requirements (credits if applicable, knowledge skills and competencies are the same for all participants, not just WIA participants.
- d) The packages/courses must be commercially available, regularly sold, and accessed in sufficient quantities by populations other than WIA prior to it being submitted as a part of funding through this RFP.

Wage records: In measuring the progress of performance measures, the NH Department of Education/Workforce Opportunity Council, Inc./Youth Council shall utilize quarterly wage records, consistent with State law.

Work experience: Funds may be used to pay wages and related benefits for work experiences in the public, private, for-profit or non-profit sectors where the objective assessment and individual service strategy indicate that work experiences are appropriate. Subsidized employment must be paid at minimum wage. Stipends are not allowed.

Work experiences are planned, structured learning experiences that take place in a workplace for a limited period of time; work experiences may be paid or unpaid. Work experience workplaces may be in the private for-profit sector, the non-profit sector, or the public sector.

Work experiences are designed to enable youth to gain exposure to the working world and its requirements. Work experiences are appropriate and desirable activities for many youth throughout the year. Work experiences should help

youth acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. The purpose is to provide the youth participant with the opportunities for career exploration and skill development and is not to benefit the employer, although the employer may, in fact, benefit from the activities performed by the youth.

Work experiences may be subsidized or unsubsidized and may include the following elements:

- a. Instruction in employability skills or generic workplace skills such as those identified by the Secretary's Commission on Achieving Necessary Skills (SCANS);
- b. Exposure to various aspects of an industry;
- c. Progressively more complex tasks;
- d. Internships and job shadowing;
- e. The integration of basic academic skills into work activities;
- f. Supported work, work adjustment, and other transition activities;
- g. Entrepreneurship;
- h. Service learning;
- i. Paid and unpaid community service; and
- j. Other elements designed to achieve the goals of work experiences.

Documentation of performance outcomes: New Hampshire will use supplemental data, when allowable, to establish performance. The use of this data will conform to the requirements of TEGL 7-99 and other US DOL requirements for the use of supplemental data. All data and methods to supplement wage record data must be documented and are subject to audit. Examples of acceptable documentation include:

- a. Computer records from automated record matching
- b. W2 forms, pay stubs, 1099 forms, or other written documentation
- c. Employer-signed letters, memos, or other forms of documentation
- d. Written documentation from major clients/contracting entities of self-employed individuals

TERMS AND CONDITIONS

- The State shall not be responsible for nor pay for any costs incurred by the bidder in the preparation of the proposal submitted in response to this RFP.
- The NH Department of Education/Workforce Opportunity Council, Inc./Youth Council reserves the right to seek clarification of any information contained in a proposal submitted in response to this RFP or hold discussions, but is not obligated to do so.
- The NH Department of Education/Workforce Opportunity Council, Inc./Youth Council reserves the right to reject any and all proposals submitted in response to this RFP. In addition, the distribution of this RFP shall not commit the State to issue a contract.
- The state shall not be responsible for any work performed by the successful bidder prior to the effective date of a contract.
- All obligations of the State, including the continuance of payments under an approved contract, shall be contingent upon the availability and continued appropriation of state, federal or other funds, and in no event shall the State be liable for any payments in excess of such available appropriated funds. In the event of reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate or amend the contract immediately upon giving the contractor notice of such termination or amendment.
- When delivering services under an approved contract, the contractor shall work under the broad supervision of the Department's Administrator for this project.
- NH Department of Education/Youth Council/Workforce Opportunity Council reserves the right to negotiate a best and final offer with all proposes that are selected for contract awards.
- Cost Reimbursement: Awardees of this proposal will be funded on a cost reimbursement basis or tuition basis. Payment, upon receipt of invoice, will be made in advance of each month of the contract year. Each advance payment will be based on an itemized estimate of expenditures for the coming payment period. Each advanced payment request, except the first request, will include an itemized listing of expenses incurred during the previous period. Ten percent of the contract price will be withheld until the submission of all reports and the satisfactory completion of all contract requirements.
- Confidentiality: In carrying out the requirements of this Award of this Request for Proposal, the State shall comply with section 444 of the General

Education Provisions Act (20 U.S.C. 1232g) (as added by the Family Educational Rights and Privacy Act of 1974).

- Prohibition against federal control of education: No provision of this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution, school, or school system.
- Non-duplication: All of the funds made available under the award of this RFP shall be used in accordance with the requirements of WIA Title I. None of the funds made available under the award of this RFP may be used to provide funding under the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.) or to carry out, through programs funded under this Act, activities that were funded under the School-to-Work Opportunities Act of 1994, unless the programs funded under this Act serve only those participants eligible to participate in the programs under WIA Title I.
- Noninterference and non-replacement of regular academic requirements: No funds awarded through this RFP may be used to provide an activity for eligible youth who are not school dropouts if participation in the activity would interfere with or replace the regular academic requirements of the youth.
- Providers have until September 30, 2009 to meet their PY09 youth enrollment goals and September 30, 2010 to meet their PY10 enrollment goals. If they have not met 90% of their enrollment by this time, renegotiation of the contract award amount may be required. Funds recaptured through this provision could be directed to programs that have exceeded their enrollment goals and exhibit need for additional funds to serve additional youth. It is expected that programs will be fully enrolled by July 1 of each respective program year so that all students may participate in full year's program.