

**Nevada Department of Employment, Training and Rehabilitation
(DETR)
Workforce Innovation and Opportunity Act of 2014
State Compliance Policy (SCP)**

Policy Number: 5.9

Originating Office: DETR; Workforce Innovation Support Services (WISS)

Subject: State Compliance Policy Creation and Update Procedure

Approved: April 21, 2016 by the Governors Workforce Development Board (GWDB); Updated non-substantive changes March 15, 2023.

Purpose: To transmit the procedure for updating State Compliance Policy (SCP) and the use of Technical Assistance Guides (TAGs) as it relates to the Workforce Innovation and Opportunity Act (WIOA). This policy is intended to facilitate timely SCP updates.

State Imposed Requirements: This directive may contains some state-imposed requirements. These requirements are printed in **bold, italic type**.

Authorities/References: Workforce Innovation and Opportunity Act (P.L. 113-134), NPRM 20 CFR, State Compliance Policies (2015).

ACTION REQUIRED:

Upon issuance bring this guidance to the attention of all WIOA service providers, Local Workforce Development Board (LWDB) Board members and any other concerned parties. Any local boards' policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background: WIOA is designed to improve workforce investment activities services of the State and local workforce development systems. By increasing the employment, retention and earnings of participants, assisting in the attainment of recognize postsecondary credentials, and improving the quality of the workforce participants will obtain economic self-sufficiency and employers will gain a more competent workforce.

Program regulations for WIOA are contained in the Code of Federal Regulations at 20 CFR. Changes to regulations such as interpretations of Federal laws, procedural, administrative, management, and program direction are published in the Federal Register and require mandatory compliance on the published effective date. Additionally the Employment and Training Administration (ETA) Advisory system disseminates changes, updates and clarifications to existing legislation and regulations through Training Employment Notices (TEN) and Training & Employment Guidance Letters (TEGL) which are also mandatory program requirements. The changes contained in these documents are required to be incorporated into the appropriate Nevada State Compliance Policy (SCP).

Policy and Procedure:

SCP will be written in accordance with the criteria established in WIOA, **NPRM**, final regulations, and as clarified by Training and Employment Guidance Letters (TEGL), Training and Employment Notice (TEN) and Veteran Program Letters (VPL). State policy may then narrow the policy in this guidance should there be a need as it related to Nevada's unique needs. In the occurrence of State requirements, additional or otherwise, these items are printed in ***bold*** and ***italicized***.

Prior to submission of new policies to the ~~State Workforce Development Board (State Board)~~ **GWDB** for review and **possible** approval, each ~~Local Workforce Development Board (Local Board)~~ **LWDB** will have the opportunity for review. This review will allow for comments to be submitted in writing for consideration by **the State WISS** before final action.

Changes to policy initiated either by State staff or Local boards must be approved by the ~~State Board~~ **GWDB**.

Non-substantive changes do not require ~~State Board~~ **GWDB** approval and are defined later in this policy under definitions.

Mandatory substantive changes required by Federal program regulation published in the Code of Federal Regulations or documented in either TEN, TEGL or VPL are automatically incorporated into the SCP and will be forwarded for review to LWDB's and approval to the ~~GWDB approval by the State Board~~ **GWDB**. WISS staff will prepare updated SCP and back-up documentation which will be included as an informational item in the ~~State Board~~ **GWDB** meeting.

Technical Assistance Guides (TAGs) will be issued to clarify statewide procedures, WIOA Reporting, Performance, Management Information System (MIS) and other clarifications as necessary and do not require **GWDB or LWDB approval**.

Definitions:

Federal Changes to Notices: Changes to an advisory are issued as a change to the original document and located in the same year as the original document. The Advisory and all changes to it are found under the year in which it was first issued. This may be Program Year or Fiscal Year.

Federal level changes: Changes the federal government mandates.

Non-substantive Changes: Non substantive changes are defined as administrative corrections or adjustments originating from the State that are considered not to impact the content or the law as intended.

State Requirements: Policy the state of Nevada proposes/mandates, including procedural changes including WIOA training, reporting, performance, Federal policy clarification and updates.

Strategic Plan Based Changes: Changes necessary to achieve goals of the ~~State Board~~ **GWDB** (e.g. strategic plan, branding, integration).

Substantive Changes: Substantive changes are defined as any modification that impact the content or definition of a SCP and requires ~~GWDB Board~~ **GWDB** approval.

Technical Assistance Guides: Clarify statewide procedures, WIOA Reporting, Performance, Management Information System (MIS) and other clarifications as necessary. These are issued to the Local Board for comment period prior to posting on the DETR site.

Training and Employment Guidance Letters (TEGLs): Are used to transmit policy and operational guidance to the Workforce Investment Act WIOA state and local workforce systems. Issued by Program Year (July 1 - June 30). Reviewed to determine necessary updates to State Compliance Policy SCP.

Training and Employment Notices (TENS): Are used to communicate announcements of meetings, publications, or general information. Issued by Program Year (July 1 - June 30). Reviewed to determine necessary updates to SCP State Policy.

Veteran Program Letter (VPL): To provide guidance to states and Department of Labor (DOL) Veterans' Employment and Training Service (VETS) field staff on changes to the Department of Veterans Affairs Vocational Rehabilitation and Employment (VA/VR&E) joint national agreement to coordinate services for veterans enrolled in VA's Chapter 31 program.

Additional Information

Approved SCP are posted to the Governor's Office of Workforce Innovation (GOWINN) website at the following location.

<http://gov.nv.gov/OWINN/GWDB/Policies/WIOA-StateCompliancePolicies/>

<https://gowinn.nv.gov/GWDB/Policies/WIOA-StateCompliancePolicies/>

TAG's are posted to the DETR web site at the following location.

http://detr.state.nv.us/workforce_investment_pages/Technical_Assistance_Guides.htm

[Technical Assistance Guides - Nevada Department of Employment, Training and Rehabilitation \(nv.gov\)](http://nv.gov)