

# South Dakota WIOA Combined State Plan

Under the **Workforce Innovation and Opportunity Act (WIOA)**, the Governor of each State must submit a Unified or Combined State Plan to the Secretary of the U.S. Department of Labor that outlines a four-year strategy for the State’s workforce development system. The publicly funded workforce development system is a national network of Federal, State, regional, and local agencies and organizations that provide a range of employment, education, training, and related services and supports to help all job-seekers secure good jobs while providing businesses with the skilled workers they need to compete in the global economy. States must have approved Unified or Combined State Plans in place to receive funding for core programs. WIOA reforms planning requirements, previously governed by the Workforce Investment Act of 1998 (WIA), to foster better alignment of Federal investments in job training, to integrate service delivery across programs and improve efficiency in service delivery, and to ensure that the workforce system is job-driven and matches employers with skilled individuals. One of WIOA’s principal areas of reform is to require States to plan across core programs and include this planning process in the Unified or Combined State Plans. This reform promotes a shared understanding of the workforce needs within each State and fosters development of more comprehensive and integrated approaches, such as career pathways and sector strategies, for addressing the needs of businesses and workers. Successful implementation of many of these approaches called for within WIOA requires robust relationships across programs. WIOA requires States and local areas to enhance coordination and partnerships with local entities and supportive service agencies for strengthened service delivery, including through Unified or Combined State Plans.

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### Formatting Key:

#### I. SECTION HEADING

**Sub Section Heading.** *Narrative requirements.*

(1) **Additional Sub Section Heading**

(A) **Narrative Heading.** *Narrative requirements.*

(i) **Additional Narrative Heading.** *Additional narrative requirements.*

#### South Dakota Heading

South Dakota narrative and **narrative emphasis** [reference](#)

## I. EXECUTIVE SUMMARY

Thank you for reviewing South Dakota’s first combined WIOA State Plan. A theme you will notice throughout the plan is that **partnerships** work in South Dakota. Our largest challenges are not a result from a lack of collaboration, rather the capacity that comes from being a small, minimally funded state. We are small, but mighty; wise stewards of the taxpayer’s dollar and leave a lasting impact.

The One-Stop System in South Dakota is comprised of a partnership between the Department of Labor and Regulation (DLR), Department of Human Services (DHS), Black Hills Special Services Cooperative, U.S. Forest System, Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Sisseton-Wahpeton Oyate Sioux Tribe, Yankton Sioux Tribe, Board of Technical Education, Department of Education (DOE), Department of Social Services (DSS), and the National Indian Council on Aging (NICOA). As a single-area state, the Workforce Development Council (WDC) convenes and guides this partnership. This partnership is established through a **Memorandum of Understanding (MOU) Between the WDC and One-Stop Partners**. The agreement outlines the vision, system structure, operating budget, confidentiality, accessibility, non-discrimination and equal opportunity, indemnification, dispute resolution, modification process, and effective period. The MOU can be found in Appendix 2.

In 2022, DLR hosted the first ever **Workforce Innovation and Opportunity Act (WIOA) Partner Symposium**. This now annual event brings together representatives from WIOA core programs, required partners, and continues to expand to include others impacted by the workforce system in South Dakota including K-12 education, corrections, and the business community. During the 2022 symposium, attendees learned about changes in the South Dakota labor market, embracing technology, and creative recruitment and retention solutions from area employers. In 2023, attendees learned about the importance of digital inclusion and how workforce partners can collaborate to create meaningful change in the lives of our customers. Information gathered during both events have helped to create this plan and the goals through June 2028. In 2024, we will partner with the Governor’s Office of Economic Development to host this event alongside the state’s 2nd annual Broadband Summit, which includes Digital Equity Efforts, and their annual economic development conference. During this gathering, we will review the goals and strategies set forth in this plan and evaluate our progress knowing priorities need continuous adjustments.

South Dakota has deviated from previous state plans and is including both the Jobs for Veterans Services Grant and the Senior Community Services Employment Program in this document to create our first Combined State Plan. With DLR serving as the administrative entity for both programs, they are well integrated into other workforce programs making this a seamless transition.

## II. STRATEGIC ELEMENTS

(a) **Economic, Workforce, and Workforce Development Activities Analysis.** *The Unified or Combined State Plan must include an analysis of the economic conditions, economic development strategies, and labor market in which the State’s workforce system and programs will operate.*

(1) **Economic and Workforce Analysis**

(A) **Economic Analysis.** *The Unified or Combined State Plan must include an analysis of the economic conditions and trends in the State, including sub-State regions and any specific economic areas identified by the State. This must include—*

(i) **Existing Demand Industry Sectors and Occupations.** *Provide an analysis of the industries and occupations for which there is existing demand.*

### Existing Demand Industry Sectors and Occupations

Tabulations by industry and occupation of jobs advertised online for the prior six months (February 2023 through July 2023) were used as an indicator of existing demand. Based on this metric, the South Dakota industries with the greatest existing demand for workers are: Health Care and Social Assistance; Retail Trade; Manufacturing; Educational Services; Wholesale Trade; Administrative and Support and Waste Management and Remediation Services; Public Administration; and Professional, Scientific, and Technical Services. Each of these sectors individually accounted for more than 5% of total openings listed online and accounted for more than 75% of job openings when combined.

South Dakota Industries with Greatest Existing Demand in Last Six Months		
Industry	Number of Job Openings	Percent of Total Openings
Health Care and Social Assistance	18,769	27.0%
Retail Trade	7,295	10.5%
Manufacturing	7,016	10.1%
Educational Services	5,083	7.3%
Wholesale Trade	4,330	6.2%
Administrative and Support and Waste Management and Remediation Services	3,836	5.5%
Public Administration	3,562	5.1%
Professional, Scientific, and Technical Services	3,443	5.0%
<i>Source: Job openings advertised online from February 2023 through July 2023, extracted from the virtual labor market data system August 23, 2023. Labor Market Information Center, South Dakota Department of Labor and Regulation.</i>		

Tabulations of job openings data by major occupational group for the same time period indicate the types of occupations with the greatest existing demand are: Healthcare Practitioners and Technical; Management; Transportation and Material Moving; Office and Administrative Support; Sales and Related; Production; Installation, Maintenance, and Repair; and Healthcare Support. Each of these groups accounted for more than 5% of total openings by occupational group for the prior six months. Combined, they accounted for 70% of the job openings.

South Dakota Occupational Groups with Greatest Existing Demand in Last Six Months		
Occupation	Number of Job Openings	Percent of Total Openings
Healthcare Practitioners and Technical Occupations	17,846	21.4%
Management Occupations	7,733	9.3%
Transportation and Material Moving Occupations	6,678	8.0%
Office and Administrative Support Occupations	6,262	7.5%
Sales and Related Occupations	5,414	6.5%
Production Occupations	5,411	6.5%
Installation, Maintenance, and Repair Occupations	4,722	5.7%
Healthcare Support Occupations	4,486	5.4%
<i>Source: Job openings advertised online from February 2023 through July 2023, extracted from the virtual labor market data system August 23, 2023. Labor Market Information Center, South Dakota Department of Labor and Regulation.</i>		

Within the **Healthcare Practitioners and Technical** group, the top five specific occupations with the most existing demand based on the online-advertised job openings data were: Registered Nurses; Licensed Practical and Licensed Vocational Nurses; Physicians, All Other; Physical Therapists and Patient Representatives. There were more than 7,300 openings for RNs alone, and more than 2,100 openings for LPNs.

Within **Management**, the top five occupations with the most existing demand were: General and Operations Managers; All Other Managers; Sales Managers; Construction Managers; and Medical and Health Services Managers. Combined, these five occupations accounted for over half the openings in this group.

The top five **Transportation and Material Moving** occupations with the most existing demand were: Heavy and Tractor-Trailer Truck Drivers; Hand Laborers and Freight, Stock and Material Movers; Stockers and Order Fillers; Driver/Sales Workers; and Light Truck Drivers. Each of these occupations accounted for 5% or more of total openings within the group.

Among **Office and Administrative Support** occupations, the following five occupations have the most existing demand: Customer Service Representatives; Executive Secretaries and Executive Administrative Assistants; Bookkeeping, Accounting and Auditing Clerks; Tellers; and Receptionists and Information Clerks. Customer Service Representatives alone accounted for more than 20% of openings in the group.

The five **Sales and Related** occupations with the greatest existing demand are Retail Salespersons; First-Line Supervisors of Retail Sales Workers; Cashiers; Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products; and Sales Representatives, Wholesale and Manufacturing, Technical and Scientific Products. Combined, these five occupations accounted for just under 75% of all openings in this group.

Within the **Production** group, the occupations with the greatest existing demand based on online-advertised job openings data for the last six months were All Other Production Workers; Welders, Cutters, Solderers and Brazers; First-Line Supervisors of Production and Operating Workers; Helpers--Production Workers; and Laundry and Dry-Cleaning Workers. Each of these occupations accounts for 5% or more of openings within the group.

The top five **Installation, Maintenance and Repair** occupations with the greatest existing demand are Bus and Truck Mechanics and Diesel Engine Specialists; Heating, Air Conditioning and Refrigeration Mechanics and Installers; Automotive Service Technicians and Mechanics; General Maintenance and Repair Workers; and Control and Valve Installers and Repairers, Except Mechanical Door.

Among **Healthcare Support** occupations, the five with the greatest existing demand are Nursing Assistants; Personal Care Aides; Medical Assistants; Home Health Aides; and Dental Assistants. The Nursing Assistant occupation accounted for just under half of all openings in the whole group.

- (ii) **Emerging Demand Industry Sectors and Occupations.** Provide an analysis of the industries and occupations for which demand is emerging.

Although demand projections are not completed by industry, South Dakota employment projections for the 2020 to 2030 period show the total number of workers in South Dakota is projected to increase by 41,121 or 8.5% (0.85% annually) from 2020 to 2030, reaching 525,014 by 2030. Following a recovery from the COVID-19 pandemic that was faster and more robust than in many states, several factors will continue to be at play for expected prosperity in the future. These include consumer demand, population growth, the needs of an aging population and technological advances.

As shown in the table below, the South Dakota projections include three categories of workers.

<b>South Dakota Wage and Salaried Workers by Industry Division 2020 to 2030</b>				
<b>Industry Title</b>	<b>2020 Workers</b>	<b>2030 Workers</b>	<b>Actual Change</b>	<b>Percent Growth</b>
Total, All Industry Divisions	483,893	525,014	41,121	8.5%
Non-agricultural Self-employed and Unpaid Family Workers	26,458	28,013	1,555	5.9%
Agriculture, Forestry, Fishing and Hunting (Farm Employment)	32,529	34,424	1,895	5.8%
Nonfarm Wage and Salaried Workers (excludes Self-employed and Unpaid Family Workers)	424,906	462,577	37,671	8.9%

*Source: Labor Market Information Center, South Dakota Department of Labor and Regulation, August 2022.*

The Nonfarm Wage and Salaried Workers category consists of only those wage and salaried workers who are covered under the South Dakota Reemployment Assistance program (unemployment insurance) and those who work for non-profit organizations, such as private colleges and religious organizations. Nonfarm Wage and Salaried Workers compose the major element (87.8%) of South Dakota’s labor force. This group is also projected to have the highest growth rate to 2030, at 8.9%.

Another important element of South Dakota’s labor force is Agriculture, Forestry, Fishing and Hunting (farm employment). This category is expected to grow slightly from 32,529 to 34,424 (5.8%) by 2030. In the past, according to the U.S. Bureau of Economic Analysis (BEA), farm employment in South Dakota decreased by 5,688 workers (15%) from 2000 to 2010. More recently, decreases in farm employment have tapered off, and the need for workers is increasing. Farm employment from 2010 to 2020 increased by 186 workers (0.6%).

The final component of the labor force in South Dakota is the Non-agricultural Self-employed and Unpaid Family Workers category. According to BLS (Current Population Survey and American Time Use Survey), self-employed persons are individuals who work for profit or fees in their own business, profession, trade or farm. This smallest portion (5.5%) of South Dakota’s labor force is expected to have a growth rate of 5.9% (0.59% annually) in the coming decade.

Using South Dakota employment projections at the three-digit North American Industry Classification System (NAICS) level (sub-sector level) shows the following 10 industries are expected to have the greatest actual growth by 2030.

South Dakota Industry Employment Projections 2020-2030 Top Ten in Actual Growth				
Industry Title	2020 Workers	2030 Workers	Actual Change	Percent Growth
Food Services and Drinking Places	27,751	31,820	4,069	14.7%
Hospitals	28,255	32,213	3,958	14.0%
Professional, Scientific, and Technical Services	14,868	17,623	2,755	18.5%
Ambulatory Health Care Services	17,901	20,478	2,577	14.4%
Educational Services	37,346	39,415	2,069	5.5%
Accommodation, including Hotels and Motels	7,080	8,726	1,646	23.2%
Administrative and Support Services	11,848	13,389	1,541	13.0%
Specialty Trade Contractors	13,989	15,239	1,250	8.9%
Food Manufacturing	10,821	12,033	1,212	11.2%
Local Government, Excluding Education and Hospitals	21,920	23,117	1,197	5.5%
Notes:				
Data is preliminary and subject to revision.				
Data for industries with 2020 employment less than 500 not included in the calculations. The calculations are based on actual change. Data presented for industries will not sum to totals due to non-publishable data for additional industries being included in totals.				
<a href="#">Industry Codes and Industry Titles are based largely on the North American Industry Classification System (NAICS). Click here for descriptions of NAICS codes.</a>				
Source: Labor Market Information Center, South Dakota Department of Labor and Regulation, August 2023.				

The **Food Services and Drinking Places** subsector is projected to add the most workers (4,069) in South Dakota to 2030 (14.7% growth). Businesses in this subsector prepare meals, snacks and beverages to customer order for immediate on-premises or off-premises consumption. There is a wide range of establishment types in this subsector. This subsector's employment projection is reflecting more recovery from the pandemic than actual growth. The base year (2020) data reflects lower employment levels due to the shutdowns which occurred in the second quarter of 2020 when the COVID-19 pandemic's effects hit South Dakota the hardest. The pandemic hit the food service industry harder than most due to the fact it relies on human-to-human interactions, which came nearly to a stop for a period in South Dakota.

The **Hospitals** subsector is projected to increase by 3,958 workers (14.0%) over the next 10 years in South Dakota. This subsector is comprised of establishments providing medical, diagnostic and treatment services and other specialized accommodations by inpatients. Hospitals may also provide outpatient services as a secondary activity. Several factors are contributing to a continued uptrend in Hospitals. The population in South Dakota continues to age, which drives the demand for healthcare services. According to five-year estimates from the U.S Census Bureau\*, South Dakota's population 65 and older increased 16.9% from 2015 to 2020. A rise in the number of citizens with chronic illnesses will also contribute to an increased demand for workers in this industry.

South Dakota's **Professional, Scientific and Technical Services** subsector is projected to add 2,755 workers (18.5%) over the next decade. This subsector is comprised of establishments making available the knowledge and skills of their employees, often on an assignment basis, where an individual or team is responsible for the delivery of services to the client. The individual industries of this subsector are defined by the particular expertise and training of the service provider. Technological advancements continue to help businesses gain a competitive edge and reduce costs through automation, therefore driving demand in this subsector. The demand for consultants and experts in this subsector with unique, highly advanced knowledge and skill sets will remain high. As just one example, large retail stores are replacing cashiers with automation, many contracting with companies in this subsector for the technical expertise needed to navigate the transition.

The number of workers in **South Dakota's Ambulatory Health Care Services** subsector is projected to increase by 2,577 workers (14.4%) over the next 10 years. This subsector is comprised of entities providing health care services directly or indirectly to ambulatory patients. Inpatient services are not usually included. Five of the seven more detailed, four-digit industries in this sector are expected to have double-digit employment gains over the next 10 years.

The demands of an aging population will continue to raise the number of workers needed. According to the U.S Census Bureau\*, South Dakota had 125,613 people who were 65 or older in 2015, compared to 146,831 in the age group by 2020. With an aging population typically comes an increase in chronic illness and other age-related problems such as diabetes, cardiovascular disease and dementia. According to the American Heart Association, as many as half of all people over 65 in the United States have prediabetes, and many people with type 1 and type 2 diabetes are unaware of their condition.

The **Educational Services** subsector is projected to add 2,069 workers (5.5%) in South Dakota to 2030. Industries in this subsector provide instruction and training in a wide variety of subjects. Included are schools, colleges, universities and training centers. Employment in Educational Services has remained relatively steady; however, there was an anomaly in the second quarter 2020 data due to the COVID-19 shutdowns. Comparing the last three years of annual data for this industry from the Quarterly Census of Employment and Wages program shows about 36,180 workers in 2019, 34,600 workers in 2020, and 35,460 workers in 2021. The pandemic forced schools to provide education virtually with about the same level of educator employment; however, workers providing support activities such as food service, transportation and extracurricular activities associated with in-session school were temporarily dropped from payrolls in many cases.

In South Dakota, the number of workers employed in the **Accommodation, including Hotels and Motels** subsector is projected to increase by 1,646 workers (23.2%) from 2020 to 2030. Businesses in this subsector provide lodging or short-term accommodations for travelers, vacationers and others. Some provide lodging only, while others also provide meals, laundry services and recreational facilities.

The projections for this subsector are essentially showing continued recovery rather than true growth. Like many service-related industries, the shutdowns caused by the pandemic negatively impacted the number of workers temporarily in South Dakota during 2020. Hotels not only in South Dakota but nationwide faced hard times after the pandemic struck in 2020, with travel nearly grinding to a halt to curb the spread of COVID-19. In South Dakota, the shutdowns were more isolated to the second quarter of the year. By 2021, this subsector was getting back to normal in South Dakota and thrived as travel resumed.

According to the South Dakota Department of Tourism's 2020 Annual Report, the 2020 visitor and visitor spending results were significantly impacted by the pandemic. Both the limitations and restrictions to mobility and economic disruption of the pandemic hit travel-reliant businesses hard. But they strongly rebounded in 2021. According to the 2021 Tourism annual report, key metrics like room revenues hit peaks in the summer months, registering 30% higher than what had ever been reported in the state previously. Sales tax collections in tourism-influenced industries like restaurants and gasoline stations affirmed the explosion of visitor activity the state saw in 2021.

The number of workers employed in South Dakota's **Administrative and Support Services** subsector is projected to increase by 1,541 workers (13%) to 2030. Businesses included in this subsector are engaged in activities supporting the day-to-day operations of other organizations. The processes provided by this sector are often integral parts of the activities of establishments found in all sectors of the economy. At the four-digit level, Office Administrative Services, Facilities Support Services, Employment Services, and Services to Buildings and Dwellings all are expected to have double digit growth over the next 10 years. As the economy recovers to previous levels and workers are welcomed back to their offices, the demand for administrative and support services will continue to increase. Businesses that shut down and reopened have a greater awareness of cleanliness and a greater need to employ support staff to take on the additional responsibilities. In many cases, those businesses contract with establishments in this subsector for those services.

The **Specialty Trade Contractors** subsector is projected to add 1,250 workers (8.9%) in South Dakota over the next decade. Businesses in this subsector perform specific activities (such as site preparation, concrete pouring, plumbing, painting and electrical work) involved in building construction or other similar activities for all types of construction but are not responsible for an entire construction project. The work performed by specialty trade contractors is usually subcontracted from a general contractor type or for-sale builder. But specialty trade contractors may also work directly for the owner of the property; this is especially true in the case of repair work and minor remodeling projects.

The demand for home improvements has risen substantially the past few years, in part due to the transition for many to working from home. The pandemic intensified this trend, often out of necessity. Housed under this subsector are Building Foundation and Exterior Contractors, Building Equipment Contractors, Building Finishing Contractors, and Other Specialty Trade Contractors. According to the City of Sioux Falls as referenced in their 2021 annual report, although impacting overall spending in the prior year, COVID-19 did not dampen building activity and investment within the city. Building upon 2020's momentum, 2021 was another record-setting year, with the valuation of building permits eclipsing the 1 billion mark (1.1 billion) for the first time in the city's history.

The **Food Manufacturing** subsector is projected to add 1,212 workers (11.2%) over the next 10 years in South Dakota. This subsector consists of entities which transform livestock and agricultural products into products for intermediate or final consumption. The industry groups are distinguished by the raw materials (generally of animal or vegetable origin) processed into food products. Entities included in this subsector transform livestock and agricultural products into products for intermediate or final consumption. The industry groups are distinguished by the raw materials (generally of animal or vegetable origin) processed into food products. The driving force behind this subsector is consumer demand. South Dakota's population has been increasing, and the "open for business" mentality during and following the pandemic attracted many to South Dakota for a lower cost of living and policies geared toward fiscal responsibility. According to five-year estimates from the U.S Census Bureau\*, South Dakota's population was 843,190 in 2015; by 2020, it grew to 879,336, reflecting growth of 4.3% or 36,146 residents. Within this subsector, Other Food Manufacturing, Animal Slaughtering and Processing, Dairy Product Manufacturing, and Animal Food Manufacturing are expected to have respectable growth, driving the subsector's overall growth.

The number of workers employed in South Dakota's **Local Government, Excluding Education and Hospitals** subsector is projected to increase by 1,197 (5.5%) from 2020 to 2030. The subsector does not include local government employees who work in education or hospitals; those employees are instead included in their respective industry classifications. Local government is the public management of districts, counties or cities. These government entities work together to satisfy the needs of the administration for their geographic area. Local government includes numerous and various lines of work, but worker levels are driven by population, funding and public service needs. When there is an expected rise in population, there is a correlated increase in the demand for public services.

At the occupational level, projections are developed for not only employment but for demand as well. Expressed in terms of average annual openings projected, the annual demand estimates include the following components:

- Openings created through employment growth in the occupation (the change from 2020 to 2030, averaged over the years in the projections period)
- Openings created by workers who leave the labor force entirely (for such reasons as retirement or death)
- Openings created by workers who leave one occupation for another one

The table below shows the 10 occupations with the greatest projected annual demand to 2030 in South Dakota.

<b>South Dakota Occupations with Greatest Projected Annual Demand 2020 to 2030</b>				
<b>Occupational Title</b>	<b>2020 Employment</b>	<b>2030 Employment</b>	<b>Change 2020 to</b>	<b>Annual Demand</b>
<b>Total, All Occupations</b>	<b>483,893</b>	<b>525,014</b>	<b>41,121</b>	<b>59,880</b>
Fast Food and Counter Workers	12,000	13,531	1,531	2,741
Retail Salespersons	13,369	14,297	928	2,009
Cashiers	10,920	11,083	163	2,005
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	9,068	10,071	1,003	1,368
Stockers and Order Fillers	7,682	8,663	981	1,360
Waiters and Waitresses	5,727	6,568	841	1,269
Bookkeeping, Accounting, and Auditing Clerks	10,877	11,026	149	1,216
Customer Service Representatives	8,715	8,921	206	1,128
Heavy and Tractor-Trailer Truck Drivers	7,700	8,392	692	945
Registered Nurses	13,436	15,046	1,610	899

*Source: Labor Market Information Center, South Dakota Department of Labor and Regulation, August 2023.*

For WIOA-funded and other workforce development programs, the South Dakota Department of Labor and Regulation uses an even more comprehensive data set to determine the feasibility of programs for occupational preparation. To help ensure funded programs and projects prepare participants for occupations with a positive return on investment, both projected demand and average wages are considered. To that end, Hot Careers are identified. Hot Careers must meet the following criteria:

1. Have positive projected percent change in employment 2020-2030.
2. Have projected annual openings (a measure of demand for workers) greater than the average across all occupations (83) for 2020-2030.
3. Have an average/mean wage greater than the median wage across all occupations. The median wage in 2021 was \$37,708 when these designations were originally done. The median wage in 2022 (with data becoming available in June 2022) is \$39,870. All Hot Careers and Top 30 occupations still meet the wage criteria using the 2022 wage data.

There are 69 occupations which meet the above criteria. Additionally, DLR identified the Top 30 Careers, those 30 Hot Careers with the greatest projected demand. The table below shows the employment and demand projections data along with the wage data for the 69 Hot Careers. The first 30 occupations listed are the Top 30 careers, which are highlighted.

South Dakota Hot Careers (High Projected Demand and High Wages)				
Occupational Title	2020 Employment	2030 Employment	Average Annual Demand	2022 Annual Average Wage
Heavy and Tractor-Trailer Truck Drivers	7,700	8,392	945	\$52,070
Registered Nurses	13,436	15,046	899	\$64,500
Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products	5,309	5,903	604	\$74,070
Carpenters	5,652	6,126	586	\$42,060
Accountants and Auditors	5,228	5,801	538	\$72,990
First-Line Supervisors of Retail Sales Workers	4,065	4,343	468	\$55,180
Light Truck or Delivery Services Drivers	3,425	3,789	429	\$42,440
General and Operations Managers	3,940	4,399	387	\$139,030
Management Analysts	3,289	3,739	360	\$86,120
Maintenance and Repair Workers, General	3,267	3,624	358	\$42,420
Welders, Cutters, Solderers, and Brazers	2,612	3,016	336	\$44,350
Elementary School Teachers, Except Special Education	4,184	4,454	333	\$48,390
Electricians	2,495	2,835	307	\$54,170
Software Developers and Software Quality Assurance Analysts and Testers	2,649	3,440	299	See below.
Software Developers				\$85,080
Software Quality Assurance Analysts and Testers				\$61,630
Software Developers and Software Quality Assurance Analysts and Testers	2,649	3,440	299	\$61,630
Insurance Sales Agents	2,694	3,014	287	\$72,670
Clergy	2,308	2,500	257	\$47,780
Automotive Service Technicians and Mechanics	2,343	2,493	251	\$47,440
Operating Engineers and Other Construction Equipment Operators	2,123	2,314	251	\$50,810
Secondary School Teachers, Except Special and Career/Technical Education	3,147	3,353	239	\$49,190
Industrial Truck and Tractor Operators	1,864	2,088	234	\$41,740
Parts Salespersons	1,599	1,759	215	\$42,270
Highway Maintenance Workers	1,870	1,961	204	\$42,040
Plumbers, Pipefitters, and Steamfitters	1,754	1,924	203	\$51,890
First-Line Supervisors of Construction Trades and Extraction Workers	1,817	2,013	198	\$70,270
Food Service Managers	1,471	1,675	194	\$58,730
Coating, Painting, and Spraying Machine Setters, Operators, and Tenders	1,596	1,815	191	\$44,380
Coaches and Scouts	1,175	1,308	183	\$45,790
Loan Interviewers and Clerks	1,955	2,026	181	\$41,520
Loan Officers	2,069	2,241	180	\$78,580
Child, Family, and School Social Workers	1,772	1,877	176	\$46,710
Licensed Practical and Licensed Vocational Nurses	2,046	2,193	175	\$46,000
First-Line Supervisors of Office and Administrative Support Workers	1,741	1,760	174	\$55,170
Cement Masons and Concrete Finishers	1,730	1,830	170	\$41,050
Sales Representatives, Wholesale and Manufacturing, Technical and Scientific Products	1,481	1,659	170	\$114,350
First-Line Supervisors of Production and Operating Workers	1,425	1,586	162	\$66,280
Police and Sheriff's Patrol Officers	1,940	2,038	161	\$54,130
Middle School Teachers, Except Special and Career/Technical Education	1,959	2,086	156	\$49,230
Substance Abuse, Behavioral Disorder, and Mental Health Counselors	1,412	1,595	156	\$48,160
Network and Computer Systems Administrators	1,937	2,118	148	\$73,220
First-Line Supervisors of Transportation & Material Moving Workers, Except Aircraft Cargo Handling Supervisor	1,227	1,339	147	\$63,480
Market Research Analysts and Marketing Specialists	1,084	1,363	146	\$62,560
Correctional Officers and Jailers	1,481	1,544	145	\$43,110
Industrial Machinery Mechanics	1,119	1,452	142	\$54,820
Heating, Air Conditioning, and Refrigeration Mechanics and Installers	1,283	1,405	138	\$55,650
Farm Equipment Mechanics and Service Technicians	1,147	1,313	137	\$56,100
Project Management Specialists and Business Operations Specialists	1,599	1,695	129	See below.
Project Management Specialists				\$74,310
Business Operations Specialists, All Other				\$76,200
Property, Real Estate, and Community Association Managers	1,453	1,581	128	\$50,220
Human Resources Specialists	1,148	1,277	127	\$62,390
Computer User Support Specialists	1,498	1,596	121	\$45,500
Structural Iron and Steel Workers	952	1,100	119	\$48,910
Dental Assistants	860	970	117	\$43,790
Civil Engineers	1,264	1,472	116	\$86,710
Bus and Truck Mechanics and Diesel Engine Specialists	1,080	1,176	112	\$53,870
First-Line Supervisors of Mechanics, Installers, and Repairers	1,097	1,192	111	\$75,000
Clinical Laboratory Technologists and Technicians	1,325	1,485	104	\$52,640
Medical Dosimetrists, Medical Records Specialists, and Health Technologists and Technicians, All Other	1,263	1,377	104	\$57,680
Pesticide Handlers, Sprayers, and Applicators, Vegetation	699	769	102	\$41,370
Machinists	805	921	100	\$46,030
Painters, Construction and Maintenance	1,020	1,109	100	\$41,520
Cutting and Slicing Machine Setters, Operators, and Tenders	812	819	99	\$44,080
First-Line Supervisors of Housekeeping and Janitorial Workers	752	841	98	\$42,300
Medical and Health Services Managers	864	1,083	96	\$118,840
First-Line Supervisors of Non-Retail Sales Workers	959	1,030	95	\$102,270
Compliance Officers	1,086	1,158	94	\$65,900
Automotive Body and Related Repairers	881	959	92	\$52,660
Chief Executives	1,299	1,328	92	\$334,240
Soil and Plant Scientists	666	797	90	\$64,310
First-Line Supervisors of Farming, Fishing, and Forestry Workers	551	612	87	\$59,320
Radiologic Technologists	973	1,098	84	\$58,900

Source: Labor Market Information Center, South Dakota Department of Labor and Regulation, August 2023.

- (iii) **Employers' Employment Needs.** *With regard to the industry sectors and occupations identified in (A)(i) and (ii), provide an assessment of the employment needs of employers, including a description of the knowledge, skills, and abilities required, including credentials and licenses.*

Looking at **employers' needs** related to the existing demand covered in item I above, the following job skills were most often mentioned in job openings advertised online within the prior six months:

- Customer service (referenced in 25,166 openings)
- Welding (mentioned in 2,791 openings)
- Preventative maintenance (mentioned in 2,063 openings)
- Inventory control (mentioned in 1,563 openings)
- Food preparation (mentioned in 1,548 openings)

**Tools and technology** most often mentioned in job openings advertised online for the same period were:

- Microsoft (MS) Office (8,207 openings)
- Forklift (4,840 openings)
- Personal protective equipment (2,928 openings)
- Motor vehicles (2,644 openings)
- Cash Register (2,368 openings)

Advertised **job certifications** most frequently mentioned in job openings advertised online for the prior six months were:

- Registered Nurse (RN) (9,346 openings)
- Commercial Drivers License (CDL) (6,139 openings)
- Licensed Practical Nurse (LPN) (3,703 openings)
- Certification in Cardiopulmonary Resuscitation (CPR) (3,602 openings)
- Certified Nursing Assistant (CNA) (3,545 openings)

To delve more deeply into employers' employment needs (knowledge, skills and abilities and licensing/certification requirements of occupations) in emerging demand industry sectors and occupations, Occupational Profiles were developed for each of the 69 Hot Careers. Each Occupational Profile, available from the link below, provides detailed information on the occupation such as knowledge, skill and ability requirements (from O\*Net Online) as well as licensing or certification requirements specific to South Dakota. The Profiles are available from [https://dlr.sd.gov/lmic/hot\\_careers\\_occupational\\_profiles.aspx](https://dlr.sd.gov/lmic/hot_careers_occupational_profiles.aspx). Furthermore, the most current information available on employer needs and worker supply is available at any point in time within the virtual labor market data system, through links to each Hot Career listed at [https://dlr.sd.gov/lmic/hot\\_careers\\_virtual\\_lmd\\_links.aspx](https://dlr.sd.gov/lmic/hot_careers_virtual_lmd_links.aspx). On the page [https://dlr.sd.gov/lmic/hot\\_careers\\_current\\_openings.aspx](https://dlr.sd.gov/lmic/hot_careers_current_openings.aspx), each Hot Career is also linked directly to current job openings in the virtual system, where information is included on job requirements.

- (B) **Workforce Analysis.** *The Unified or Combined State Plan must include an analysis of the current workforce in the State and within various state regions. Provide key analytical conclusions in aggregate as well as disaggregated among populations to identify potential disparities in employment and educational attainment and understand labor force conditions for items (i)-(iii) below. Populations analyzed must include individuals with barriers to employment described in the first paragraph of Section II. Analysis must include—*

- (i) **Employment and Unemployment.** *Provide an analysis of current employment and unemployment data, including labor force participation rates, and trends in the State.*

Current Population Survey (CPS) figures from the Bureau of Labor Statistics show South Dakota's labor force participation rate was 68.2% in 2022. This compares to a 2022 national average of 62.2%. Historically, South Dakota consistently has higher rates of labor force participation than the nation. South Dakota's participation rate of 68.2% was the third-highest rate of all states and the District of Columbia.

South Dakota's labor force continues to grow, indicating a healthy labor market. The number of unemployed began to increase in March 2016 and continued this movement until October of 2017 when it began to decrease for the next eleven months. Another upward trend began in November of 2018, which continued until September 2019. In 2020 unemployment had stabilized until the COVID pandemic hit South Dakota's economy in April sending the number of

unemployed to unprecedented levels. South Dakota was quick to recover after the initial shock of COVID and by the end of 2020 the number of unemployed was close to pre-pandemic levels. Unemployment levels have continued to remain low since 2020 which has made it difficult for employers to fill open positions.

The unemployed includes more than those who have lost a job. It includes those who have quit their jobs to look for other employment, workers whose temporary jobs have ended, individuals looking for their first job, and experienced workers looking for jobs after an absence from the labor force (for example, stay-at-home parents who return to the labor force after their children have entered school). The level of employed also took a big hit in April of 2020 when the pandemic began but by the end of 2020 the number of employed South Dakotans exceeded 2019 levels and continued increasing throughout 2021. Employed persons decreased slightly from May 2022 to September 2022 but has since recovered and continued to increase through the end of the year.

The 2022 annual unemployment rate was 2.1% in South Dakota, compared to the national rate of 3.6%. South Dakota's unemployment rate peaked at of 5.0% in 2010 following the 2008-2009 recession and remained low through the March of 2020. After the unemployment rate spiked to 8.8% in April 2020, due to the COVID pandemic, it declined rapidly and was back to 3.5% in December 2020. By the end of 2021 the unemployment rate was 2.1% the rate remained steady throughout 2022.

During Program Year 2022, 243 veterans received services from a Disabled Veterans' Outreach Program (DVOP) Specialists or a Consolidated Position (CP) through the Jobs for Veterans State Grant (JVSG). Of these 243, two received basic career services, 235 received individualized career services, and six received training services. During the same program year, 92 veterans were served by non-JVSG staff. Section 3(63) of WIOA contains the veteran-related definitions, including the definition of "veteran" found in [38 U.S.C. Section 101](#).

Military veterans, another important demographic group in South Dakota, totaled 56,600 according to the 2022 American Community Survey 1-year estimates. Of the 56,600 veterans in the state, 89.9% are white and 2.2% are Hispanic or other. Males account for 87.6% while females account for 12.4%. Among South Dakota veterans 45.3% percent are in the 35 to 64 age group. These veterans are well educated with nearly 26.7% having a bachelor's degree or higher. The unemployment rate for veterans in 2022 for those 18 to 64 years of age was 4.0% percent, which is 1.3% higher than State's unemployment rate of 2.7%.

(ii) **Labor Market Trends.** *Provide an analysis of key labor market trends, including across existing industries and occupations.*

Existing industry and occupational trends were addressed to some degree above in section a1Ai, because current (or recent) employment levels provide the base for employment and demand projections. For a more complete look at existing industry trends, data from the Quarterly Census of Employment and Wages (QCEW) is a good source. The table below shows South Dakota employment levels by industry for 2022 with a comparison to 2021.

<b>South Dakota Employment by Industry 2022</b>			
	<b>2021</b>	<b>2022</b>	<b>Percent Change 2021-2022</b>
<b>Private Ownership</b>			
Natural Resources and Mining	7,342	7,869	7.2%
Construction	25,128	26,143	4.0%
Manufacturing	43,812	45,101	2.9%
Trade, Transportation and Utilities	86,076	88,353	2.6%
Information	5,060	5,233	3.4%
Financial Activities	27,686	27,536	-0.5%
Professional and Business Services	34,604	36,807	6.4%
Education and Health Services	69,978	71,045	1.5%
Leisure and Hospitality	45,633	48,216	5.7%
Other Services	11,557	12,228	5.8%
<b>Total Private Ownership</b>	<b>356,876</b>	<b>368,532</b>	<b>3.3%</b>
<b>Public Administration</b>			
Federal Government	11,455	11,205	-2.2%
State Government	14,372	14,331	-0.3%
Local Government	48,109	49,125	2.1%
Total Government	73,936	74,661	1.0%
Statewide Total	430,812	443,194	2.9%
<i>Source: Quarterly Census of Employment and Wages, Labor Market Information Center, South Dakota Department of Labor and Regulation, in cooperation with U.S. Bureau of Labor Statistics</i>			

We will highlight the following industries since they showed the most actual growth in employment over the last year.

- Leisure and Hospitality
- Trade, Transportation and Utilities
- Professional and Business Services
- Manufacturing

The **Leisure and Hospitality Services** super sector gained nearly 2,600 workers from 2021 to 2022 with a growth rate of 5.7%. The lion's share of growth was in the Accommodation and Food Service sector, which gained 2,239 workers (5.8%) in 2022 for an annual average of 40,944. The sector has fully recovered from the COVID-19 pandemic with worker levels reaching a high previously set in 2019. Specifically, the growth was concentrated in Food Services and Drinking Places. Full-service restaurants continue to expand and open, requiring additional workers on a yearly basis. Limited-service restaurants are edging forward as well. Consumers relish stores that offer specialized sandwiches, bagels, coffees and ice creams for eating pleasure. Special Food Services and Drinking Places also had positive employment change in 2022. Consumers' busy lifestyles continue to contribute to growth in this subsector, as they take advantage of the convenience of having others prepare and in some cases serve their meals, snacks and beverages. Tourism is also a significant element of this subsector's growth, with staffing ramp-ups to accommodate patrons, especially during the summer months.

Employment in the **Trade, Transportation and Utilities** super sector grew by nearly 2,300 during 2022, 2.6%. Not surprisingly, the largest sector, Retail Trade, contributed the most to this growth, adding 1,245 from 2021 to 2022. Gains in Retail Trade are related to population growth and increases in demand. As cities around the state expand, so does the need for additional establishments in Retail Trade to meet residents' demand. From online shopping with delivery or pick-up options or strolling the aisles of a store, there is an option for everyone. While most of the services started due to public health reasons in 2020, many have continued and expanded due to convenience. The options for shopping are endless, and this sector will continue to evolve along with technology advancements.

Utilities had minimal growth during 2022, with Wholesale Trade contributing 491 workers (2.3% growth) and Transportation and Warehousing adding 413 workers (3.7% growth) in this super sector. The growth in Wholesale Trade was concentrated solely in Merchant Wholesalers of Durable Goods such as construction equipment, farm machinery, furniture, computer equipment, jewelry and household appliances. Gains were spread throughout many of the industries as establishments grew their workforce in order to keep up with demand.

Warehousing and Storage establishments (like refrigerated warehousing, grain elevators, lumber storage terminals, bulk petroleum storage and general warehousing and storage) accounted for the majority of growth in Transportation and Warehousing. Establishments in this subsector include. Gains in this subsector are related to businesses building their workforce in order to keep up with demand.

The super sector with the third greatest growth from 2021 to 2022 (and having the second greatest percentage growth) was **Professional and Business Services**. Employment increased by more than 2,200, 6.5%. This super sector is comprised of three sectors:

- Professional, Scientific and Technical Services
- Management of Companies
- Administrative and Support and Waste Management and Remediation Services

The distinguishing feature of Professional, Scientific and Technical Services is the fact that most of the industries grouped in it have production procedures that are almost solely dependent on worker skills. In most of these industries, equipment and materials are not of major importance, unlike health care, for example, where "high tech" machines and materials are important collaborating inputs to labor skills in the production of health care. Thus, the establishments classified in this subsector sell expertise. Much of the expertise requires degrees, though not in every case.

The main drivers of growth were the Architectural, Engineering, and Related Services, Computer Systems Design and Related Services and Management, Scientific and Technical Consulting Services industry groups. South Dakota has continued to see a sharp increase in the number of establishments in these specific industries since the COVID-19 pandemic. With the switch to teleworking and technology driven workplaces, there has been an increase in demand for performing duties as either engineers, architects, custom computer programmers, software developers, management consultants or marketing consultants. Most of these companies are small-scale as they hire only one or a few workers. Business management and consulting continue to increase, largely due to the changes in business operations. Business problems can be complex, and consultants are professional experts who provide solutions and strategies to improve the financial and operational health of an organization. Recommendations by these professionals are backed by large amounts of research and data.

The Management of Companies and Enterprises sector is comprised of establishments that either hold the securities of companies and enterprises for the purpose of owning a controlling interest or administer, oversee and manage establishments of the company. Primary duties of employees in this industry include influencing management decisions and undertaking the strategic or organizational planning and decision-making within the company. Essential activities of these establishments are often performed in house. By consolidating the performance of these business activities at one establishment, economies of scale are achieved.

The Administrative and Support and Waste Management and Remediation Services sector has continued to recover from worker loss in 2020 due to the COVID-19 pandemic and has surpassed its employment peak of 14,100 in 2007. Just over 93% of employment in this industry belongs to the Administration and Support Services (NAICS 561) subsector. Employment Services was responsible for almost all of the employment growth in the sector. An increased number of employment placement agencies and temporary help services establishments in South Dakota has led to employment growth in this industry group. Establishments are utilizing staffing agencies to supplement their employment rosters. This has become a successful recruiting tool as staffing firms sort through applicants, identifying the best possible candidates to make the right hire.

**Manufacturing** employment in South Dakota increased by nearly 1,300 during 2022. Manufacturing sectors with the most significant growth were:

- Transportation Equipment Manufacturing: 330 workers (9.6%)
- Fabricated Metal Product Manufacturing: 308 workers (8.2%)
- Miscellaneous Manufacturing: 242 workers (5.1%)
- Computer and Electronic Product Manufacturing: 207 workers (9.8%)
- Food Manufacturing: 104 workers (1.0%)

(iii) **Education and Skill Levels of the Workforce.** Provide an analysis of the educational and skill levels of the workforce.

As shown in the table below, South Dakota is well educated, with the largest portion having a bachelor’s degree or higher. Unemployment rates by educational attainment level indicate the highest unemployment rates in South Dakota correlate with residents who have an educational attainment level of ‘less than a high school diploma’ (8.4%). In contrast, the lowest unemployment rates are for those residents who have an educational attainment level of ‘Bachelor’s degree and higher’ (0.5 %). Higher levels of educational attainment also correlate with higher earnings levels.

South Dakota Employment Status of the Civilian Population							
25 Years and Over by Educational Attainment							
	Population*	Civilian Labor Force		Employment		Unemployment	
		Total	Rate	Total	Rate	Total	Rate
Less than a High school diploma	25,300	14,500	57.5%	13,300	52.6%	1,200	8.4%
High school graduates, no college 1	173,700	111,400	64.2%	109,300	62.9%	2,100	1.9%
Some college or associate degree	193,000	136,500	70.7%	134,500	69.7%	1,900	1.4%
Bachelor's degree and higher 2	204,200	154,700	75.8%	153,900	75.4%	900	0.5%
1 Includes persons with a high school diploma or equivalent							
2 Includes person with bachelor's, master's, professional and doctoral degrees							
*Non-institutionalized population.							
Note: Subject to high rates of variability; January 2022 - December 2022 reference period.							
Source: Special tabulations of unpublished Current Population Survey (CPS), U.S. Bureau of Labor Statistics							

As the following table shows, there is a strong correlation between the level of earnings and educational level. Median earnings of South Dakotans increase along with the level of education received. It clearly pays to stay in school, with earnings increasing by \$8,146 or 26.7% a year for having a high school diploma or equivalency. The value of completing high school is even greater for females, with median earnings nearly 40% more for those who graduated high school or completed an equivalency than those who did not.

Percentage-wise, the bump in earnings is especially noteworthy at the graduate or professional degree level, with earnings being nearly 30% higher than earnings of those with a bachelor’s degree. The jump is even greater for females, at 31.8%.

South Dakota Median Earnings by Educational Level						
(of population 25 years and older in the past 12 months, in 2022 inflation-adjusted dollars)						
	Total	Percent Increase Over Prior Level	Male	Percent Increase Over Prior Level	Female	Percent Increase Over Prior Level
Total population 25 years and over with earnings	\$45,902		\$51,980		\$40,443	
Less than high school graduate	\$30,523		\$32,728		\$22,462	
High school graduate (includes equivalency)	\$38,669	26.7%	\$42,193	28.9%	\$31,409	39.8%
Some college or associate's degree	\$45,237	17.0%	\$52,366	24.1%	\$36,809	17.2%
Bachelor's degree	\$52,325	15.7%	\$62,017	18.4%	\$47,123	28.0%
Graduate or professional degree	\$67,981	29.9%	\$78,289	26.2%	\$62,107	31.8%

American Community Survey one-year estimates for 2022, U.S. Census Bureau

Occupational employment and demand projections were tabulated by level of education recommended for individual occupations for analysis of future educational needs of South Dakotans. The table shows the greatest demand will continue to be in lower-skilled occupations for which minimal education is required. But better-paying jobs with more desirable working conditions (work settings, hours, etc.) and the offering of benefits will be in demand as well—and will offer greater opportunities for a sustainable lifestyle.

South Dakota Occupational Employment and Demand Projections 2020-2030						
Summed by Level of Education Recommended						
South Dakota Educational Category	Number of Workers in 2020	2020 Workers in Category as a Percent of Total Workers	Number of Workers in 2030	2030 Workers in Category as a Percent of Total Workers	Total Annual Openings	Total Openings in Category as a Percent of Total Workers
<b>Total, all occupations</b>	<b>483,893</b>	<b>100.0%</b>	<b>525,014</b>	<b>100.0%</b>	<b>59,880</b>	<b>100.0%</b>
Less than high school	113,118	23.4%	123,712	23.6%	19,200	32.1%
High school diploma or equivalent	192,255	39.7%	203,846	38.8%	23,084	38.6%
<b>Sum of high school or less</b>	<b>305,373</b>	<b>63.1%</b>	<b>327,558</b>	<b>62.4%</b>	<b>42,284</b>	<b>70.6%</b>
Some postsecondary education	60,671	12.5%	66,484	12.7%	6,806	11.4%
Associate degree	15,500	3.2%	17,444	3.3%	1,565	2.6%
Bachelor's degree	85,863	17.7%	94,976	18.1%	7,918	13.3%
Master's degree	6,846	1.4%	7,909	1.5%	649	1.1%
Doctoral or professional degree	9,640	2.0%	10,643	2.0%	618	1.1%
<b>Sum of bachelor's degree or higher</b>	<b>102,349</b>	<b>21.2%</b>	<b>113,528</b>	<b>21.6%</b>	<b>9,185</b>	<b>15.4%</b>
<b>Sum of education beyond high school</b>	<b>178,520</b>	<b>36.9%</b>	<b>197,456</b>	<b>37.6%</b>	<b>17,556</b>	<b>29.4%</b>

Source: South Dakota 2020 to 2030 occupational employment and demand projections, with data for detailed occupations summed by level of education recommended, Labor Market Information Center, South Dakota Department of Labor and Regulation, September 2023.

- (iv) **Comparison of Economic and Workforce Analytical Conclusion.** Describe areas of opportunity for meeting hiring, education, and skills needs identified in the economy compared to the assets available in the labor force in the state.

The continuation of educational and training programs concentrated on specific in-demand career fields (including those identified above as Hot Careers) will continue to be vital to South Dakota's economic success. The recent expansion of South Dakota's successful apprenticeship programs through Start Today (including Registered Apprenticeships) will be more important than ever in helping prepare South Dakotans with the education and skill sets needed for those high demand-high wage occupations.

South Dakota's successful Freedom Works Here workforce recruitment campaign also poises the state well to meet the education and skill needs of the state's employers.

- (2) **Workforce Development, Education and Training Activities Analysis.** *The Unified or Combined State Plan must include an analysis of the workforce development activities, including education and training in the State, to address the education and skill needs of the workforce, as identified in (a)(1)(B)(iii) above, and the employment needs of employers, as identified in (a)(1)(A)(iii) above.*

*This must include an analysis of—*

- (A) **The State's Workforce Development Activities.** *Provide an analysis of the State's workforce development activities, including education and training activities of the core programs, Combined State Plan partner programs included in this plan, and required<sup>4</sup> and optional one-stop delivery system partners.<sup>5</sup>*

Education and training activities provided by the partners is summarized in the [One-Stop Partner Programs and Services for Individuals Form 3](#) provided to all Wagner-Peyser participants during their orientation and intake to the One-Stop System.

- **WIOA Title I Adult, Dislocated Worker, and Youth** programs offer Occupational Skills Training (OST) with an approved provider on the **Eligible Training Provider List (ETPL)** in a program of study that can be completed in two years, On-the-Job Training (OJT), Registered Apprenticeship programs with U.S. DOL, Secondary Education through WIOA Title II Adult Education and Literacy or through the K-12 public school system. These programs also offer Work Experience, mock interviews, leadership development opportunities, job shadows, digital literacy skills development, financial literacy, soft skills training, and National Career Readiness Certificates (NCRC). Title I is administered by DLR with services offered through DLR staff in Job Service Offices.
- **WIOA Title II AEL** programs in South Dakota offer classes including literacy and numeracy development, workforce preparation, integrated education and training, high school equivalency test preparation, English Language acquisition, family literacy, basic skills assessment, and integrated English literacy and civics education. Title II is administered by DLR with services offered through provider agreements.
- **WIOA Title III Wagner-Peyser** offers basic career services specifically to include job search workshops offered through a state funded partnership with area providers, WorkKeys® Curriculum Assessment, on-line Alison courses, resume development, and self-driven digital literacy courses. Title III is administered by DLR with services offered through DLR staff in Job Service Offices.
- **WIOA Title IV Vocational Rehabilitation** offers situational assessments, vocational counseling, paid work experiences, tuition assistance for post-secondary education, Social Security Administration benefits guidance, assistive technology, transition services for young adults, disability specific services, job placement services, job coaching, supported employment services, and post-employment services. Title IV is administered by DHS with services offered by DHS and through provider agreements.
- **Boxelder Job Corps** located in Nemo, South Dakota offers career assessments, literacy and numeracy skill development, secondary education programming, career and technical training, career success standards, English language learning, and work-based learning. Services offered at the Job Corps campus are administered by the U.S. Forest Service.
- **Temporary Assistance for Needy Families (TANF)** offers individualized case management paired with workforce services to coach customers in overcoming barriers, obtaining education and training, and securing sustainable employment. TANF is administered by the South Dakota Department of Social Services who partners with DLR to offer workforce services.
- **Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)** offers participants intensive case management along with assistance in overcoming barriers and gaining skills, training, or work experience to increase their ability to obtain gainful employment to achieve stability and self-sufficiency. Supplemental Nutrition

Assistance Program (SNAP), including SNAP E&T, is administered by the South Dakota Department of Social Services who partners with DLR to offer workforce services.

- The **Senior Community Service Employment Program (SCSEP)** offers work experience opportunities at non-profit community work sites. They also offer specialized skills training. The state program is administered by DLR with services offered through DLR staff in Job Service Offices. The national program is administered by the National Indian Council on Aging (NICOA).
- **Reemployment Services (RES)** Provides case management, eligibility assessment, development of individualized employment plan, and connections to additional workforce programs and services to dislocated workers receiving reemployment assistance benefits. The Reemployment Services and Eligibility Assessment program is administered by the DLR through a partnership between the Field Operation, Reemployment Assistance, and Workforce Development Divisions. Services are offered through staff in the Job Service Offices.
- **Trade Adjustment Assistance (TAA)** As of July 2022, the Trade Adjustment Assistance (TAA) has not been reauthorized. While states are encouraged to submit petitions if a layoff or closure occurs, new petitions are not being reviewed by U.S. DOL for approval. Those who were impacted by previous layoffs that have approved petitions may continue to receive services, including training services, through the TAA program. More information available in Section VI.(a)(2) of this State Plan.
- **Rapid Response** When DLR is informed of a layoff, Job Service Office staff reach out to the business within two business days to offer a rapid response allowing impacted employees to learn of service to assist them in reskilling and regaining employment. More information available in Section VI.(a)(2) of this State Plan. DLR offers Rapid Response services through a partnership between the Field Operation, Reemployment Assistance, and Workforce Development Divisions.
- The **Career and Technical Education (CTE)** program in South Dakota provides training opportunities for both secondary and post-secondary students in South Dakota. This includes technical skills training programs, tutoring, success coaching, accommodations for students with disabilities, credit by exam opportunities, testing and certification centers, assisting students who are veterans, offers job fairs, career counseling and job search assistance, scholarships, corporate education, workforce recruitment, and Ed2Go. The CTE program is administered through the Department of Education and Board of Technical Education.
- The **Jobs for Veterans State Grant (JVSG)** provides individualized career and training services to eligible individuals, veterans, and eligible spouses with a significant barrier to employment, as well as other authorized populations served by the Disabled Veterans Outreach Program Specialist (DVOP), and employment outreach to advocate for the hiring of veterans provided by the Local Veterans Employment Representatives (LVER). The JVSG is administered by the DLR. The Consolidated Positions are DLR JVSG staff providing both DVOP and LVER services to assist eligible individuals and businesses.
- While specific services vary, many of the **Native American Programs** in South Dakota offer paid Work Experiences, post-secondary opportunities, and support services to their participants.
- The **National Farmworker Jobs Program (NFJP)** offers OST and OJT opportunities and support services.

**(B) The Strengths and Weaknesses of Workforce Development Activities.** *Provide an analysis of the strengths and weaknesses of the workforce development activities identified in (A), directly above.*

In May of 2022, DLR hosted the first WIOA Partner Symposium. Members representing all core programs and required partners were in attendance to hear about the Growth and Change in South Dakota's Labor Market and using what we have learned from 2020 to provide foresight to the future. In addition, they had an opportunity to hear how employers are creatively hiring and retaining a workforce in a tight labor market. In 2023, this group met again. Prior to the meeting, a survey was completed in advance to gain insights into what this group felt were the strengths, weaknesses, opportunities, untapped potential, and technology and training needs of the workforce system in South Dakota. In addition, respondents provided feedback on what success looks like. Feedback from these now annual meetings has contributed to the information in this plan. The main summary from the information gathered is that success for the workforce system in South Dakota includes collaborative partnerships working cohesively.

## Strengths

Themes surrounding strengths include South Dakota's small size, which easily allows for partnerships, collaboration, communication, and synergy on understanding needs and priorities. Partners focus on what can be accomplished now and within the constraints we have while keeping an eye on future innovations and projects. Communicating with partners allows for adjustment until a model is established that works for all involved, including customers.

These partnerships happen at the state level through the annual WIOA Partner Symposium, as well as many smaller partner meetings based on existing projects and priorities. In addition, partners meet through Integrated Resource Teams, where the customers served by all parties are present. Locally, meetings take place to share about current efforts, services, changes and opportunities to streamline or establish strategic service model to improve outcomes.

The majority of the workforce programs are offered through the American Job Centers or Job Service Offices located throughout the state offering our customer a one stop system to workforce services. For those programs and services not offered through the Job Service Offices, DLR has established direct linkage referrals.

Furthermore, the workforce partners involved in the development of this plan are committed to establishing creative solutions to build a stronger tomorrow. These dedicated individuals are the cornerstone to the success of the workforce in our state.

## Challenges

In addition to being a strength, small size was also identified as a challenge. While proud of our conservative nature, our small size correlates to limited resources and capacity. This includes financial resources, human resources, and the ability to take advantage of opportunities. Single-area states have the same expenses to operate management information systems, perform evaluations, collect data and submit reports as larger states, but receive smaller allocations with the same requirements. Being stretched thin makes it challenging to apply for competitive funding and innovate effectively. Rather than embracing new resources for our customers, members have change fatigue and prefer to stick with what they know and are comfortable with. While human capacity is limited and team members are pulled in many directions, it is difficult to coordinate efforts for the entire system. As a result, efforts are not always strategically prioritizing the same project or effort at the same time.

Additionally, the six WIOA core programs operate on three different management information systems. Technology has a huge impact on a budget in a small state like South Dakota. Therefore, it is not feasible to abandon individual systems and develop one. For this reason, sharing of information is challenging and impacts reporting, performance, and case management.

There are many rural areas in South Dakota without Internet access or proximity to DLR Job Service Offices. Despite increasing virtual services, there are many locations in South Dakota lacking network access. In addition, many of our priority populations are those who generally lack the hardware to connect virtually or the digital literacy skills to succeed in a virtual environment. In addition, there is a lack of service providers and employment opportunities in rural areas in South Dakota. While South Dakota has a very low unemployment rate, many rural communities have a high unemployment rate with a disengaged workforce.

While continual growth and improvement is needed, the workforce system recognizes the need to embrace technology changes impacting the way our customers interact with the workforce system. They also recognize the balance between improving digital access while not ostracizing those who do not have the skills or resources to interact in a virtual environment.

Another challenge identified that impacts our customers are the duplicative requirements of programs, which creates barriers for those most in need of services.

## Opportunities

Opportunities identified include continuing to build strategic partnerships, joint training, and collaborative opportunities amongst partners in the workforce system, highlighting successes, continue expansion of virtual accessibility while maintaining traditional face-to-face offerings, creating services to engage untapped labor pools including English Language Learners and older workers, utilizing longitudinal data, and increasing services to rural communities and businesses. The development of strategic partnerships are essential to improve childcare and housing resources for customers.

While facing a record low unemployment, businesses are interested in identifying unique opportunities to recruit and retain a workforce. Many businesses are seeking Registered Apprenticeship opportunities allowing them to train a workforce to meet their needs allowing employees to train on-the-job while improving their knowledge. Businesses are also interested in working with typically untapped pools of people including justice-impacted, individuals with disabilities, youth, and English Language Learners. This creates opportunities for many customers served through the workforce system. With the success of the first two WIOA Workforce Symposium partnership meetings, plans are to transition to a larger venue and engage more businesses in this discussion.

**(C) State Workforce Development Capacity.** *Provide an analysis of the capacity of State entities to provide the workforce development activities identified in (A), above.*

## Capacity

South Dakota is small, but mighty. We work smart and collaboratively to capitalize on partnerships where each member contributes, as they are able, to the success of our customers and the workforce. Increased costs of doing business with stagnant growth in funding has forced the WIOA Title I program to limit financial resources for customers. As a result, partnerships, including cost sharing, have been prioritized to fill gaps.

In a virtual world with a tight job market and reduction of foot traffic in the Job Service Offices, we recognize the need to increase access for customers throughout the state. Historically DLR has been organized into 12 main offices with regional territories. However, inflation paired with stagnant budgets have created the need to transition toward a statewide model. This will allow DLR to provide strategic service delivery models for our customers, capitalize on expertise of our staff, and adapt more quickly. DLR will continue to build upon a strong foundation of policies and procedures, improve our virtual accessibility, and evaluate how customers access services, prioritizing those who meet statutory priority groups and are working with partner agencies who can offer cost-sharing models.

The administrative burden of WIOA continues to increase, which has increased costs to operate our management information system called SDWORKS, staff time to gather data, meet reporting requirements, evaluate programs, validate data, and complete necessary paperwork. DLR has established a Technology Development Team focused on the functionality of SDWORKS. In addition, a Data, Reporting, and Evaluation team in the Workforce Development Division has been created allowing the agency to better understand the data to make data-driven decisions related to service delivery. In addition to SDWORKS, DLR has invested in a WIOA Title I and Title III data system allowing our team to access, compare, and provide data in a meaningful way. We have hopes to incorporate other program data as resources allow.

Due to the need for the Job Service Office team to be cross trained among several workforce programs, standard policies and procedures have been established. While this is a continual and time-intensive process, it is essential and has been a successful method to empower staff throughout the state. The workforce manual is made available to the public at [https://dlr.sd.gov/workforce\\_services/wioa/manual.aspx](https://dlr.sd.gov/workforce_services/wioa/manual.aspx)

**(b) State Strategic Vision and Goals.** *The Unified or Combined State Plan must include the State’s strategic vision and goals for developing its workforce and meeting employer needs in order to support economic growth and economic self-sufficiency. This must include—*

- (1) **Vision.** *Describe the State’s strategic vision for its workforce development system.*

The **vision** of the State of South Dakota workforce system is to collaborate amongst Government, education, business, and community to develop a skilled workforce that will allow employers in South Dakota to expand business when the opportunity arises.

To build a stronger economy, South Dakota needs businesses to thrive. To thrive, these businesses need a talented pool of individuals to build their workforce. In addition, South Dakota offers a welcoming environment for individuals looking to start a business. With a low unemployment rate and high workforce participation rate, it is essential we tap into everyone’s abilities to contribute where they are able. Meeting people where they are at and creating career pathways allowing for self-sufficiency and economic growth is where the workforce system shines. However, efforts must be intentional and coordinated.

- (2) **Goals.** *Describe the goals for achieving this vision based on the analysis in (a) above of the State’s economic conditions, workforce, and workforce development activities. This must include—*

*(A) Goals for preparing an educated and skilled workforce, including preparing youth and individuals with barriers to employment<sup>1</sup> and other populations.<sup>2</sup>*

*(B) Goals for meeting the skilled workforce needs of employers.*

**Goal 1:** Prepare **residents of South Dakota** to make **informed decisions and support** them at any point during their career pathway. This includes individuals with barriers to employment as defined in WIOA Section 3(24).

**Areas of Priority** as identified by the Workforce Development Council:

This goal focuses on engaging disengaged individuals, including justice-involved populations; youth and older workers; English learners including refugees and immigrants; Veterans; and individuals with disabilities. It aims to increase credential attainment, such as GED® or other certifications, and improve digital access and equity while ensuring inclusivity.

**Goal 2:** Partner with **businesses** to discover **opportunities** and identify **solutions** to address workforce needs.

**Areas of Priority** as identified by the Workforce Development Council:

Collaborate with businesses to identify skill gaps, offer training for incumbent workers, and explore innovative strategies like automation. The aim is to meet the workforce needs of South Dakota's businesses effectively.

**Goal 3:** Engage a **system of continuous improvement** to ensure the **alignment of workforce services**.

**Areas of Priority** as identified by the Workforce Development Council:

This goal highlights the importance of continuous improvement by coordinating and collaborating with partner agencies and community partners. Addressing barriers to workforce success, such as housing and childcare, is a key aspect. Establishing metrics to measure progress and demonstrate success is also emphasized.

- (3) **Performance Goals.** *Using the table provided in Appendix 1, include the State’s expected levels of performance relating to the performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A) of WIOA. (This Strategic Planning element only applies to core programs.)*

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<sup>1</sup> Individuals with barriers to employment include displaced homemakers; low-income individuals; Indians, Alaska Natives, and Native Hawaiians; individuals with disabilities, including youth who are individuals with disabilities; older individuals; ex-offenders; homeless individuals, or homeless children and youths; youth who are in or have aged out of the foster care system; individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers; eligible migrant and seasonal farmworkers (as defined at section 167(i) of WIOA and Training and Employment Guidance Letter No. 3514); individuals within 2 years of exhausting lifetime eligibility under the Temporary Assistance for Needy Families Program; single parents (including single pregnant women); and long-term unemployed individuals.

<sup>2</sup> Veterans, unemployed workers, and youth and any other populations identified by the State.

- (4) **Assessment.** Describe how the State will assess the overall effectiveness of the workforce development system in the State in relation to the strategic vision and goals stated above in sections (b)(1), (2), and (3) and how it will use the results of this assessment, which may include evaluation findings, and other feedback to make continuous or quality improvements.

## Performance Goals

DLR has implemented a quarterly data validation review, bi-annual active file review, and annual program review as outlined in the [Oversight and Monitoring Policy 6.7](#). This effort is led by DLR's Data Team and involves various staff from the Job Service Offices and Workforce Development Team. This allows for improved data integrity and staff training. In addition, the DLR Workforce Development Team completes a comprehensive review of each Job Service Office once every three years. This review incorporates a One Stop Certification review that follows the [One-Stop Career Center Certification Policy 3.3](#), Americans with Disabilities Act, Equal Opportunity, and workforce program compliance and effectiveness. Upon completion of the review, a letter identifying findings with required actions, areas of concerns with suggested actions, and promising practices is sent to the One Stop Operator and Job Service Office manager. Upon satisfactory compliance with the findings has been identified, four-year certification is sought by the Workforce Development Council.

In addition to these formal reviews, the data team completes quarterly reviews of formal and informal performance indicators. The data team reviews both the Quarter Performance Reports (QPR) and the Trade Adjustment Act Data Integrity (TAADI) before the federal reports to ensure interfaces are working correctly, to provide program specialists with areas of improvement, and identify a series of files that may need further review by program managers.

DLR has also invested in a Business Intelligence program to assist with visualizing PIRL items. DLR uses this program to answer questions program specialist have about demographics, services, service areas, and much more to help improve program decisions and delivery.

## Assessment

As identified in the [Customer Satisfaction Policy 6.6](#), DLR seeks customer feedback from both job seekers and businesses through a Microsoft Form sent via email quarterly. Feedback from these surveys is shared directly with the One Stop Operator, Job Service Managers, and the policy team so staff can be recognized for accomplishments or adjustments can be made as needed.

The goals and strategies identified in this plan and the progress made will be reviewed annually at the WIOA Partner Symposium. This gathering allows us to identify wins, promising practices, and strategies to improve the future.

The Title IV Vocational Rehabilitation programs have a continual loop of evaluation that include case file reviews, identification of training needs, policy development and refinement, and ongoing meetings with supervisors to learn about emerging issues. Assessment also includes monitoring satisfaction survey results and performance measures to further align programs to accomplish state strategies.

**(c) State Strategy.** *The Unified or Combined State Plan must include the State's strategies to achieve its strategic vision and goals. These strategies must take into account the State's economic, workforce, and workforce development, education and training activities and analysis provided in Section (a) above.*

*Include discussion of specific strategies to address the needs of populations provided in Section (a).*

- (1) **Describe the strategies the State will implement, including industry or sector partnerships related to in-demand industry sectors and occupations and career pathways, as required by WIOA section 101(d)(3)(B), (D).** *“Career pathway” is defined at WIOA section 3(7) and includes registered apprenticeship. “In-demand industry sector or occupation” is defined at WIOA section 3(23).*

## Build Business Partnerships

In recent years, the workforce system in South Dakota has worked to adjust our model of *servicing businesses*. Rather than sharing of our services, programs, and government speak, it is important to build relationships with businesses to learn about their business model, goals, and needs. If the workforce system has services to assist the business with their needs, team members develop a plan with this business and assist with the implementation of these services. If the workforce system does not have the applicable services, the business is connected to other resources in the state to help meet their needs. In addition, this information can assist in the development of meaningful workforce training programs. Looking ahead, DLR has plans to implement a statewide Business Services team. Members of this team will have the ability to focus on industry sectors learning of their business and workforce needs to help inform the workforce system. This team will partner with the JVSG, Career Ready SD, Registered Apprenticeship, Rehabilitation Services, and Governor’s Office of Economic Development teams to offer comprehensive services to businesses in our state.

## Develop and Expand Registered Apprenticeship Opportunities

Limited financial resources have hindered DLR’s ability to offer incumbent worker training through WIOA Title I programs to the South Dakota business community. If financial resources become available, policies and procedures have been established to roll this service out. While incumbent worker funding is lacking, resources are available to assist in the development of **Registered Apprenticeship** programs and offer financial support for sponsors, businesses, mentors, and apprentices. DLR has had great success in building and expanding Registered Apprenticeship programs with federal funding since 2016. In 2023, DLR received state funding to support these efforts. This three-year \$7.9 million dollar investment will allow DLR to help sponsors, businesses, mentors, and apprentices at a level not previously available.

## Expand Work-based Learning Opportunities

It is essential our future workforce is exposed to employment and training opportunities close to home in South Dakota. Partnering with the Department of Education and public schools, the Career Ready SD team helps to bridge the divide between schools, students, and businesses allowing students to explore careers through job shadows, internships and industry tours allowing them to make informed decisions about their future career paths. Historically, focus of these efforts have been at the student level, which limited impact. Looking ahead, this program will shift focus to working with every school in the state to incorporate work-based learning efforts in day-to-day curriculum improving sustainability.

## Increase Credential Attainment

Recognizing there is not a one road to success, this strategy includes improving secondary completion, in addition to increasing attainment of post-secondary and industry recognized credentials. To do this, DLR will continue efforts to increase GED® attainment by focusing outreach efforts and inviting those with three of four tests completed to complete their studies and earn this secondary education certificate. The WIOA Title II program has expanded virtual access to coursework preparing individuals for the GED® exams. Looking ahead, DLR is working collaboratively with the

post-secondary institutions to offer opportunities for students earning high GED® scores to smoothly transition into the university system. In addition, a service delivery model to assist those in our WIOA Title II correctional program, who are not able to complete their GED® while incarcerated and connect to services post-release is being discussed.

- (2) **Describe the strategies the State will use to align the core programs, any Combined State Plan partner programs included in this Plan, required and optional one-stop partner programs, and any other resources available to the State to achieve fully integrated customer services consistent with the strategic vision and goals described above. Also describe strategies to strengthen workforce development activities in regard to weaknesses identified in section II(a)(2).**

In a virtual world with a tight job market and reduction of foot traffic in the Job Service Offices, we recognize the need to increase access for customers throughout the state. Historically DLR has been organized into 12 main offices with regional territories. However, inflation paired with stagnant budgets have created the need to transition toward a statewide model. This will allow DLR to provide strategic service delivery models for our customers, capitalize on the expertise of our staff, and adapt more quickly. DLR will continue to build upon a strong foundation of policies and procedures, improve our virtual accessibility, and evaluate how customers access services, prioritizing those who meet statutory priority groups and are working with partner agencies who can offer cost-sharing models.

## Establish Strategic Partnerships

South Dakota's small size is prime for strong partnerships and collaborative efforts as described through this plan. Communication will continue to be enhanced through reoccurring meetings at the state, local, and participant level. Opportunities to join forces on common goals will remain a priority. These strategic partnerships offer wholistic services to customers and are an efficient use of resources.

A few recent efforts that will expand through the period of this plan include:

- Assisting Lakota Funds with the implementation of their Building Jobs, Building Homes grant received to address the housing shortage on Tribal lands by offering training to Indigenous people in construction trades and as certified appraisers and inspectors. This grant is through the U.S. Department of Commerce American Rescue Plan Good Jobs Challenge.
- Serve on the steering committee and consortium to guide implementation efforts of Elevate Rapid City who was awarded a Strategy Development Grant through the U.S. Department of Commerce Economic Development Administration's Tech Hubs Program. This consortium focused on the Western side of the state is a partnership between Elevate Rapid City, the City of Rapid City, South Dakota School of Mines and Technology, Western Dakota Technical College, Sanford Underground Research Facility, Caterpillar, Inc., and RESPEC. The goal is to build the workforce capacity ensuring SD remains competitive to fill these good jobs for years to come.
- Partner with the Governor's Office of Economic Development (GOED) to lead planning and implementation related to Digital Equity Act efforts throughout the state. In this joint effort, GOED remains focused on the deployment of fiber using funding made available through the Broadband Equity, Access, and Deployment (BEAD) Program. South Dakota's five-year Digital Opportunity Plan will soon be submitted for review by the National Telecommunication and Information Administration. Funding for these efforts is made available through the U.S. Department of Commerce.
- Partner with the Homeless Veterans Reintegration Program provided by the Volunteers of America (VOA) Dakotas and the Volunteers of American Northern Rockies to provide coordinated services to homeless veterans with the Wagner-Peyser and JVSG programs. In addition, the JVSG program will assist veterans referred from the Veterans Administration Veteran Readiness and Employment Program (VR&E) to provide labor market information and assist veterans who are identified as job ready.

## Expand Service Delivery Models

Establishing service delivery models to offer a specific set of services to customers based on partnerships allows us to effectively tailor services based on needs of the customer and partner program. In addition, service delivery models

allow for a series of progressive services tapping into partner resources, technology, asynchronous on-demand resources, and synchronous virtual workshops. Establishing these models will allow for a more efficient delivery model allowing Employment Specialists to focus on individual needs during one-on-one sessions.

## **Improve Access to Services**

### ***Digital Access***

With a continual increase in the cost to do business and keeping our customer's needs at the center of our service delivery, it is important to embrace technology. Improving virtual access to services in a state with the geographical size of South Dakota is important. Customers may be hours away from the closest Job Service Office. To improve access to these customers, DLR will seek opportunities to improve delivery of services virtually where feasible and within budget constraints. In addition, DLR has plans to implement mobile labs within our Job Service Offices. Through portable Chromebooks, customers will be able to find a quiet place for an interview, completing virtual services, a meeting with a partner agency, or an Employment Specialist in a different facility. DLR is also increasing awareness of services available through a brief questionnaire located on the DLR website where a customer answers a few brief questions and is then invited to learn more about services or program specific to them based on the questions they answered. This tool will not only help improve customers awareness, but also a reminder for staff in the Job Service Office of potential services and partner programs that may be able to assist the customer. Citizens are then encouraged to schedule an initial meeting through a self-scheduling process.

### ***Translation Services***

DLR has goals to implement a method for immediate talk to text functions when serving English Language Learners. In addition, this tool will allow for direct access to American Sign Language interpreter services. Another tool that will be implemented will allow for a faster method of form and document translation.

DLR is actively reviewing ways to improve citizen's experience. DLR is currently identifying safe, secure, and efficient ways for our staff to text individuals and ways for the individuals to respond. Current methods are safe and secure but are often cumbersome. The same goes for ensuring we have the required documents and forms for programs. The current process can be cumbersome and we are looking for way to streamline the process.

## **Improve the Ability of the Workforce Program to Adapt to Change**

To efficiently provide services with the financial and human resources available, DLR is implementing a statewide service delivery structure that offers structure service delivery models to assist customers in reaching their goals.

## **Opportunities**

Weaknesses identified are challenging to the workforce growth and include a multi-prong approach with a mindset of continuous improvement as they are not easily solved. As we look at housing and childcare challenges throughout the state, the workforce system will communicate opportunities, take advantage of them where feasible, and support partnership efforts. Addressing affordable and accessible housing and childcare is a marathon and not a sprint.

A single management information system allowing for improved data sharing and program evaluation is not realistic at this time. However, the State of South Dakota has embarked on a single-sign on option to mySD allowing users to access many government services with one username and password. While this is far from a single application or shared information reducing the duplication a customer faces when applying for services, the teams representing each partner and working with customers are able to assist in the navigation of services and systems. Partners will continue to establish data share agreements, communicate locally, and establish secure collaborative spaces to best assist our customers.

Improving digital access for our customers will remain a challenge and priority to decrease the digital divide in South Dakota. This is a two-pronged approach. The first is to improve access through the deployment of fiber, which includes the necessity of a workforce to do this. The second is to create the means for affordable internet access and devices and the resources to build the skill set to use these devices. Knowing many customers access the internet through a hand-held device, it is important essential services, including workforce services can be received through a hand-held device. In addition, systems must be intuitive. Where feasible offering face-to-face, paper, virtual, and online options to improve inclusivity is encouraged.

### III. OPERATIONAL PLANNING ELEMENTS

(a) **State Strategy Implementation.** *The Unified or Combined State Plan must include—*

- (1) **State Board Functions.** *Describe how the State board will implement its functions under section 101(d) of WIOA (i.e., provide a description of Board operational structures and decision-making processes to ensure such functions are carried out).*

South Dakota is designated as a single local area state, pursuant to WIOA Sec. 106(d)(1), 106(d)(2); and 20 CFR §679.270. State Executive Order 95-14 established the Workforce Development Council (WDC) as the South Dakota Workforce Investment Board to carry out the role of the local board. DLR provides the administration and delivery of services on behalf of the WDC. A single board and a single delivery entity create an environment for streamlined coordination between the core partners statewide.

Leadership and vision for the workforce development system emanates from the members of the WDC appointed by the Governor. This distinguished group of leaders guides the One-Stop delivery system in South Dakota. The WDC members, representing private sector business, labor and community-based organizations, and state government (representing the Governor), bring effective representation for the interests, needs, and priorities of South Dakota. More information about the WDC may be found on the DLR website at [https://dlr.sd.gov/workforce\\_services/wdc/default.aspx](https://dlr.sd.gov/workforce_services/wdc/default.aspx). The Executive Order designated DLR as the fiscal, administrative, and delivery agent of the Council.

The WDC holds public meetings each quarter for testimonials, presentations, action items, and open discussion. As identified in the WDC by-laws, available at [https://dlr.sd.gov/workforce\\_services/wdc/documents/wdcbylaws.pdf](https://dlr.sd.gov/workforce_services/wdc/documents/wdcbylaws.pdf), a member of the WDC may not vote on a matter under consideration by the state regarding the provision of services by such member (or by an entity the member represents); or that would provide direct financial benefit to such member or the immediate family of the member; or engage in any other activity determined by the Governor to constitute a conflict of interest. Recently revised by-laws allow a Council member to delegate a proxy or alternative designee if needed due to attendance conflicts.

Under WIOA, the WDC is an alternate entity as identified in WIOA §101(e). 20 CFR §679.150(c) requires an alternative entity that does not provide representation of all categories required under WIOA section 101(b) to explain how the state will ensure an ongoing role for any unrepresented membership groups in the state plan. With a 17-member board as identified in the by-laws, the WDC does not have representation as identified in WIOA section 101(b). With a state our size, the requirements identified in the WIOA law are challenging to maintain and create duplication of volunteer efforts. It can be difficult to secure leaders throughout the state with the capacity to serve. As a result, many of those who are willing already serve on multiple boards and councils throughout the state. To ensure representation from all required members, the Executive Director seeks appointments from the presiding officers of each legislative chamber to invite to WDC meetings and the annual WIOA Partner Symposium. In addition, chief elected officials from the city and county governments of the communities where meetings are held are invited to attend. The WDC has a reoccurring “Public Comment” agenda item offering the public an opportunity to provide input. Additionally, in developing the agenda, the WDC Executive Director seeks presentations from unrepresented members such as elected officials, partner programs, community agencies, and businesses. The annual WIOA Partner Symposium is another method the Council gathers input from the unrepresented members. This annual event includes Workforce Development Council Members, representatives of the Governor’s Office, all WIOA core and required partners including Adult Education and Literacy providers, post-secondary training providers, local economic development organizations, business representatives including those with Registered Apprenticeships programs, and legislators. During this meeting, information is shared and collected regarding promising practices, challenges, successes, existing and planned efforts of partners, state economic and labor information, and more.

The WDC assumes roles consistent with WIOA Section 101(d). Responsibilities include:

- WIOA State plan vision and goals;

- Final approval of the WIOA Unified State Plan;
- Discussion and input on improvements to the One-Stop system, including partner programs;
- Identification of best practices for employers, especially in recruitment, retention, and training;
- Review of policies and development of strategies for improvement;
- Offer guidance for the development of policies and proposals;
- Re-certification of One-Stop Career Centers; and
- Selection of the One-Stop Operator.

All meeting notifications, agendas, and minutes are sent by e-lert for anyone subscribed and also available at <https://boardsandcommissions.sd.gov/> and the DLR website in accordance to state law. Special accommodations or materials in alternative formats are available on request.

- (2) **Implementation of State Strategy.** *Describe how the lead State agency with responsibility for the administration of each core program or a Combined State Plan partner program included in this plan will implement the State’s Strategies identified in II(c) above. This must include a description of—*
- (A) **Core Program Activities to Implement the State’s Strategy.** *Describe the activities the entities carrying out the respective core programs will fund to implement the State’s strategies. Also, describe how such activities will be aligned across the core programs and Combined State Plan partner programs included in this plan and among the entities administering the programs, including using co-enrollment and other strategies, as appropriate.*

**Title I Adult, Dislocated Worker, and Youth** programs provide funding for On-the-Job Training (OJT), Occupational Skills Training (OST) with a provider on the Eligible Training Provider List (ETPL) in a program of study that can be completed in two years, Registered Apprenticeship programs with U.S. DOL, Work Experiences, youth incentives, and Support Services. Support Services can include a variety of items based on the customer’s goals. Examples include transportation, housing, childcare, or testing costs. These programs also offer mock interviews, leadership development opportunities, job shadows, and the National Career Readiness Certificate.

All Title I participants are also enrolled in the Title III Wagner-Peyser program. In addition, those enrolled in partner programs such as Temporary Assistance for Needy Families (TANF), Senior Community Services Employment Program (SCSEP), or the Jobs for Veterans Services Grant (JVSG) are also enrolled in the Title I Adult Program. These customers receive services from one DLR Employment Specialist who can access resources from either program improving opportunities for the customer. An integrated resource team comprised of representatives from various programs, supports, and the participant, may be formed to ensure everyone is working in a coordinated fashion to meet the customer’s goals. Financial eligibility is prioritized based on those who are receiving Public Assistance, Low Income, or Basic Skills Deficient and working with a WIOA partner agency. Those who lack a high school equivalency or are identified as an “ex-offender” and working with a WIOA partner agency are also eligible for financial services.

Youth who are over the age of 18 are also enrolled in the WIOA Adult program. This expands access to financial resources for this customer if the need arises. The Youth program also has a partnership with the Boxelder Job Corps facility.

The Perkins funding recipients at the post-secondary level have a variety of programs on the Eligible Training Provider List. Allowing access to these programs for WIOA Title I participants.

The Dislocated Worker program is primarily reserved for those who are referred through the Reemployment Services and Eligibility Assessment (RESEA) program and the Trade Adjustment Assistance (TAA) program. The partnership between these programs allows for a comprehensive service delivery for these dislocated customers.

**Title II Adult Education and Literacy (AEL)** program does not offer direct financial services to customers, rather they provide classes both online and in-person to eligible individuals. In addition, they provide the Test of Adult Basic Education (TABE), which is one option utilized by the WIOA Title I programs to determine Basic Skills Deficiency.

Enrollment of WIOA Title II customers in the WIOA Title I programs is encouraged. This allows the financial services through the Title I program to benefit the participant's efforts in the AEL classroom.

**Title III Wagner-Peyser** helps to support SDWORKS, the management information system, Teknimedia, WorkKeys Curriculum, online Alison courses, virtual job fair platform, etc. It does not offer direct financial services to businesses or participants.

Programs utilizing the SDWORKS management information system enroll all customers in the Wagner-Peyser program. This includes Title I programs, SCSEP, JVSG, TAA, RESEA, and many TANF and Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) customers. These basic career services are the essential foundation to career development.

**Title IV Vocational Rehabilitation** offers a wide variety of services that are individualized and tailored to meet the employment goals of people with disabilities. Services include counseling and guidance; tuition assistance for post-secondary education; on-the job training; paid work experiences; job placement and coaching; employment follow along; work readiness training; pre-employment transition services; disability-related skills training; benefits counseling; assistive technology; and support services. Vocational rehabilitation also offers support to businesses by funding business-led organizations and connecting businesses directly with job-seekers with disabilities.

*(B) Alignment with Activities outside the Plan. Describe how the activities identified in (A) will be aligned with programs and activities provided by required one-stop partners and other optional one-stop partners and activities provided under employment, training (including Registered Apprenticeships), education (including career and technical education), human services and other programs not covered by the plan, as appropriate, assuring coordination of, and avoiding duplication among these activities.*

Through federal funding, DLR has developed **Registered Apprenticeship** programs focused on providing **K-12 students**, ages 16 and older, opportunities to take part in an apprenticeship program prior to graduation. This allows students to gain apprenticeship credits as well as credits toward graduation and post-graduation. If needed, Title I Youth funding can support pre-apprenticeships or registered apprenticeship trainings.

While the **RESEA** program assists with the integrity of the **Reemployment Assistance** program, it does not have financial services to assist the customer in achieving their employment goals. By enrolling RESEA referrals into the Title I Dislocated Worker program, they can receive the financial supports associated with this program. Similarly, Dislocated Worker funding is utilized to offers Support Services for Trade Adjustment Assistance recipients.

Through a partnership with the Department of Education (DOE), DLR has six Career Ready Advisors working alongside DOE's regional **Career and Technical Education** Career Development Specialists. Their efforts include building the capacity and structures within schools allowing them to stand up or expand their work-based learning opportunities for students. This also allows these Career Ready Coordinators to connect in-school youth to the WIOA Title I Youth program.

Through agreements with the Department of Social Services (DSS), the DLR operates the work component of the **TANF program and SNAP E&T programs** in portions of the state. This partnership allows for seamless enrollment into Wagner-Peyser and Title I programs, including access to financial services.

The **Wagner-Peyser** and **JVSG** programs have established partnerships with the **Homeless Veterans Reintegration Program** provided by the Volunteers of America (VOA) Dakotas and the Volunteers of American Northern Rockies to provide coordinated services to homeless veterans. In addition, the JVSG program will assist veterans referred from the Veterans Administration **Veteran Readiness and Employment Program** (VR&E) to provide labor market information and assist veterans who are identified as job ready.

- (C) **Coordination, Alignment and Provision of Services to Individuals.** Describe how the entities carrying out the respective core programs, Combined State Plan partner programs included in this plan, and required and optional one-stop partner programs will coordinate activities and resources to provide comprehensive, high-quality, customer-centered services, including supportive services (e.g. transportation), to individuals, including those populations identified in section II(a)(1)(B), and individuals in remote areas. The activities described shall conform to the statutory requirements of each program.

In addition to the multitude of efforts described in other sections of this plan, partners are dedicated to coordinating efforts to help joint customers. To improve and establish these strategic partnerships, efforts to facilitate communication and information among all workforce partners will take place at the state, local, and participant levels. These efforts include:

- In 2022, DLR hosted the first WIOA Partner Symposium. This annual event brings together leadership from the WIOA core programs, required partners, and additional partners such as the Department of Corrections and Department of Education. In addition, employers and participants attend as appropriate to contribute to panel discussions. This event allows for networking and collaborative discussions.
- Locally, agency partner meetings take place at least quarterly. These meetings allow for networking among community partners. Agenda items typically include informational sessions about various resources, policy changes, identifying gaps in services, and strategic partnerships.
- At the participant level, DLR and others have embraced the Integrated Resource Teams model. This pulls together people representing the various programs, resources, and natural supports a customer can benefit from. These meetings allow for coordination and communication between service providers to ensure a customer's needs are being met and services are not duplicated.
- DLR has staff serving customers through multiple programs. The statewide service delivery structure allows for staff to be organized in teams by the programs they offer, the services they delivery, and the customers they serve. One such example of this is the co-enrollment of JVSG eligible individuals into the Wagner-Peyser and WIOA Title I programs. DLR has cross trained CP so they can access financial services available through WIOA Title I programs rather than seeking approval from another staff member. In addition, the DLR JVSG team on the Western side of the state provides a Compensated Work Therapy program for eligible individuals.
- Where feasible, partners will collaborate on training for staff implementing workforce programs to offer networking opportunities and improve familiarity with services, resources, and professional knowledge.

- (D) **Coordination, Alignment and Provision of Services to Employers.** Describe how the entities carrying out the respective core programs, any Combined State Plan partner program included in this plan, required and optional one-stop partner programs will coordinate activities and resources to provide comprehensive, high-quality services to employers to meet their current and projected workforce needs and to achieve the goals of industry or sector partners in the state. The activities described shall conform to the statutory requirements of each program.

DLR has worked in recent years to shift our model of engaging with the business community. Rather than sharing about services and programs, which can be overwhelming, we focus on building sustaining **relationships with businesses**. Learning about the businesses' workforce needs and goals provides us with more information to tailor services and programs that may be able to benefit them.

With the low unemployment rate, most businesses are interested in qualified candidates to fill their positions. As a result, it is important to learn of their skills and training gaps so we can support them in developing or identifying training programs to meet their needs. In turn, we can then create service delivery models to support our customers through these programs. In addition, DLR has invested in a virtual job fair platform allowing businesses to reach a broader applicant pool. The virtual offering also allows for a more confidential job fair experience for job seekers.

The AEL program works with businesses to develop the skill set of their workforce. This may include preparation for the workforce, integrated education and training programs, or English language acquisition specific to the industry.

DLR has established an online, learn-as-you-go module to train on-the-job mentors. This program is available at no cost allowing employers to implement mentorship programs in their workplace and train new mentors.

Looking ahead, DLR has plans to implement a statewide Business Services team. Members of this team will have the ability to focus on industry sectors learning of their business and workforce needs to help inform the workforce system. This team will partner with the JVSG, Career Ready SD, Registered Apprenticeship, Rehabilitation Services, and Governor's Office of Economic Development teams to offer comprehensive services to businesses in our state. As the team and partners identify business' needs, DLR will offer Workforce Knowledge Series workshops addressing these needs. These virtual offerings will provide information on services, programs, and training offered by DLR or others in the state to help address business's needs.

With the success of the first two WIOA Workforce Symposium partnership meetings, plans are to transition to a larger venue and engage more businesses in this discussion.

(E) **Partner Engagement with Educational Institutions and other Education and Training Providers.** Describe how the State's Strategies will engage the State's community colleges, adult education providers, area career and technical education schools, providers on the State's eligible training provider list, and other education and training providers, as partners in the workforce development system to create a job-driven education and training system. WIOA section 102(b)(2)(B)(iv). Include how the State's strategies will enable the State to leverage other Federal, State, and local investments to enhance access to workforce development programs at these institutions.

Through a partnership with the Department of Education (DOE), DLR has six Career Ready Advisors working alongside DOE's regional **Career and Technical Education** Career Development Specialists. Their efforts include building the capacity and structures within schools allowing them to stand up or expand their work-based learning opportunities for students. This also allows these Career Ready Coordinators to connect in-school youth to the WIOA Title I Youth program.

In addition to increasing post-secondary certifications with financial assistance through various WIOA Core and Required partners, additional secondary completion options are being analyzed. The DLR, in partnership with the Department of Education and others, are investigating additional options for secondary education completion. With a goal to keep students engaged through the age of 18 or completion, one of these options is the GED®. In addition to Adult Education Providers through the WIOA Title II program, several K-12 schools offer education leading to a GED®.

To support completion efforts, DLR has performed outreach to individuals who have completed three of their four sub-tests to earn their GED®, purchased digital flashcards to assist with improving math skills, and have encouraged the recognition of College Ready scores, [https://ged.com/about\\_test/scores/college\\_ready/](https://ged.com/about_test/scores/college_ready/), by South Dakota colleges and universities to increase the transition of GED® students to post-secondary opportunities.

A service delivery model called **Participants Reaching Employment Potential** (PREP) was established to reduce the financial burden many **AEL participants** face as they are working on their educational goals. With the low unemployment rate, many students were stopping their studies to work. With a goal of GED® attainment, the PREP model allows for part-time subsidized employment and support services paired with AEL coursework.

A partnership between the Title I Youth Program and **Job Corps** allows these out-of-school youth to receive a wage during the work experience they take part in related to their training program. In addition, having a Job Service Staff member ready to assist them as they transition to their home community improves success post-training.

WIOA Title I programs offer tuition assistance for eligible participants with an unmet financial need in programs leading to high demand occupations. These programs must be available through the Eligible Training Provider List. In addition, WIOA Title I programs offer a variety of work experiences and on-the-job trainings. While Registered Apprenticeships are available, we haven't seen a lot of Title I participants hired by Registered Apprenticeship program sponsor.

Through Registered Apprenticeship funding, DLR has and is developing toolkits for schools to share information about registered apprenticeships with students and parents. In addition, toolkits are being established to guide schools through the development of a pre-apprenticeship or registered apprenticeship for their students.

(F) **Improving Access to Postsecondary Credentials.** Describe how the State's strategies will improve access to activities leading to recognized postsecondary credentials, including Registered Apprenticeship certificates. This includes credentials that are industry-recognized certificates, licenses or certifications, and that are portable and stackable.

One effort with this state funding is to establish industry focused **intermediaries for Registered Apprenticeships**. These intermediaries will focus on high demand sectors including Healthcare, Agriculture, Education, Transportation, Hospitality/Tourism, Manufacturing, and Cyber. The intermediary partners will be tasked with learning of the business community's training needs in their industry of focus and develop Registered Apprenticeship programs to meet these needs. In addition, they will serve as the sponsor responsible for meeting U.S. DOL's Office of Apprenticeship requirements reducing this burden from businesses. In addition, intermediaries will be tasked with developing pre-apprenticeship programs related to their industry. In addition, to improve the rate of program approval, DLR will evaluate the possibility of transitioning from an Office of Apprenticeship state to a **State Apprenticeship Agency**.

In partnership with the Department of Education, Board of Regents, and DLR, Dakota State University developed elementary and special education teacher apprenticeships, and Northern State University developed a secondary education teacher program. This pilot resulted in 93 new apprentices. We look to expand education and training opportunities like this to more individuals not able to attend traditional models of training for a variety of reasons. DLR looks forward to developing additional models similar to this in varying industries.

In addition, DLR is looking to improve the process to develop a Registered Apprenticeship program through the development of a **management information system** allowing for reporting collection and transfer to U.S. DOL's Workforce Integrated Performance System (WIPS), integration with U.S. DOL Registered Apprenticeship Partners Information Data System (RAPIDS), interactive program development, and apprentice tracking. Improving the process to build, implement, and maintain a Registered Apprenticeship program will increase interest from the business community, which will improve access to South Dakotans.

With a historic low unemployment rate, it is essential the workforce system meets our customers where they are and establishes coordinated service delivery models to offer wrap around services with a goal to engage those disengaged from the workforce. This can include partnerships such as a partnership between the Department of Education and Department of Labor and Regulation to improve systemic work-based learning offerings through the K-12 schools, a partnership with the Department of Corrections, the Department of Labor, Department of Education, and Board of Technical Education to offer short-term post-secondary credentials to incarcerated individuals.

Our Dakota Dreams is a collaborative effort between a variety of stakeholders, including workforce service representatives, made available through federal funding by the South Dakota Department of Education with the coordination by the South Dakota Board of Regents. Our Dakota Dreams is a single voice for the state offering post-secondary preparation resources to students, parents, and educators. Efforts have included a website offering a hub of information, exploration camps and online tutoring for K-12 students, interactive math pathways for juniors and seniors, and leadership opportunities for teachers.

In the 2023 legislative session, Senate Bill 76, <https://mylrc.sdlegislature.gov/api/Documents/250079.pdf>, was passed. In summary, SB 76 expands South Dakota Codified Law 36-1D-4 to recognize licenses from another state for any occupation requiring a license in South Dakota. To have their license recognized under this statute, an individual must have a current license from another state or country substantially equivalent to an in-state license; demonstrate competency in their profession; pass a background check; and be in good standing in the state or country; that issued their license. If an individual meets these criteria and pays their fee, they will be issued a license to practice in South Dakota by either the licensing board or the department secretary – whichever has the authority to issue the license.

*(G) **Coordinating with Economic Development Strategies.** Describe how the activities identified in (A) will be coordinated with economic development entities, strategies, and activities in the State.*

Under Governor Noem’s leadership and in partnership with the Governor’s Office of Economic Development, a Freedom Works Here campaign has helped to bolster interest from the workforce in various states encouraging them to consider relocating to and working in South Dakota. This effort has included a series of outreach effort and led to a successful out-of-state recruitment effort. Applicants receive one-on-one assistance from a Job Advisor located in the Job Service Offices. With a historic low unemployment rate, it is essential to seek creative methods to build a workforce for businesses to grow.

Expanding registered apprenticeship throughout the state has been a joint effort between the Governor’s Office of Economic Development (GOED) and DLR through the Start Today SD Apprenticeship Program (Start Today). Start Today team members presented detailed information to GOED business development specialists on Registered Apprenticeship Programs (RAP), their benefits and support that can be provided to businesses through Start Today. GOED representatives work directly with businesses across the state and help to share benefits of RAPs with their contacts. GOED then refers businesses interested in RAPs to Start Today. GOED participates in the Start Today Community of Practice, helping to work with industry sectors on RAP expansion, as well as representatives serve on a review committee for intermediary sponsor proposals. Start Today connects with GOED on upcoming events, awareness, and funding opportunities for them to share directly with businesses throughout the state.

Another strategic approach has been connecting with local Economic Development groups to enhance awareness of support services for struggling businesses or individuals facing layoffs. Collaborating with these organizations can help bridge the gap and ensure that valuable resources and assistance are effectively communicated to those in need during challenging economic times.

Joint trainings and recruitment efforts have improved the knowledge of economic development efforts in the state and the importance of workforce development in these conversations. This improved awareness allows for referrals from one organization to the other based on needs of the business community. In 2024, the WIOA Partner Symposium will be paired with the Governor’s Office of Economic Development annual convention. This joint effort will bring together economic developers throughout the state with the workforce development system.

**(b) State Operating Systems and Policies.** *The Unified or Combined State Plan must include a description of the State operating systems and policies that will support the implementation of the State strategy described in section II Strategic Elements. This includes—*

- (1) State operating systems that support coordinated implementation of State strategies** *(for example labor market information systems, data systems, communication systems, case management systems, job banks, etc.).*

Primary operating system efforts are focused on developing a client-centric supply system to engage individuals, connect them to available services and resources, and facilitate their employment goals. SDWORKS (Titles I, III), FACES (Title IV), and LACES (Title II) are the three WIOA data management systems.

DLR utilizes SDWORKS, Geographic Solutions, Inc. (GeoSol, Inc.) Virtual One-Stop System as its primary management information system for Title I and Title III programs. SDWORKS is a one-stop system that serves as a job bank, the case management system for businesses and citizens, collects and reports ETPL data elements, and collects PIRL reporting items. SDWORKS also allows for in-demand labor market information to identify future growth, current demand, and location. In addition, this system is utilized for other workforce programs operated by DLR including TAA, JVSG, and SCSEP with the SCSEP using the Grantee Performance Management System for required reporting.

DLR has recently completed the integration of the Work Opportunity Tax Credit (WOTC) program into SDWORKS. This integration allows employers to not only post job orders and look for candidates but also apply for a tax credit from the WOTC program while automating a portion of what was previously a very manual process.

South Dakota is evaluating, when and where they are able, interfaces between various systems to ensure that data collection is correct and efficient. South Dakota intends to utilize interfaces to not only improve data sharing between core and required partners but also to improve a customer's experience. South Dakota has recently updated an interface between DLR and DHS in an effort to improve data sharing between several core programs.

- (2) **The State policies that will support the implementation of the State's strategies** (for example, co-enrollment policies and universal intake processes where appropriate). In addition, provide the State's guidelines for State-administered one-stop partner programs' contributions to a one-stop delivery system and any additional guidance for one-stop partner contributions.

South Dakota implemented a WIOA Policy Manual in 2017. This manual can be found at [https://dlr.sd.gov/workforce\\_services/wioa/manual.aspx](https://dlr.sd.gov/workforce_services/wioa/manual.aspx). Through a workforce memo process, updates to this manual are distributed. This includes a period of time where staff can review the policies, ask questions, or recommend edits. After the review period, a virtual meeting is held to review the updates and the updates are made live. DLR is continuously working to improve the policy, revision processes, and communication with job service office staff to ensure compliance and the best service possible to customers.

DLR is increasing awareness of services available through a brief questionnaire located on the DLR website where a customer answers a few brief questions and is then invited to learn more about services or program specific to them based on the questions they answered. This tool will not only help improve customers awareness, but also a reminder for staff in the Job Service Office of potential services and partner programs that may be able to assist the customer. The questionnaire will also invite individuals to self-schedule their initial appointment and allow staff to review the individual's service interests.

All job seekers enrolling in Wagner-Peyser receive an Intake and Orientation to the One Stop System. This includes becoming familiar with their equal opportunity and grievance process and learning of services offered by all partners of the One-Stop System. The [Active Resource Coordination and Integrated Resource Team Policy 5.1](#) and [Policy 3.2 One Stop System](#) provide information on the coordination with partner programs and the need for direct linkage if the program is not offered at the Job Service Office.

One Stop Partner Program contributions are identified in [Policy 3.2 One-Stop System](#). One Stop Centers will be certified in compliance with the [One-Stop Career Center Certification Policy 3.3](#). A list of [One Stop Organizations](#) in South Dakota can be found in Policy 3.4. The Memorandum of Understanding for the One Stop Career Center Certification, including the infrastructure funding agreement of the One Stop can be found in Appendix 2.

Programs operated by DLR through the Job Service Offices have an [Integrated Service Delivery for Job Seeker Policy 3.14](#) to enroll to the greatest extent possible and avoid pre-determination of outcomes. As a result, if a customer can provide proper eligibility documentation or self-attestation and verification of authorization to work in the United States, they are enrolled in the program as possible with their schedule. Examples of this include:

- A customer who meets Senior Community Services Employment Program (SCSEP) eligibility is also enrolled in the Wagner-Peyser and Adult programs.
- A Reemployment Services Eligibility Assessment (RESEA) referral is enrolled in Wagner-Peyser and the Dislocated Worker program.
- A Temporary Assistance for Needy Families (TANF) customer is enrolled in Wagner-Peyser and Adult programs.
- An individual eligible for JVSG is enrolled in Wagner-Peyser and Adult programs, increasing access to financial resources available through the Adult program.

However, due to tightened budgets, reduced staff time, and in an effort to manage change, the agency is implementing service delivery models that focus on strategic partnerships and groups of customers that can be served through a cohort. This structure improves the ability to support staff to improve their knowledge and confidence. In addition, this structure allows for a structured series of services to improve engagement and support a customer through their goal. An example of this includes:

A partnership with the Adult and Youth programs with the Adult Education and Literacy (AEL) programs. With the low unemployment rate, AEL programs were finding individuals in need of their GED® starting classes, but quickly choosing employment over their studies as a result of their financial needs. To help alleviate financial concerns, allowing youth to continue their studies, financial incentives were offered if the student completed their educational study goals for the month. In addition, support services were provided to reduce financial strain and pay for the test exam. Paid work experiences through the youth program were offered allowing for a flexible schedule providing an income and time to study.

(3) **State Program and State Board Overview.**

(A) **State Agency Organization.** Describe the organization and delivery systems at the State and local levels for the programs covered in the plan, including the organizational structure. Include an organizational chart.

## State Agency Organization

### **DEPARTMENT OF LABOR AND REGULATION (DLR)**

DLR is the designated agency for WIOA Title I, II, and III core programs, the Workforce Development Division also oversees TAA, RESEA, JVSG, SCSEP, NCRC, Rapid Response, Foreign Labor Certification (FLC), Registered Apprenticeships, Work Opportunity Tax Credit (WOTC), a Federal Bonding Grant, National Dislocated Worker Grants, and Digital Opportunity efforts. The Division of Field Operations oversees 14 American Job Centers located across the state. The agency also contains the Reemployment Assistance (RA) Division and the Labor Market Information Center. DSS is the designated agency overseeing the Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Programs (SNAP). DSS contracts with DLR to offer the employment and training component of these programs.

#### **Office of the Secretary**

- Cabinet Secretary – Marcia Hultman
- Deputy Secretary and WDC Executive Director – Dawn Dovre
- Labor Market Information Center (LMIC) Administrator – Melodee Lane
- Organizational Development Manager, Equal Opportunity (EO) Officer, State Monitor Advocate – Derek Gustafson

#### **Workforce Development Division**

- Director – Kendra Ringstmeyer
- Assistant Director – Amber Rost
  - Title I Youth Program Specialist – Kaitlin Foster
  - Title I Adult and SCSEP Program Specialist – Carmen Pacheco
  - Title I Dislocated Worker, RESEA, TAA, Rapid Response Program Specialist – Laura Trapp
  - Title II AEL Program Specialist – John Anderson
  - JVSG Program Specialist – Rick Gully
  - TANF and SNAP E&T Program Specialist – Jenna Bush
  - Career Ready SD Coordinator – Morgan Heuer
- Business Services Manager – Taunya Charlton
  - Title III Wagner- Peyser
  - Work Opportunity Tax Credit Program Assistant – Jill Vining

- Foreign Labor Certification Program Assistant – Gwyn Fischbach
- Federal Bonding
- Digital Opportunity Coordinator – Bill Wendling
- Workforce Data Manager – Felicia Alspach
  - Federal Performance and Reporting Program Specialist – Jami Burrer
  - Data Validation – Jacob Fuerst
  - Eligible Training Provider List – Alan McEntaffer
- Apprenticeship Program Manager – Tara Bartekoske
- Workforce Services Manager – Heather Nelson
  - GED® and National Career Readiness Certificate® Program Specialist – Barb Unruh
  - Family First Initiative
  - Workforce Policy Memo distribution

#### ***Technology Development Division***

- Director – Andrew Szilvasi
- Technology Integration Specialist – Jodi Aumer
- Technical Services Administrator – Tom Meyer
- Management Analyst – Lance Gladis

#### ***Field Operations Division***

- Director and One-Stop Operator – Bill McEntaffer
- Job Service Office Managers

#### ***Administrative Services Division***

- Director – Emily Ward
- Accountant III Accounts Payable – Jessica Duvall
- Accountant II Workforce Services Grants – Jennifer Kamps
- Accountant II Apprenticeship Grants – Brian Watterson
- Accountant I Contract Management – Daniel Stalzer
- Labor Program Specialist Workforce Services Finance – Diane Ball
- Purchasing and Property Management, Americans with Disabilities Act (ADA) – Jim Dornbusch

#### ***Reemployment Assistance Division***

- Director – Pauline Heier
- Deputy Director – Dawn Williams

### **DEPARTMENT OF HUMAN SERVICES**

DHS is the designated state agency for the WIOA Title IV Vocational Rehabilitation (VR) providers in South Dakota. The Division of Rehabilitation Services and the Division of Service to the Blind and Visually Impaired are the designated state units for the VR program. The Division of Rehabilitation Services is located in 11 offices throughout the state with eight co-located with DLR. The Division of Service to the Blind and Visually Impaired has three district offices and two satellite offices, all co-located with the DHS Division of Rehabilitation Services.

#### ***Office of the Secretary***

- Cabinet Secretary – Shawnie Rechtenbaugh
- Deputy Secretary – Tom Martinec
- Interim Director of Budget and Finance – Steven Kohler

**Division of Rehabilitation Services**

- Director – Eric Weiss
- Assistant Director – Bernie Grimme

**Division of Service to the Blind and Visually Impaired**

- Director – Gaye Mattke
- Assistant Director – Ronda Williams

**Developmental Center**

- Director – Barb Abeln
- Assistant Director – Kevin Dunn

**Division of Developmental Disabilities**

- Division Director – Joey Younie
- Assistant Director – Julie Hand

**Division of Long-Term Services and Supports**

- Director – Heather Krzmarzick
- Assistant Director – Misty Black Bear

Black Hills Special Services Cooperative is the designated agency for the National Farmworker Jobs Program (NFJP). A close partnership between the WIOA 167 (NFJP) and Migrant Seasonal Farmworker Program State Monitor Advocate within DLR Located in three office locations throughout the state, with one of their offices co-located with DLR in the Sioux Falls Job Service.

The U.S. Forest System oversees the operations of the Boxelder Job Corps Center and McNeil Technologies has the recruitment and placement contract for Job Corps.

Six tribal entities oversee the U.S. DOL Native American Programs in South Dakota. These include the Cheyenne River Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Sisseton-Whapeton Oyate Sioux Tribe, and Yankton Sioux Tribe.

The Career and Technical Education (CTE) Program at the secondary education level is overseen by the South Dakota Department of Education (DOE). The post-secondary CTE programs are overseen by the Board of Technical Education.

National Indian Council on Aging (NICOA) is the SCSEP grantee in the state that partners closely with DLR, the state SCSEP grantee.

**PROGRAM ORGANIZATIONAL CHART**

<b>Federal Agency</b>	<b>Program</b>	<b>South Dakota Agency</b>
U.S. Department of Labor	WIOA Title I Adult	DLR
	WIOA Title I Dislocated Worker	
	WIOA Title I Youth	
	WIOA Title III Wagner-Peyser Act Employment Services	
	Trade Adjustment Assistance (TAA)	
	Jobs for Veterans State Grants (JVSG)	
	Reemployment Assistance Benefits (RA)	

	Reemployment Services and Eligibility Assessment (RESEA)	
	Migrant Seasonal Farmworker Program (MSFW)	
	National Farmworker Jobs Programs (NFJP)	Black Hills Special Services Cooperative
	Job Corps	U.S. Forest System
	Native American Programs	Cheyenne River Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Sisseton-Wahpeton Oyate Sioux Tribe & Yankton Sioux Tribe
U.S. Department of Education	WIOA Title II Adult Education and Literacy (AEL)	DLR
	WIOA Title IV Vocational Rehabilitation (VR)	Department of Human Services (DHS)
	Career and Technical Education Program (CTE)	DOE
U.S. Department of Health and Human Services	Temporary Assistance for Needy Families (TANF)	DSS
U.S. Department of Agriculture	Supplemental Nutrition Assistance Program	
U.S. Department of Health and Human Services <b>TO</b> U.S. Department of Labor	Senior Community Service Employment Program (SCSEP)	DLR National Indian Council on Aging (NICOA)

(B) **State Board.** Provide a description of the State Board activities that will assist State Board members and staff in carrying out State Board functions effectively. Also, provide a membership roster for the State Board consistent with 20 CFR 679.110-120, including members’ organizational affiliations and position titles.

The WDC Executive Director facilitates quarterly meetings. Two of these are typically virtual with the other two being face-to-face and held at various locations throughout the state with agenda items surrounding training opportunities and workforce challenges in South Dakota. The meetings conclude with tours of American Job Centers, training programs, or businesses statewide, as well as places like Job Corps and Title II partners. The Council hears testimony at each meeting from partners, participants, and businesses finding success through a variety of WIOA programs. As meeting locations move around the state, the WDC also hears from job service office managers and staff about successes and challenges in local areas.

DLR will host an annual WIOA Partner Symposium. In attendance will be WDC members and representation from all of South Dakota’s workforce partners, including economic development leaders. Future efforts will expand business engagement in this convening. This convening offers all partners the opportunity to share of progress towards goals, opportunities, challenges, and successes with council members. This event also offers an opportunity to highlight partnership efforts, professional development topics, and networking.

The WDC membership was grandfathered in as an alternative entity under WIOA Section 101(e). The council consists of 17 members representing private sector business, labor and community-based organizations, and state government. A roster of members is available at [https://dlr.sd.gov/workforce\\_services/wdc/default.aspx](https://dlr.sd.gov/workforce_services/wdc/default.aspx).

Private Sector: Lee Anderson (Vice President of Human Resources), Michelle Black (Human Resources Generalist), Amanda Dokter (Head of People Operations), Carla Gatzke (Vice President of Human Resources), Chris Houwman (Vice President), Jim Peterson (Executive Director), Amy Tlam (Director of Human Resources and Safety), Keri Wientjes (Director of Human Resources), Vacant (to be appointed)

Community-based Organizations: Dave Bonde (Executive Director)

Organized Labor: Jon Mahan (Assistant Director of Resource Management, Mark Rogers (Business Representative)

State Government: Marcia Hultman (DLR Cabinet Secretary), Laura Scheibe (DOE Director of Career and Technical Education), Adam Molseed (Governor's Office of Economic Development Director of Business Development), Liza Clark (Board of Regents Chief of Staff), Kim Ludwig (DHS Division of Rehabilitation Services Business Specialist).

(4) **Assessment and Evaluation of Programs and One-Stop Program Partners.**

(A) ***Assessment of Core and One-Stop Program Partner Programs.*** Describe how the core programs will be assessed each year based on State performance accountability measures described in section 116(b) of WIOA. Describe how other one-stop delivery system partner program services and Combined State Plan partner programs included in the plan will be assessed each year. This State assessment must include the quality, effectiveness, and improvement of programs broken down by local area or provider. Such state assessments should take into account local and regional planning goals.

DLR has implemented a quarterly data validation review with a semi-annual active file review, and annual program review as outlined in the [Oversight and Monitoring Policy 6.7](#). This effort is led by DLR's Data Team with assistance from representatives from the Job Service Offices and Workforce Development Team. This allows for improved data integrity and staff training.

In addition to the quarterly reviews, the DLR Workforce Development Team completes a comprehensive review of each Job Service Office once every three years. Items may include the [One-Stop Career Center Certification Policy 3.3](#), Americans with Disabilities Act review, Equal Opportunity (EO) review, performance measurements, customer reviews, and workforce program effectiveness and compliance.

Upon completion of the review, a letter identifying findings with required actions, areas of concerns with suggested actions, and promising practices is sent to the One Stop Operator and Job Service Office manager. Upon satisfactory compliance with the findings has been identified, four-year certification is sought by the Workforce Development Council.

(B) ***Previous Assessment Results.*** For each four-year state plan and state plan modification, provide the results of assessments of the effectiveness of the core programs and other one-stop partner programs and Combined State Plan partner programs included in the Unified or Combined State plan during the preceding 2-year period (i.e. the 2-year period of the plan modification cycle), in accordance with methods described in 4(A). Describe how the State is adapting its strategies based on these assessments.

**The Workforce Development Council** has certified all Job Service Offices since the implementation of this process.

Common findings from recent reviews have included:

- Ensuring case notes are timely and descriptive of the service to improve data validation results.
- Ensuring Intake and Orientation forms are completed with a customer and included in their file.
- Ensuring Selective Service verification, as applicable, is in the customer's file.
- Completing a subsequent review with Reemployment Services Eligibility and Assessment (RESEA) customers that are on the program longer than a month.
- Complete basic skills deficiency assessments within 60 days of enrollment if this wasn't completed six months prior to enrollment. This assists in achieving priority of service for the adult program, but also helps establish a viable employment plan with customers.
- Establishing progressive employment plans with customers
- There have been a variety of Americans with Disabilities physical compliance issues that have been discovered and resolved.

It is encouraging and important to note that since the implementation of this process, the findings have been gradually decreasing.

In January of 2022, DLR introduced a new service delivery model geared towards WIOA Title I Adult participants who were pursuing their GED® credential called Participants Reaching Employment Potential (PREP). PREP is a combined effort between DLR Title I Adult program and Adult Education and Literacy (AEL) Providers that implemented a joint employment and education plan with financial support designed to mitigate barriers and promote progress towards obtaining a GED®.

South Dakota reviewed 59 Title I Adult participants, 10 PREP (5 males and 4 females) and 49 Non-PREP (26 males and 23 females) participants, to determine if the PREP service delivery model provided better outcomes. All participants were co-enrolled in Title I Adult and WIOA Title II AEL programs and exited Title I between 01/04/2022 and 06/30/2022. This cohort provides three-quarters of data. This data is not intended to speak to the effectiveness of the Title II Adult Education program but to compare the effectiveness of providing structured services, including financial services and collaborative training plans.

When comparing PREP to Non-PREP participants, employment data revealed similar employment outcomes for first and third quarters after exit with both seeing a slight decrease of employment outcomes in the second quarter after exit. Breaking down the employment comparison even further by gender provided similar results. Female PREP participants appear to have better median earning in the first quarter after exit compared to female non-PREP participants. However, this levels out in the third quarter after exit. Male PREP participants have better median earnings than their non-PREP counterparts for all three quarters reviewed.

A difference is noted when reviewing measurable skills gains and credential rate for both groups. To date, the PREP participants have a measurable skills gain rate and credential rate of 70%, whereas the non-PREP group had 48.9% and 36.7%, respectively. Further analysis by gender indicated similar MSG and credential rates for both groups.

- (C) **Evaluation.** Describe how the State will conduct evaluations and research projects of activities carried out in the State under WIOA core programs; how such projects will be coordinated with, and designed in conjunction with, State and local boards and with State agencies responsible for the administration of all respective core programs; and, further, how the projects will be coordinated with the evaluations provided for by the Secretary of Labor and the Secretary of Education under WIOA (WIOA Section 116(e)).

DLR's Workforce Data team conducts WIOA evaluations in-house using a quasi-experimental method. DLR utilizes mandatory performance outcomes such as employment rate second quarter after exit and median earnings second quarter after exit as well as other indicators captured on the PIRL to determine effectiveness. As DLR continues to build service delivery models and new partnerships, Labor Program Specialists and the Workforce Data Team will focus evaluation efforts on determining the effectiveness of new models and partnerships.

- (5) **Distribution of Funds for Core Programs.** Describe the methods and factors the State will use in distributing funds under the core programs in accordance with the provisions authorizing such distributions.
- (A) **For Title I programs,** provide a description of the written policies that establish the State's methods and factors used to distribute funds to local areas for—
- (i) **Youth activities** in accordance with WIOA section 128(b)(2) or (b)(3),

DLR Job Service Offices serve as the provider of WIOA Title I Youth services. DLR does not have contracts or agreements for the provision of youth services. DLR does partner with various training providers, businesses, and providers of support services to meet the needs of our customer and make the 14 youth elements available.

The DLR Administrative Services Division identifies funding available for **Title I Youth** participants and distributes into four budgets, In-School Work Experience and Out-of-School Work Experience (counts toward 20% work experience expenditure rate), In-School Other and Out-of-School Other (does not count toward the 20% work experience expenditure rate). This provides the ability for DLR to track funding spent on Out-of-School Youth and work

experiences. These are budgets which can be accessed by all Job Service Offices. The SDWORKS management information system is used by employment specialists in the Job Service Offices to obligate funding and Job Service Office managers to approve payments. The Administrative Services Division then utilizes this information to ensure fiscal compliance, provides final payment approval, and processes payments. In addition, the State Time Keeping System allows for various timecodes for staff to track their time appropriately to activities and grants. This allows the agency to appropriately track time staff spend on In-School Youth, Out-of-School Youth, and work experiences.

(ii) **Adult and training activities** in accordance with WIOA section 133(b)(2) or (b)(3),

(iii) **Dislocated worker employment and training activities** in accordance with WIOA section 133(b)(2) and based on data and weights assigned.

DLR Job Service Offices serve as the provider of WIOA Title I Adult and Dislocated Worker services. DLR does not have contracts or agreements for the provision of career services. DLR does partner with various training providers, businesses, and providers of support services to meet the needs of our customer and make the full array of individualized, training, and support services available.

Based on the grant award for the **Title I Adult and Dislocated Worker** programs, the Administrative Services Division identifies funding available for participants statewide. These are budgets which can be accessed by all Job Service Offices. The SDWORKS management information system is used by employment specialists in the Job Service Offices to obligate funding and Job Service Office managers to approve payments. The Administrative Services Division then utilizes this information to ensure fiscal compliance, provides final payment approval, and processes payments.

As identified in the [Integrated Service Delivery for Job Seekers Policy 3.14](#), DLR enrolls all individuals who can provide authorization to work in the United States and Selective Service registration, if applicable, and in need of individualized career services into the WIOA Title I Adult program. However, DLR focuses a priority service to adults who are basic skills deficient, receiving public assistance, or low income, and veterans. Funding is reserved for those who meet this priority of service or identify as an ex-offender, lacking a high school diploma, and are working with a WIOA partner program. This change went into effect in Program Year 2023 due to limited funding. These populations were identified to support partnerships with other service agencies including Department of Corrections and WIOA Title II Adult Education and Literacy. In addition, funding through the Dislocated Worker program is limited to those who are receiving services through the RESEA or TAA programs. Focusing on populations working in partnership with a partner agency provides opportunities for cost sharing of services. Additional information about this priority of service and funding eligibility can be found in the [Eligibility and Priority of Service Policy 4.1](#).

[Transfer of funds between the Adult and Dislocated Worker](#) budgets as identified in Policy 3.10 is helpful by allowing the state to serve the population with the greatest need with financial resources.

(B) **For Title II:**

(i) **Describe the methods and factors the eligible agency will use to distribute title II funds.**

DLR held its most recent AEFLA grant competition in spring 2022 to determine the distribution of Title II funds. Because South Dakota is a single-area state, the Title II funds are made available to any eligible provider serving any of South Dakota's 66 counties. This current multi-year grant cycle began 01 July 2022 in accordance with South Dakota's State Plan and the federal provisions regulating WIOA's direct and equitable access—WIOA Section 231; this grant cycle is scheduled for four (4) years, through PY2025-26.

The methodology used by DLR to allocate funds prioritizes each proposal's service-area needs, scope, goals, efficacy, inclusion of special populations, and potential levels of student-access. A "modified foundation formula" is thereby applied to assist with the allocation; this formula factors a base-funding amount by students' program type with the aforementioned priorities, and then accounts for a provider's geographic location(s).

DLR is responsible for determining whether an Applicant is deemed an “eligible provider of demonstrated effectiveness”; therefore, as part of its grant competition, each Applicant must provide performance data on its record of improving the skills of eligible individuals, particularly eligible individuals who have low levels of literacy, numeracy, and oracy. This effectiveness must be demonstrated in the following content domains: Reading, Writing, Math, and English Language Acquisition. An Applicant must also provide information regarding its outcomes for participants related to employment, attainment of a secondary school diploma or its equivalent, as well as transition to postsecondary education and training.

The Agency’s WIOA Title II [Request for Proposal](#) articulates these thresholds of Demonstrated Effectiveness for both incumbent Applicants and new Applicants; those Applicants subsequently determined “eligible” continue in the review process.

- (ii) **Describe how the eligible agency will ensure direct and equitable access to all eligible providers to apply and compete for funds and how the eligible agency will ensure that it is using the same grant or contract announcement and application procedure for all eligible providers.**

Applicants will be required to utilize the same proposal-process pursuant to Section 231 of WIOA. DLR’s Adult Education and Literacy Program (“AEL”) is required to ensure all eligible Applicants have direct and equitable access to apply and compete for the funds being awarded under the Request for Proposal; additionally, DLR is required to use the same grant-announcement process and application process for *all* eligible Applicants.

**Special Rule:** DLR will not use Title II funds for the purpose of supporting or providing programs, services, or activities for ineligible participants, unless the aforementioned are related to family literacy activities. In providing family literacy activities under AEFLA, an eligible Applicant shall attempt to coordinate with programs and services that are not assisted under this title prior to using funds for adult education and literacy activities under this title for activities other than activities for eligible individuals.

Applicants will provide services in manners that meet the needs of eligible individuals. Specifically, per Section 427 of the General Education Provisions Act, each Applicant for the WIOA Title II Program must detail how it intends [as an eligible Sub-Recipient] to maintain equitable access to (and participation in) Adult Education instruction, activities, and services. Based upon local circumstances, the Applicant may address any of the statute’s six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age.

(C) **Vocational Rehabilitation Program:**

*In the case of a State that, under section 101(a)(2)(A)(i) of the Rehabilitation Act designates a State agency to administer the part of the Vocational Rehabilitation (VR) services portion of the Unified or Combined State Plan under which VR services are provided for individuals who are blind, describe the process and the factors used by the State to determine the distribution of funds among the two VR agencies in the State.*

The State Vocational Rehabilitation Services grant is drawn down by DHS. Funds are distributed with 80% going to the Division of Rehabilitation Services and 20% to the Division of Service to the Blind and Visually Impaired through mutual agreement regarding distribution of funds.

(6) **Program Data**

- (A) **Data Alignment and Integration.** *Describe the plans of the lead State agencies with responsibility for the administration of the core programs, along with the State Board, to align and integrate available workforce and education data systems for the core programs, unemployment insurance programs, and education through postsecondary education, and to the extent possible, the Combined State Plan partner programs included in this plan. The description of the State’s plan for integrating data systems should include the State’s goals for achieving integration and any progress to date. Describe data-collection and reporting processes used for all programs and activities, including the State’s process to collect and report data on co-enrollment, and for those present in the one-stop centers.*

- (i) **Describe the State's plans to make the management information systems for the core programs interoperable** to maximize the efficient exchange of common data elements to support assessment and evaluation.
- (ii) **Describe the State's plans to integrate data systems to facilitate streamlined intake and service delivery** to track participation across all programs included in this plan.
- (iii) **Explain how the State board will assist the governor in aligning technology and data systems across required one-stop partner programs** (including design and implementation of common intake, data collection, etc.) and how such alignment will improve service delivery to individuals, including **unemployed individuals**.
- (iv) **Describe the State's data systems and procedures to produce the reports** required under section 116, performance accountability system. (WIOA section 116(d)(2)).

Primary operating system efforts are focused on developing a client-centric supply system to engage individuals, connect them to available services and resources, and facilitate their employment goals. SDWORKS (Titles I, III), FACES (Title IV), and LACES (Title II) are the three WIOA data management systems utilized by the South Dakota core programs.

DLR utilizes **SDWORKS**, a Geographic Solutions, Inc. (GeoSol, Inc.) Virtual One-Stop System, to capture business and client activities and services provided throughout the agency. The system serves as the primary data collection point for reporting Title I and Title III data and performance measures under WIOA, and integrates labor market information directly, to assist seekers, employers, and others in determining in-demand jobs. The demand indicator is based on a methodology that ranks all South Dakota jobs based on future growth and wages. Rankings and information are updated quarterly using demand and wage data. While traditional time-lagged data can be used to identify current and future job demand and the skills associated to those jobs, the data often provides generally broad education and skill requirements and can be slow to highlight new and emerging job categories. SDWORKS has available real-time data obtained from analyzing current job postings, employer engagement, and modelling tools that include forward-looking data. This information helps identify projected future skill gaps. Educational and training institutions can use the data to provide programs for forecasted workforce needs.

System improvements for SDWORKS are ongoing. DLR's SDWORKS system includes modules for the **Eligible Training Provider List (ETPL)**, which has eliminated duplication of processes and potential human error while streamlining communication and collection of required performance data elements. The improved ability to export performance data for the WIPS report and monitor program performance is more efficient and allows DLR to make stronger recommendations for program approval to the WDC.

DLR has also added the **Work Opportunity Tax Credit (WOTC)** program registration and tracking application as a module within SDWORKS. This integration allows the addition of features such as online registration and transactions, greatly improving application processing efficiency, and is a more efficient utilization of staff time. As part of this project, additional data-sharing interfaces with partner programs will be utilized.

To facilitate partnership and coordination of services, DLR is in discussions with our partners at DSS to pool resources and possibly add a module to SDWORKS for SNAP Employment and Training, as well as TANF. This would allow DLR to better track referrals between partners, as well as services provided.

Title IV (Vocational Rehabilitation) uses VR FACES as the case management system. This system follows the case service process for Vocational Rehabilitation (VR). VR FACES collects required data on VR applicants and clients necessary for required reporting to the US Department of Education/Rehabilitation Services Administration. The VR FACES is designed for tracking Social Security/Ticket to Work activities and consumer satisfaction results. The system is designed to generate quality assurance reports and incorporates annual case file reviews. The VR FACES integrates Social Security benefits and unemployment wage records for each VR participant.

Each of the three WIOA data management systems that South Dakota core programs use for data collection is able to record and track all activities and services. Data is derived from customer self-service, staff entry, and system interfaces to integrate partner systems and vendor custom applications. Core programs should work together seamlessly. DLR and DHS are working on an ongoing basis to modify SDWORKS, LACES, and VR FACES to communicate through interface

methodologies. These interfaces share information on participant's involvement with each other's programs and services, which helps the WIOA core programs better communicate and coordinate services. This collaboration ties the legacy systems together without sacrificing staff experience and comfort-levels. DLR and DHS will work to ensure appropriate system integration and data-sharing occurs to align resources, improve reporting processes and outcomes, and enhance the consumer's experience for all WIOA core programs.

All services and data collection elements for all core and partner programs are based on the Participant Individualized Record Layout (PIRL), so advances in collection and reporting interfaces will continue to streamline future reporting requirements, enhance data integrity, and provide a shareable database between partners to review for specific data analysis and research.

In terms of supporting coordinated implementation of State strategies, the Title II Program frequently provides various reports (e.g., Barriers to Employment, Measurable Skill Gains, Scale Scores, High School Equivalencies, Contact-Hours) to Titles I and III, both at the State/Agency level and the Local Office level; these reports are aggregate, provider-specific, or even individual student-records. To a lesser extent, the local AEFLA sub-recipients also provide requested data to Title IV for co-enrollments' case-management. Title II's shared reports and custom views are used for research and analyses, program evaluation, case-management, data quality, and monitoring purposes. The Title II Program even provides Local One-Stop Staff with electronic screenshots of necessary data or outcomes for archival [as part of Data Validation protocol]; of course, these screenshots, like all other similar correspondence, are sent in an encrypted format.

*(B) **Assessment of Participants' Post-Program Success.** Describe how lead State agencies will use the workforce development system to assess the progress of participants who are exiting from core programs in entering, persisting in, and completing postsecondary education, or entering or remaining in employment. States may choose to set additional indicators of performance.*

DLR conducts follow-up for four quarters following a participant's exit from the program. DLR's Data team utilizes system reports from our Management Information System, SDWORKS, as well as a supplemental reporting system, Future Works BI, to develop a performance management list. These lists identify participants who are in need of post-program outcomes, such as measurable skills gains or credentials. DLR's Data team also crossmatches exited participants to verifiable national and reporting systems, such as SWIS, National Student Clearinghouse, and state Reemployment Assistance wage records. These verifiable crossmatches are then uploaded or manually entered into SDWORKS to ensure South Dakota has the most accurate performance.

*(C) **Use of Unemployment Insurance (UI) Wage Record Data.** Explain how the State will meet the requirements to utilize quarterly UI wage records for performance accountability, evaluations, and as a source for workforce and labor market information, consistent with Federal and State law. (This Operational Planning element applies to core programs.)*

The DLR Reemployment Assistance (RA) Division is the designated UI agency for South Dakota and required One-Stop partner (section 121(b)(1)(B)(xi), WIOA). This wage data, including South Dakota data and other state wage data through SWIS, is:

**Accurate** – related to the collection and use of wage records to determine performance accountability, data validation of cases, and evaluating the effectiveness of the cases and their outcomes is much higher and reliable than relying upon self-reported data collection such as graduate, employer, or job seeker surveys.

**Accessible** – The broad coverage of UI wages and its associated data collection is estimated at 99.7% of all wage and salary earners and 89% of the total civilian labor force (self-employed individuals account for the difference). This is according to the Ways and Means Committee of the U.S. Congress. The UI reporting system easy access to required data for almost every WIOA participant in a performance-based program. Other state initiatives can also utilize the data as long as the scope and content of the data being collected and publicized meets applicable federal and state laws and regulations.

**Longitudinal** – States are required to maintain the most recent two-years of data elements online to support the administration of UI claims. Many states have a longer retention rate than two years and as a result, quarterly UI wage data can be linked to create a longitudinal record of earnings.

The cost-effectiveness of using UI wage data is appealing for states working within budget restraints. Generally, the cost of a state to access and parse UI wage record data to determine outcomes and performance measures of WIOA participants.

- (D) **Privacy Safeguards.** Describe the privacy safeguards incorporated in the State’s workforce development system, including safeguards required by section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and other applicable Federal laws.

Privacy safeguards are incorporated to ensure protection of Personally Identifiable Information (PII) from employers, job seekers, and staff. These protections and security protocols are built around all aspects of federal regulations applicable to PII, UI regulations, WIOA regulations, and the General Education Provisions Act. Further, all applicable laws and regulations for security, privacy, and confidentiality are followed as prescribed under the Internal Revenue Service and U.S. Social Security Administration.

The South Dakota Bureau of Information Technology (BIT) oversees IT security for all agencies within South Dakota state government. This includes security for adaptive technology, buildings, digital conferencing hardware and software, GIS/GPS, networks, servers, software for agency use, software for development use, staff hardware, and vendor and client security requirements necessary to use state resources and/or be involved in the development of hardware or software used for state resources. BIT, in conjunction with DLR, work together to employ the security protocols required under federal and state requirements to protect PII, and sensitive information of all customers. Procedures are in place to recognize, intercept, and mitigate any possible data breach.

(7) **Priority of Service for Veterans.**

- (A) **Describe how the State will implement the priority of service provisions for covered persons in accordance with the requirements of the Jobs for Veterans Act, codified at section 4215 of 38 U.S.C., which applies to all employment and training programs funded in whole or in part by the Department of Labor.**

DLR has implemented processes for veterans and eligible spouses (covered persons) to self-identify as eligible for priority of service at the point of entry in a DLR job service office, use of the DLR website or other electronic means. Covered persons are given priority over non-covered persons for the receipt of employment, training, and placement of services in all programs, whether funded in whole or in part by the U.S. DOL and are entitled to the precedence and/or access over non-covered persons for services. DLR has prioritized efforts to identify and engage veterans with the use of signage on entrance doors, colorful floor mats informing veterans of priority of service for all funded programs, floor banners, table-top banners, and job service television monitors which display information on priority to service and encourage military members, spouses, and veterans to check on priority of service with the local office staff. Additionally, DLR job service office staff have been trained to assist customers to determine covered veteran, covered spouse, and other veteran and other eligible person status as part of a triage process. Once identified as a covered person for Priority of Service, this veteran will be given information by the non-JVSG staff on all services available to them through the Job Service Office (AJC) and proceed accordingly.

For the purpose of implementing priority of service, a broader definition of veteran is used. Under this definition the term “veteran” means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable. Active service includes full-time federal service in the National Guard or Reserve component. This definition of “active service” does not include full-time duty performed strictly for training purposes (such as weekend or annual training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal Authorities (such as natural disasters).

The **definition of a covered person** includes a spouse of any of the following:

- Any veteran who died of a service-connected disability.
- Any member of the Armed Forces serving on active duty who, at the time of application for priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  1. Missing in action;
  2. Captured in the line of duty by a hostile force; or
  3. Forcibly detained or interned in the line of duty by a foreign government or power;
- Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veteran Affairs; or
- Any veteran who died while a disability, (as defined above), was in existence.

**Note:** an example of priority of service would include “a covered person (veteran/spouse) seeking to use the job service office computer lab and would have first priority of a computer over any non-covered customers also waiting to use a computer in the computer lab.”

***(B) Describe how the State will monitor priority of service provisions for veterans.***

The DLR JVSG Program Coordinator will provide guidelines and assistance to ensure priority of service by:

- Serving as the point of contact for all Triage self-assessment priority of service questions from field staff;
- Providing updated Triage Form information to simplify this form and provide in-person and virtual training as needed and requested by Job Service Offices.
- Maintaining contact, in-person or electronically, with DLR Job Service Offices to ensure Priority of Service signage and other self-identification materials for “covered persons” are placed properly in the DLR Job Service Offices to promote and encourage customers to self-identify for priority of service;
- Using federal reporting and other SDWORKS reporting to try and keep a running total of verified covered persons and services provided by DLR.

Priority of Service for covered Veterans will need to be provided by all Job Service non-JVSG staff in all functions of the Job Service Office where Priority of Service for this veteran is indicated. Priority of Service for certain training programs and services where specific eligibility is used will be discussed with non-JVSG staff and the program or service specified.

***(C) Describe the triage and referral process for eligible veterans and other populations determined eligible to receive services from the Jobs for Veterans State Grants (JVSG) program’s Disabled Veterans’ Outreach Program (DVOP) specialist/Consolidated Position.***

To ensure DLR provides the best employment services possible for eligible veterans and eligible persons under JVSG, a VETS – Initial Assessment (Triage Form) is completed by non-JVSG staff to determine a job seeker’s eligibility for JVSG employment services.

DLR uses the Triage Form to determine Priority of Service status for covered persons as noted above, determines veterans status as recognized by U.S. DOL, DVOP/CP eligibility status for JVSG eligible veterans, and eligible persons (which may include spouses, transitioning service members, wounded, ill, or injured service members and their caretakers).

The Triage Form assessment is completed using the most current guidance of eligibility as provided by Veterans’ Program Letters from U.S. DOL, identifying eligible veterans and eligible persons having Significant Barriers to Employment (SBE) and other Authorized Populations as determined by the U.S. Department of Labor Secretary. After eligibility is determined, a referral is made by a non-JVSG staff member to a JVSG Disabled Veterans’ Outreach Program (DVOP) specialist or Consolidated Position (CP) specialist for employment services. DVOP/CP specialists have specialized training from the National Veterans’ Training Institute (NVTI) to assist eligible veterans and eligible persons overcome identified barriers to employment which may be preventing them from seeking and obtaining gainful employment. The individual determined eligible for JVSG services will receive Individualized Career Services (ICS) based on an Objective

Assessment that provides a comprehensive whole person concept, an Employment Plan which includes steps and goals to eliminate each barrier that impedes the seeking and obtainment of gainful employment and provides consistent contact with the veteran or eligible person to foster mutual respect and ownership of the employment plan for the eligible participant.

(8) **Addressing the Accessibility of the One-Stop Delivery System for Individuals with Disabilities.**

*Describe how the one-stop delivery system (including one-stop center operators and the one-stop delivery system partners), will comply with section 188 of WIOA (if applicable) and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities. This also must include a description of compliance through providing staff training and support for addressing the needs of individuals with disabilities. Describe the State's one-stop center certification policy, particularly the accessibility criteria.*

Training regarding accessibility and accommodations for customers with disabilities is offered through a partnership with Vocational Rehabilitation. One of the training opportunities provided by Vocational Rehabilitation was the Voc. Rehab Fall Conference held in Sioux Falls on October 11-13, 2022. Forty DLR staff in a variety of roles attended the conference. The featured presenters were; Jonathan Mooney, Jan McInnis, Lee Rubin, Think 3D Solutions, Ruth Yeo-Peterman, and David Off.

In addition, DLR has a compilation of resources available for staff to access on demand as needed on the DLR Field Operations Equal Opportunity SharePoint resources page. Resources include a PowerPoint presentation and recorded training on 'Providing Accommodations for Individuals with Disabilities.' There is also links to additional resources, such as, LEAD Center, JAN (Job Accommodation Network), SD Department of Human Services (DHS), and SD USD Center for Disabilities.

Each DLR job service office receives an Americans with Disabilities Act (ADA) compliance review once every three years at minimum as part of the One-Stop Certification process. The uses the ADA Checklist for Existing Facilities based on the 2010 ADA Standards for Accessible Design. During the review, each applicable section is scored for compliance with a "yes" or "no." All "no" responses are documented with photos and then addressed in an action plan to bring the section into compliance. All "no" responses are categorized by low, moderate, and high effort. The action plan includes a timeline to correct any long-term deficiencies. Most of the physical findings need to be resolved by the landlord. DLR notifies the landlord of the deficiencies and begins negotiations to address the issues.

At the conclusion of each ADA review, the reviewer recaps the findings with the office manager and staff are given direction on actions they can take immediately to temporarily remediate issues (if any) until a permanent resolution is put in place. The previous finding reports are reviewed when the next ADA review is completed with each office. These findings are included in the One Stop Certification report provided to the Workforce Development Council.

(9) **Addressing the Accessibility of the One-Stop Delivery System for Individuals who are English Language Learners.**

*Describe how the one-stop delivery system (including one-stop center operators and the one-stop delivery system partners) will ensure that each one-stop center is able to meet the needs of English language learners, such as through established procedures, staff training, resources, and other materials. Describe how English language learners will be made aware of the opportunity to enroll and/or co-enroll in all the core programs for which they are eligible.*

Limited English proficient (LEP) individuals must be able to access and participate in WIOA programs and activities in a manner equally consistent and effective to that offered to those proficient in English. One-Stop Career Centers and partners take reasonable steps to ensure LEP individuals receive the language assistance necessary to afford them meaningful access to the programs, services, and information, free of charge. DLR has a Language Assistance Plan (LAP) that outlines how DLR will meet these requirements.

DLR contracts with CTS Language Link Services of Vancouver, WA, to provide over-the-phone interpretation services to LEP individuals. For program year 2022, DLR used Language Link Services 1,086 times with 83% (903) being for Spanish interpretation.

**For PY2022**, DLR had a focus on translating vital documents to predominant languages, other than English. Documents translated by Language Link included:

For Reemployment Assistance

- How to File a Claim Brochure
- Claims Online System Sign-On-Guide
- Eligibility Fact Sheet
- Posting Notice to Employees
- Translations for automated phone system for weekly requests.

**For Field Operations**

- DLR Prior to Exit Letter
- 5 Things to Know about Career Launch
- WIOA Form 24 (Support Service Authorization Purchase)
- WIOA Resource 9 (Follow-up Letter)

Additionally, DLR created new Babel Notices for Field Operations, Reemployment Assistance, and the Division of Human Rights. The Babel Notices include the top five languages requested from Language Link, at the time of writing the Language Assistance Plan. The needs assessment on the top languages requested is evaluated every two years.

As part of DLR’s CAREER National Dislocated Worker Grant that South Dakota received in 2021, DLR indicated the need to increase technology efforts for translation. DLR is currently working with two vendors to assist in this effort. Translate Live, which offers a device called ILA, that will allow for immediate translation when an individual comes into our offices. “ILA is the first language communication solution that allows people to easily and instantly have a real-time, natural back-and-forth conversation, no matter the language, disability, device or location. Using the All-In-One ILA Pro Device users can speak, spell out loud, or type, and the entire conversation is immediately communicated to the other party in their chosen language.”

South Dakota DLR is also working with a vendor to develop a translation hub for document translation. This hub will allow for instantaneous translation of documents, ability to integrate a human in to loop to identify and fix common translation issues before they become disastrous, and even allow us to customize the translation of certain industry acronyms. We are currently in the process of developing a contract to complete this item.

To ensure staff can provide equal services to LEP individuals, DLR provides technical assistance and training. The DLR Field Operations Equal Opportunity SharePoint resource page provides a PowerPoint presentation and recorded training on providing services to Limited English Proficient individuals. The resource page also provides guidance on how to use Language Link as well as the link to DLR’s Language Assistance Plan.

Annual reviews, conducted by the Equal Opportunity Officer, ensure each One-Stop Career Center is compliant with WIOA section 188 and 29 CFR 38. These reviews, similar to the ADA process, take place during the One-Stop Certification every three years at minimum. LEP is covered in the monitoring process, during the employee interviews, and during the Equal Opportunity data analysis. Each of these aspects are also outlined in the DLR Nondiscrimination Plan.

**IV. COORDINATION WITH COMBINED STATE PLAN PROGRAMS.** *Describe the methods used for joint planning and coordination among the core programs, and with the required one-stop partner programs and other programs and activities included in the Unified or Combined State Plan.*

A single statewide board, the Workforce Development Council, creates an environment for streamlined coordination between the core partners statewide. The board hears testimony from WIOA core programs, required partner programs, and participants or businesses impacted by these programs throughout the year. In addition, they go on-site to tour facilities during face-to-face meetings.

The annual WIOA Partner Symposium includes Workforce Development Council Members, representatives of the Governor’s Office, all WIOA core and required partners, post-secondary training providers, local economic development organizations, business representatives, and legislators. During this meeting, information is shared and collected regarding promising practices, challenges, successes, existing and planned efforts of partners, state economic and labor information, and more. This meeting offers a space to identify upcoming priorities and areas for coordinated collaboration.

Locally, agency partner meetings take place at least quarterly. These meetings allow for networking among community partners. Agenda items typically include informational sessions about various resources, policy changes, identifying gaps in services, and strategic partnerships.

At the participant level, DLR and others have embraced the Integrated Resource Teams model. This pulls together people representing the various programs, resources, and natural supports a customer can benefit from. These meetings allow for coordination and communication between service providers to ensure a customer’s needs are being met and services are not duplicated.

Where feasible, partners collaborate on training for staff implementing workforce programs to offer networking opportunities and improve familiarity with services, resources, and professional knowledge.

**V. COMMON ASSURANCES (for all core programs)**

<b>The Unified or Combined State Plan must include assurances that:</b>	
<b>1.</b>	The State has established a policy identifying circumstances that may present a conflict of interest for a State Board or local board member, or the entity or class of officials that the member represents, and procedures to resolve such conflicts;
<b>2.</b>	The State has established a policy to provide to the public (including individuals with disabilities) access to meetings of State Boards and local boards, and information regarding activities of State Boards and local boards, such as data on board membership and minutes;
<b>3.</b>	The lead State agencies with optimal policy-making authority and responsibility for the administration of core programs reviewed and commented on the appropriate operational planning elements of the Unified or Combined State Plan, and approved the elements as serving the needs of the populations served by such programs;
<b>4.</b>	<p>(a) The State obtained input into the development of the Unified or Combined State Plan and provided an opportunity for comment on the plan by representatives of local boards and chief elected officials, businesses, labor organizations, institutions of higher education, the entities responsible for planning or administrating the core programs, required one-stop partners and the other Combined Plan programs (if included in the State Plan), other primary stakeholders, including other organizations that provide services to individuals with barriers to employment, and the general public, and that the Unified or Combined State Plan is available and accessible to the general public;</p> <p>(b) The State provided an opportunity for review and comment on the plan by the State Board, including State agency official(s) for the Unemployment Insurance Agency if such official(s) is a member of the State Board;</p>
<b>5.</b>	The State has established, in accordance with WIOA section 116(i), fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State through allotments made for the core programs to carry out workforce development activities;

<b>6.</b>	The State has taken appropriate action to secure compliance with uniform administrative requirements in this Act, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the uniform administrative requirements under WIOA section 184(a)(3);
<b>7.</b>	The State has taken the appropriate action to be in compliance with WIOA section 188, Nondiscrimination, as applicable;
<b>8.</b>	The Federal funds received to carry out a core program will not be expended for any purpose other than for activities authorized with respect to such funds under that core program;
<b>9.</b>	The State will pay an appropriate share (as defined by the State board) of the costs of carrying out section 116, from funds made available through each of the core programs;
<b>10.</b>	The State has a one-stop certification policy that ensures the physical and programmatic accessibility of all one-stop centers with the Americans with Disabilities Act of 1990 (ADA);
<b>11.</b>	Service providers have a referral process in place for directing Veterans with Significant Barriers to Employment (SBE) to DVOP services, when appropriate; and
<b>12.</b>	Priority of service for veterans and eligible spouses is provided in accordance with 38 USC 4215 in all workforce preparation, development or delivery of programs or services funded directly, in whole or in part, by the Department of Labor.

## VI. PROGRAM-SPECIFIC STATE PLAN REQUIREMENTS FOR CORE PROGRAMS

The State must address all program-specific requirements in this section for the WIOA core programs regardless of whether the State submits either a Unified or Combined State Plan.

**Adult, Dislocated Worker, and Youth Activities under Title I-B.** The Unified or Combined State Plan must include the following with respect to activities carried out under subtitle B—

### (a) General Requirements

#### (1) Regions and Local Workforce Development Areas.

(A) **Identify the regions and the local workforce development areas designated in the State.**

South Dakota is a single area state with one state board. The Workforce Development Council (WDC) provides guidance and direction for the entire state.

(B) **Describe the process and policy used for designating local areas, including procedures for determining whether the local area met the criteria for “performed successfully” and “sustained fiscal integrity” in accordance with 106(b)(2) and (3) of WIOA. Describe the process used for identifying regions and planning regions under section 106(a) of WIOA. This must include a description of how the State consulted with the local boards and chief elected officials in identifying the regions.**

South Dakota is a single area state with one state board. The Workforce Development Council (WDC) provides guidance and direction for the entire state.

(C) **Provide the appeals process and policy referred to in section 106(b)(5) of WIOA relating to designation of local areas.**

South Dakota is a single area state with one state board. The Workforce Development Council (WDC) provides guidance and direction for the entire state.

(D) **Provide the appeals process and policy referred to in section 121(h)(2)(E) of WIOA relating to determinations for infrastructure funding.**

All Parties will actively participate in good faith effort to reach agreement. Disputes between Parties will be attempted to be resolved informally. If a resolution is not found, the Parties will send a written letter to the Executive Director of the WDC. The Executive Director will have 10 days to acknowledge receipt of the dispute and transmit the letter to the Council members. The WDC then has 30 business days to convene and hear testimony from all Parties involved in the dispute. After hearing testimony, WDC has an additional 30 business days to issue a formal resolution for the issue. The final resolution will be issued by the WDC Chair.

#### (2) Statewide Activities.

(A) **Provide State policies or guidance for the statewide workforce development system and for use of State funds for workforce investment activities.**

DLR follows WIOA guidance for required and allowable activities of the **statewide funding**. The DLR Cabinet Secretary reviews all requests and provides a final determination. Allowable funding determinations are based on Governor’s priorities. Statewide funds will be utilized for:

- Data management system updates and maintenance;
- Data analysis system updates and maintenance;
- Monitoring and oversight;
- Evaluations;
- Trainings;
- Rapid Response activities; and
- The Eligible Training Provider List (ETPL).

DLR Statewide funding may support efforts related to (this is a comprehensive list):

- Providing the opportunity for individuals to take the National Career Readiness Certificate® (NCRC);
- Incumbent Worker Training;
- Activities to develop youth career knowledge such as job shadow development;
- Public outreach; and
- WIOA Title II activities.

Oversight of this funding is provided by the DLR Administrative Services Division. All state and federal procurement laws, policies, and procedures are adhered to. Subrecipient agreements are monitored based on risk assessments in accordance to [Subrecipient Management Policy 6.16](#).

*(B) Describe how the State intends to use Governor's set aside funding for mandatory and discretionary activities, including how the State will conduct evaluations of Title I Adult, Dislocated Worker, and Youth activities.*

WIOA statewide funding is utilized to support DLR's SDWORKS management information system and job data bank. When conducting formal monitors, evaluations, or trainings, administrative and state level program staff charge time to the statewide timecode. If formal contracts are established to conduct evaluations or trainings, these are also funded through statewide funding. In addition, any cost related to Rapid Response activities such as outreach, facilities if needed, or time are incorporated under the statewide funding stream. Additional information regarding Rapid Response efforts is under (C) below. Time spent maintaining the Eligible Training Provider List (ETPL), including reporting, is funded through this funding stream.

Discretionary activities are reviewed and approved by the Cabinet Secretary annually prior to renewing any commitments to the providers of services.

*(C) Describe how the State will utilize Rapid Response funds to respond to layoffs and plant closings and coordinate services to quickly aid companies and their affected workers. States also should describe any layoff aversion strategies they have implemented to address at risk companies and workers.*

The state reserves funds specifically to provide layoff aversion and rapid response activities. Rapid Response Funds can be utilized for pre-layoff activities such as pre-planning sessions, information sessions, on-site resource rooms, off-site meeting rooms, advertising to alert impacted workers, etc.

South Dakota recently implemented a virtual job fair platform as a strategy to reach skilled workers when a layoff or closure is imminent or has already occurred. This platform connects employers and job seekers in real time by allowing text chat between the two parties which may result in a video or in-person interview. Affected workers have access to view upcoming virtual job fairs and register online for these events.

South Dakota's policy is to engage with businesses within two days of receiving any indication of a potential layoff or closure. Comprehensive information about the different services offered by DLR is shared with both company leadership and employees. **Rapid Response** meetings can occur at the workplace, the closest job service office, or an off-site location. Community partners who provide various services are invited to attend the Rapid Response meeting and present details about their programs to the affected workers. Informational and direct re-employment services for workers include items such as:

- Information and support for filing RA benefits,
- information on the impacts of layoff on health coverage and other benefits,
- information on and referrals to career and training services,
- re-employment-focused workshops and services.

Building and maintaining relationships with the business community is critical to the implementation of layoff aversion strategies. Regional DLR staff typically have established relationships with local businesses which allow for early warning of potential layoffs, as well as allow opportunity for early intervention to help avert a layoff through services, including

Registered Apprenticeships. While the state is prepared to implement an incumbent worker training program, increased costs to do business and stagnant funding have prevented implementation.

Layoff aversion strategies and activities prevent or minimize the duration of unemployment resulting from layoffs and may include, but are not limited to:

- Providing assistance to employers in managing reductions in force, which may include early identification of firms at risk of layoff, assessment of the needs of and options for at-risk firms, and the delivery of services to address those needs.
- Ongoing engagement, partnership, and relationship-building activities with businesses in the community, in order to create an environment for successful layoff aversion efforts and to enable the provision of assistance to dislocated workers in obtaining new employment as soon as possible.
- Establishing linkages with economic development entities including local business retention and expansion activities.
- Connecting businesses and workers to short-term, on-the-job, or apprenticeships before or after layoff to help facilitate employment.

***(D) Describe the State policies and procedures to provide Rapid Responses in cases of natural disasters including coordination with FEMA and other entities.***

In case of a natural disaster, such as a tornado, flood, earthquake, drought, storm, or any similar event resulting from natural forces, emergency rapid response will mobilize to efficiently organize services. This effort aims to bring together dedicated partners committed to aiding the community in navigating challenging circumstances and mitigating the immediate effects of the disaster. The coordination process may involve collaboration with state and local emergency management teams as well as the Federal Emergency Management Agency. Additionally, Emergency Operation Centers could be established to facilitate these efforts. On-site Job Service office staff will be available to assist individuals in accessing reemployment assistance benefits or disaster unemployment assistance (if applicable), and to connect them with other relevant state and local organizations.

***(E) Describe how the State provides early intervention (e.g., Rapid Response) and ensures the provision of appropriate career services to worker groups on whose behalf a Trade Adjustment Assistance (TAA) petition has been filed. (Section 134(a)(2)(A) and TAA Section 221(a)(2)(A) .) This description must include how the State disseminates benefit information to provide workers in the groups identified in the TAA petitions with an accurate understanding of the provision of TAA benefits and services in such a way that they are transparent to the dislocated worker applying for them (Trade Act Sec. 221(a)(2)(A) and Sec. 225; Governor-Secretary Agreement). Describe how the State will use funds that have been reserved for Rapid Response to provide services for every worker group that files a TAA petition and how the state will ensure the provision of appropriate career service to workers in the groups identified in the petition (TAA Sec. 221(a)(2)(A)).***

South Dakota is a small state and not all closures or layoffs fall under the federal WARN Act notices. Typically layoff information is communicated through the Job Service Offices by the business itself, or local entities such as the Chamber of Commerce or economic development and relayed to the Rapid Response Coordinator. Once the information is received of a closure or layoff, the business is contacted within approximately 24 hours.

When possible, the Rapid Response Team will meet with employers to assist in planning a Rapid Response event. The initial meeting identifies the services to be offered and the dates and location of the event. Job Service Office team members will provide information to the impacted workers regarding workforce services available to them, including training opportunities, supportive services, etc. In addition, information regarding Reemployment Assistance benefits and benefits resources are shared.

South Dakota enrolls Trade Affected workers into the Wagner-Peyser and Dislocated Worker program, along with helping the customer in filing for Reemployment Assistance benefits to improve the potential for successful re-careering while waiting for a Trade petition to be certified. In South Dakota, the State Rapid Response Coordinator and

Trade Coordinator are the same person. This alignment helps to ensure those touched by Trade receive assistance as early as possible.

Meetings in response to layoffs or closures with the potential to be Trade-impacted receive information related to Trade Adjustment Assistance (TAA) services. Trade-impacted workers and businesses are provided with information on Trade petition application procedures, who may file, how to file, when to file, and what services and benefits will be available if the petition is deemed Trade-impacted. The Trade Coordinator typically files the petition on behalf of the affected workers with assistance from the business.

At the time the petition is certified, the State will try to provide notice to those covered by the petition through the mail, email, social media, and newspapers of general circulation in the area in which the workers reside. The notices will describe the benefits that are available for the workers to request along with dates, times, and locations for in-person information meetings.

Rapid Response funds will be used to carry out the statewide Rapid Response activities including in conjunction with TAA funds. When a company is Trade-impacted or potentially Trade-impacted, the Trade Coordinator or another authorized Representative will attend the Rapid Response Event to supply the above information, using TAA funding. This allows for the braiding of TAA funds and Rapid Response funds to serve potential TAA-impacted workers.

#### **(b) Adult and Dislocated Worker Program Requirements.**

- (1) **Work-Based Training Models.** *If the State is utilizing work-based training models (e.g. on-the-job training, incumbent worker training, transitional jobs, and customized training) as part of its training strategy and these strategies are not already discussed in other sections of the plan, describe the State's strategies for how these models ensure high quality training for both the participant and the employer.*

The most common Work-Based Training model in South Dakota is the On-the-Job Training (OJT). This training model is an efficient and effective way for a participant in the Title I programs to gain the knowledge and skills essential to the performance of the job and maintain long term employment. DLR job service office staff work with businesses in their communities to create strong relationships and opportunities for OJT. This can incentivize an employer to hire individuals who may be harder to serve, lost their jobs at no fault of their own, lack experience, and/or looking for a long-term commitment to a specific occupation. While not yet offered in South Dakota, DLR is prepared to offer Customized Training, which provides 45% of the training costs through the Title I program funding.

Due to funding limitations with the Title I Adult and Dislocated Worker programs, work-based learning opportunities are an ideal option to empower businesses to invest in their employees, provide job-specific training, and increase retention. Prior to this state plan, DLR utilized statewide funding to develop an incumbent worker training model. While the state is prepared to implement an incumbent worker training program, increased costs to do business and stagnant funding have prevented implementation. Work-based learning programs foster innovation in job placement strategies.

DLR's partnership with the Department of Corrections has flourished in recent years. While individuals complete their Occupational Skills Training during their incarceration, they often lack the work experience that many employers are seeking. DLR utilizes OJT to incentivize employers to hire these graduates despite the lack of relevant work history.

- (2) **Registered Apprenticeship.** *Describe how the State will incorporate Registered Apprenticeship into its strategy for service design and delivery (e.g., outreach to sponsors and prospective sponsors, identifying potential participants and connecting them to apprenticeship opportunities).*

Registered Apprenticeship grants are under the Workforce Development Division at DLR, as are the Wagner-Peyser and Title I programs. The apprenticeship program consists of seven coordinators who develop the apprenticeship programs and assist apprentices or mentors with financial resources available through these grants. Through the initial intake Registered Apprenticeships are discussed with participants as a potential training option. If an Adult or Dislocated

Worker participant has interest in a Registered Apprenticeship program, their Employment Specialists will connect with the Registered Apprenticeship Coordinators to identify businesses in the industry of interest who are hiring for their apprenticeship programs. In addition to any funding available through the Registered Apprenticeship grants, these customers also have access to Title I funding to assist with their training and employment goals.

- (3) **Training Provider Eligibility Procedure.** *Provide the procedure, eligibility criteria, and information requirements for determining training provider initial and continued eligibility, including Registered Apprenticeship programs (WIOA Section 122).*

WIOA training provider requirements increase accountability and transparency through reporting, biennial review, and performance outcomes. WIOA requires DLR, on behalf of the Governor of South Dakota and in consultation with the South Dakota Workforce Development Council (WDC), to establish criteria and procedures regarding training provider eligibility to receive WIOA Title I funds. These funds are for the provision of training services directed towards high-demand occupations and training programs allowing WIOA Title I participants to earn a credential within two years after beginning their studies.

The purpose of the Eligible Training Provider List (ETPL) is to provide guidance and establish criteria for organizations wishing to receive funding under WIOA Title I to provide training services. Tuition assistance for WIOA Title I participants is determined on an individual need and availability of funding.

## Role and Responsibilities

South Dakota Department of Labor and Regulation (DLR) is responsible for:

- Identifying eligibility criteria, including high-demand occupations for WDC consideration.
- Developing, maintaining, and disseminating the ETPL as the official list of training providers and training programs in South Dakota.
- Removing programs that do not meet established program requirements and performance levels or fail to report required data.
- Ensuring training providers have the expertise to assist individuals with disabilities and those in need of adult education and literacy activities.
- Communication with the United States Department of Labor (U.S. DOL) Office of Apprenticeship (OA) state director to develop a mechanism to contact all Registered Apprenticeship sponsors with the State to allow them to indicate interest.

Approved training providers are responsible for:

- Submitting accurate and timely performance data and cost information for both initial eligibility and continued eligibility.
- Coordinating financial aid, grants, and scholarships with WIOA Title I resources and ensure WIOA Title I funds do not duplicate funds otherwise available to the participant.
- Ensuring WIOA Title I funds are used for required tuition, fees, and books only.
- Ensuring the distribution of participant funds is communicated with DLR staff.
- Coordinating with DLR staff to create tutoring options for WIOA Title I participants who could benefit from services.
- Proactively collaborate and communicate with DLR staff to secure all documentation required for WIOA Title I participants to receive financial assistance. Documentation will include, but will not be limited to, progress reporting forms, attendance records, information release forms, midterm, quarter, and semester grades, and invoices.
- Understanding and agreeing to the Conditions and Assurances outlined in [Form 10B](#) of the [DLR WIOA Manual](#).
- Retaining documentation verifying the accuracy of its submitted program performance reports and provides access to the documentation for four years after the program year.
- Acknowledging if the program is approved, the information contained in the application, including performance requirement information, will be available for the public to view on the DLR website and [trainingproviderresults.gov](http://trainingproviderresults.gov).

## Provider Eligibility

### **Types of Entities Eligible to Apply - §680.410(d)**

Providers of training services are required to be on the South Dakota ETPL to receive WIOA Title I Adult, Dislocated Worker, and Youth funding for training services. Training services are provided through Individual Training Agreements (ITA). Eligible training providers allowed to receive funding through an ITA:

- Institutions of higher education with programs leading to a recognized postsecondary credential.
- Entities that carry out programs registered under the National Apprenticeship Act (29 U.S.C. 50).
- Eligible providers of Adult Education and Literacy activities under WIOA Title II if such activities are provided in combination with training services.
- Public and private providers of a program of training services, which may include community-based organization and joint labor-management organizations
- A local workforce development board, if it meets the conditions of WIOA sec. 107(g)(1).

### **Registered Apprenticeship Program Providers - §680.450(b) §680.460(c) §680.470(a-e)**

Under WIOA Title I, Registered Apprenticeship Programs are automatically *eligible* for placement on the state-approved ETPL. Registered Apprenticeship Program (RAP) sponsors seeking ETP inclusion must provide the following information in the application:

- Occupations included within the RAP;
- Name and address of the RAP sponsor;
- Names and addresses of the Related Technical Instruction provider(s) and the location(s) of instruction if different from the program sponsor's address;
- Method and length of instruction;
- Number of active apprentices.

RAPs are not subject to the same application and performance information requirements, a period of initial eligibility, or initial eligibility procedures as other providers due to the detailed application and vetting procedures required by the U.S. DOL Office of Apprenticeship (OA). RAP status verification is conducted every two years, at a minimum, with U.S. DOL OA. RAPs in good standing with OA will remain on the ETPL until the:

- Program has been deregistered by a finding of the U.S. DOL.
- Program sponsor has notified the State that it no longer wants the program to be included on the list.
- Program sponsor has intentionally provided inaccurate information.
- Program has violated any provision of Title I of WIOA or the WIOA regulation, including 29 CFR §38 for no less than two years.

**Note:** Pre-apprenticeship programs do not receive the same WIOA exceptions allowed for RAPs. Pre-apprenticeship programs seeking initial or continued eligibility to the ETPL must follow the same process requirements as other non-RAP training providers, as described in this policy. - §680.470(f)

### **Reciprocity - §680.520(a-b)**

DLR may enter into a reciprocal or other agreement with another state. Training in another state will only be considered for an eligible participant if:

- Similar training is not available in South Dakota; and
- There is employment for the participant in South Dakota upon completion of training as verified by the employer; and
- The training provider is active and in good standing on the ETPL in the state of the provider's physical address; and
- The training provider has completed the [Initial Application Process](#); and
- All other conditions for training eligibility, as identified in the [DLR WIOA Manual](#), are met and justified.

A DLR Program Specialist **must approve all ITA's** with out-of-state training providers **prior to a commitment of funding**. Current agreements can be viewed on the [Eligible Training Providers and Programs](#) page. For more information on establishing an agreement with DLR, email [DLRETPL@state.sd.us](mailto:DLRETPL@state.sd.us).

### **Exempt Training Providers - §680.530(a)**

Providers of On-the-Job training (OJT), customized training, incumbent worker training, internships, paid or unpaid Work Experience, or transitional jobs are not subject to the requirements applicable to entities listed on the ETPL and are not included on the state list of eligible providers and programs.

### **Equal Opportunity**

Eligible training providers are subject to the equal opportunity and nondiscrimination requirements contained in WIOA sec. 188 and implementing regulations of 29 CFR §38.

## **Program Eligibility**

### **Types of Programs Eligible - §680.420(a-d)**

A program must provide one or more courses or classes leading to one or more of the following:

- Industry-recognized certificate or certification
- Certificate of completion of a registered apprenticeship
- License recognized by the Federal government, State of South Dakota, another state with which South Dakota has a reciprocal agreement
- Community or technical college certificate of completion
- Associate degree
- Baccalaureate degree
- Secondary school diploma or its equivalent
- Employment
- Measurable skill gains toward a credential described above or employment

### **Programs Not Eligible**

Programs associated solely with job readiness, basic skills, career exploration, and reading literacy programs will not be eligible for inclusion on the ETPL.

## **Initial Application Process**

§680.450(a-b)(e)(g-h)

### **Initial Program Application Requirements**

To be considered for inclusion on the ETPL, a training provider must create a Training Provider account in [SDWORKS](#). Once DLR has activated the account, providers must submit an application for each training program, including an application for each delivery style (online, in-person, hybrid). The training provider must submit a complete program application in SDWORKS, including information regarding:

- Institution Type;
- Contact Information;
- Federal Employer Number/FEIN;
- Website;
- Program description;
- Classification of Instructional Programs (CIP) code;
- Information on training services that lead to a recognized postsecondary credential or a secondary school diploma or its equivalent;
- College's or company's accreditations (national or State) *if applicable*;
- Verifiable information about performance for the most recent twelve (12) month period that includes one of the following<sup>1</sup>:

- Completion Rate
- Entered Employment Rate
- Median Earnings
- Credential Attainment Rate
- Training programs offered in partnership with businesses must provide one of the following; *if applicable*:
  - a letter of support from a local employer or employers;
  - evidence of the existence of an employer-based advisory committee;
  - letter of support by an industry association or organization; or
  - letter of support from a local economic development organization.
- Information addressing the alignment of training with in-demand industry sectors or occupations;
- Program prerequisites;
- Necessary program equipment;
- Class time, length, form, and mode of delivery;
- Program duration;
- Location(s) where the program is offered;
- Program costs;
- Agree to accept the terms and conditions of DLR Conditions and Assurances; and
- Provider Payment Authorization form.

### **Initial Program Review Process**

Prospective training providers may apply at any time on a year-round basis; eligibility will be open and rolling. All applications must be submitted through [SDWORKS](#) and use the [SDWORKS Guide for Training Providers](#). Providers must submit separate applications for each individual program. If multiple training delivery formats (in-person only, online-only, hybrid) are available, an application must be submitted for each delivery format.

A DLR Program Specialist will review initial program applications to verify [Initial Program Application Requirements](#) are completed. The training provider contact will be informed via email of approval or denial status, or if additional information is needed, within 45 days of submission.

Once approved, training providers and/or programs will be listed on the ETPL. The initial eligibility period expires the following July 31. The provider must then apply for continued eligibility on a biennial basis by July 31 at the end of the eligibility period, except Registered Apprenticeship Programs.

### **Tuition Refund**

If a DLR participant receives tuition assistance and is eligible for a refund from the training provider, the training provider must reimburse DLR for its fair share. DLR will apply this reimbursement to the grant which paid for the tuition. Under no circumstances will funds be returned to a participant without the Department's written permission.

### **Continued Eligibility Programs**

§680.460(a)(f)(g)(i)

#### **Continued Program Application Requirements**

After the initial or conditional eligibility period, providers must submit an application to meet continued eligibility requirements, as authorized by WIOA sec. 122. The training provider must review and update the continued eligibility program in [SDWORKS](#) in accordance with the [SDWORKS Guide for Training Providers](#) and include information on:

- A training provider's prior eligibility status or status of an existing program
- Accurate program cost information (including tuition & fees)
- Accurate consumer information in SDWORKS
- The availability of training services through the State
- Performance reports for the previous program year submitted within the required reporting period

- Meet minimum performance standards
- Performance accountability measures
- Ability to offer industry-recognized certificates and/or credentials
- Ability of the providers to provide training services that are physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, including individuals with disabilities
- The degree to which the program relates to in-demand industry sectors and occupations in the State
- The ability of the training provider to provide training services to individuals who are unemployed, underemployed, incumbent workers, and individuals with barriers to employment
- Any additional information requested by DLR.

### ***Continued Eligibility Review Process***

Providers must submit continued eligibility applications by July 31 of the biennial period. DLR Program Specialist will review the continued application to verify [Continued Eligibility Application Requirements](#) are completed. The training provider contact will be informed via email of approval or denial status, or if additional information is needed, within 45 days of submission.

## **Reporting and Performance Requirements**

### ***Program Performance***

All providers must meet reporting and performance requirements for continued eligibility. Data collected in the ETP performance will be made accessible to the public via the WIOA Annual Report and shared by U.S. DOL at [trainingproviderresults.gov](http://trainingproviderresults.gov). This information will also be distributed to job seekers throughout the WIOA system.

### ***Training Provider Reporting Period***

Each approved training provider must submit program performance reports on an annual basis, based on the Program Year (July 1 to June 30) to DLR for each approved program using the data template supplied by DLR. Data must be **submitted no later than July 31** after the end of each program year for the 12-month period beginning July 1 of the previous year. This 12-month period is the "reporting period."

**Example:** On July 31, 2020, the training provider submits a program performance report for each of its approved programs for the reporting period beginning July 1, 2019, ending June 30, 2020.

### ***Required Reporting Elements***

1. *Total Number of Individuals Served* – The **total number** of students (WIOA and non-WIOA) in the program of study in the reporting period.
2. *Total Number of Individuals Exited* – The total number of students (WIOA and non-WIOA) who **completed, withdrew, or transferred** from this program of study in the reporting period.
3. *Total Number of Individuals Completed* – The total number of students (WIOA and non-WIOA) who **completed (did not withdraw or transfer out)** from this program of study in the reporting period.
4. *Credential Attainment Rate* – The total number of students (WIOA and non-WIOA) who completed the training program **AND** attained a credential associated with the program of study within one year after exit. This includes all students who attained a recognized postsecondary credential during the program or with one year after exit **OR** attained a secondary school diploma or its equivalent, and who were also employed or enrolled in an education or training program leading to a postsecondary credential within one year after training program exit.
5. *Social Security Number* - Include the social security numbers of students (WIOA and non-WIOA) for the purpose of direct UI wage record match or supplemental wage information conducted by DLR.
  - *Employment Rate 2<sup>nd</sup> and 4<sup>th</sup> Quarter After Exit* – The total number of students (WIOA and non-WIOA) from the training program who are found to be employed.

- *Median Earnings 2<sup>nd</sup> Quarter After Exit* – Total quarterly earnings, for the total number of students (WIOA and non-WIOA) who are employed in the second quarter after exit.
- *Average Earnings 2<sup>nd</sup> and 4<sup>th</sup> Quarters After Exit* – Average earnings of students (WIOA and non-WIOA) in the training program who are in unsubsidized employment during the second and fourth quarters after exit.

### **Minimum Performance Requirements**

Program performance is collected for DLR to evaluate program effectiveness and monitor compliance. DLR has established the minimum performance standards to meet the State's lowest [negotiated performance rate](#) of the Adult, Dislocated Worker, or Youth program established with U.S. DOL for the biennial program year. Registered Apprenticeship Programs are not required to submit performance information.

Program performance is based on **all student** outcomes for the **Employment Rate 2<sup>nd</sup> Quarter After Exit, Employment Rate 4<sup>th</sup> Quarter After Exit, Median Earnings 2<sup>nd</sup> Quarter After Exit, and Credential Attainment Rate**.

Programs that **fail three out of four elements for two consecutive years** must be removed from the ETPL as stated in the Conditions for Removal. Training programs with less than ten total students are exempt from the conditions of removal due to insufficient performance requirements. Providers removed for one of these reasons may reapply for initial eligibility by demonstrating compliance with all requirements under WIOA law.

### **Personal Identifiable Information & Confidentiality**

To comply with federal reporting requirements, the collection of Personally Identifiable Information (PII) (e.g., Social Security Numbers on WIOA and non-WIOA program participants) is required to derive performance outcomes such as employment and earnings. PII and other sensitive information must be protected. DLR and training providers must take the steps necessary to ensure all PII's obtained from participants and/or other individuals in the ITA invoicing process is secure to protect such information from unauthorized disclosure. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means.

### **The Federal Educational Rights and Privacy Act**

The Federal Educational Rights and Privacy Act (FERPA) generally applies to postsecondary institutions that are eligible training providers. Most postsecondary institutions are also recipients of federal funds under a program administered by the U.S. Department of Education. However, some private providers of training services may not be recipients of funds administered by the U.S. Department of Education, including Pell Grants or student loans funded under Title IV of the Higher Education Act of 1965. Those providers would generally be excluded from FERPA requirements. Compliance with ETPL reporting requirements does not violate the privacy requirement set forth in FERPA. Per TEGL 7-16, joint guidance issued by the U.S. Departments of Labor and Education, the FERPA audit or evaluation exception permits PII disclosure from education records for WIOA performance accountability purposes.

### **Conditions for Removal**

§680.450(A-B)(E)(G-H)

If a training program fails to meet the minimum performance requirement for two consecutive years, it will be removed from the ETPL. Training programs with less than ten total students are exempt from the conditions of removal due to insufficient performance requirements. Providers removed for one of these reasons may reapply for initial eligibility by demonstrating compliance with all requirements under WIOA law.

An approved program will be removed from the ETPL if a training provider does not supply annual reporting and performance requirements by the date indicated in the [Training Provider Reporting Period](#) section. If a training provider supplies false performance information, misrepresent cost or services, or substantially violates requirements of WIOA law or regulations, the provider will be removed from the ETPL for a period of at least two years. Providers may be required to repay all WIOA Title I funds received during the period of non-compliance.

If a training provider or program of training services is removed from the ETPL while WIOA participants are enrolled, the participant may complete the program unless the provider or program has lost authorization to operate in South Dakota.

## Appeal Process

### §683.630(B)

If a training provider is denied from inclusion on the ETPL or terminated from eligibility, the provider has the option to appeal. A written request for appeal and a statement of justification, explaining why the provider should be included on the ETPL, must be submitted via e-mail to [DLRETPL@state.sd.us](mailto:DLRETPL@state.sd.us) within 15 business days after notification of ineligibility or termination. Written appeals should not exceed one page.

The training provider will be contacted within 15 business days of DLR’s receipt of the appeal to schedule a hearing with the ETPL appeals board. The board will consist of a DLR Labor Program Specialist, the Workforce Training Director, and a WDC member. The Board will issue a final decision within 60 business days of the date of the hearing. If denied, a program will be unable to reapply through the ETPL eligibility process for two years from the date of final notification by the ETPL Appeals Board.

- (4) **Describe how the State will implement and monitor for the Adult Priority of Service requirement in WIOA section 134 (c)(3)(E) that requires American Job Center staff, when using WIOA Adult program funds to provide individualized career services and training services, to give priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners).**

The WIOA Title I Adult program provides priority of individualized career and training services to individuals in the following order:

Priority of Service
1. <i>Low Income, Public Assistance, or Basic Skills Deficient AND Veteran and Eligible Spouse including Widows and Widowers</i>
2. <i>Low Income, Public Assistance, or Basic Skills Deficient</i>
3. <i>Displaced Homemaker; Indians, Alaska Natives, Native Hawaiians; Older individuals; Individuals with disabilities; Ex-Offenders; Homeless individuals or homeless children and youths; youth who have aged out of the foster care system; individuals who are English language learners, have low levels of literacy, and facing substantial cultural barriers; eligible migrant and seasonal farmworkers; individuals within two years of exhausting lifetime TANF eligibility; single parents; or long-term unemployed individuals AND Veteran and Eligible Spouse* including Widows and Widowers</i>
4. <i>Displaced Homemaker; Indians, Alaska Natives, Native Hawaiians; Older individuals; Individuals with disabilities; Ex-Offenders; Homeless individuals or homeless children and youths; youth who have aged out of the foster care system; individuals who are English language learners, have low levels of literacy, and facing substantial cultural barriers; eligible migrant and seasonal farmworkers; individuals within two years of exhausting lifetime TANF eligibility; single parents; or long-term unemployed individuals</i>
5. <i>Veterans and Eligible Spouses who are NOT included in the priority group (1 or 3 above)</i>
6. <i>Priority established by the Governor or Workforce Development Council: High School Dropout</i>
7. <i>All other individuals ages 18 and older.</i>

In addition, Title I Adult funding is reserved for those who are low income, public assistance, and basic skills deficient, ex-offender, and high school dropout, with the priority for those who are low income, public assistance, and basic skills deficient. The priority of service will be monitored through the annual program monitoring process ([See Policy 6.7 Oversight and Monitoring](#)) by comparing the number of applicants eligible for a priority population to those meeting a priority enrolled in the Adult program. Priority of Service is identified through South Dakota’s management information system. Monitoring will be focused on enrolled individuals who are veterans who meet priority of service, and nonveterans who meet priority of service.

(5) **Describe the State's criteria regarding local area transfer of funds between the adult and dislocated worker programs.**

As designated by the Governor, the Department of Labor and Regulation Cabinet Secretary may provide written approval to transfer up to 100 percent of a program year allocation between the Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Dislocated Worker programs. Through the State Accounting system, expenditures for each grant including the WIOA Title I Adult and WIOA Title I Dislocated Worker funding, are tracked separately. Expenditures from each of these programs are identified quarterly on the respective grant's federal financial report.

(6) **Describe the State's policy on WIOA and TAA co-enrollment and whether and how often this policy is disseminated to the local workforce development boards and required one-stop partners Trade Act Sec. 239(f), Sec. 235, 20 CFR 618.325, 20 CFR 618.824(a)(3)(i).**

South Dakota requires all TAA participants to be enrolled in Wagner-Peyser and Dislocated Worker programs. Co-enrollment of workers certified as eligible for TAA into WIOA allows for the timely and individualized career services and improves the effectiveness of the TAA Program. Barriers to service delivery to this population should be eliminated in order to maximize all the resources available in the One-Stop System (refer to [Active Resource Coordination Integrated Resource Teams Policy 5.1](#)). Enrollment in other workforce programs allows for services to begin before becoming eligible for TAA allowing individuals more time to consider their training and employment options.

(7) **Describe the State's formal strategy to ensure that WIOA and TAA co-enrolled participants receive necessary funded benefits and services. Trade Act Sec. 239(f), Sec. 235, 20 CFR 618.816(c)**

South Dakota places a strong emphasis on enrollment to the greatest extent possible, this includes core programs and TAA. The philosophy provides our customers with the largest pool of opportunities, including basic, individualized, training, and support services in each of the state's American Job Service Offices. During the intake and orientation to the One Stop System, programs and services are presented to the customer. All eligible individuals will receive formal and informal assessments of their skills and needs. Based on assessment results, the customer and their Employment Specialists implement an employment plan outlining their goals, steps, and services to achieve them. The WIOA and TAA Employment Specialist roles are single-staff positions, minimizing redundant efforts.

(8) **Describe the State's process for familiarizing one-stop staff with the TAA program. 20 CFR 618.804(j), 20 CFR 618.305**

As part of the state's onboarding process, staff are introduced to all the partner programs and services. Policy and guide updates are provided through a formalized memo process that includes a webinar to review the updates. In addition, training is offered frequently through webinars and DLR's Learning Management System. The Trade Coordinator travels the state annually to explain Trade to new and existing staff.

(c) **Youth Program Requirements.** *With respect to youth workforce investment activities authorized in section 129 of WIOA, States should describe their strategies that will support the implementation of youth activities under WIOA. State's must-*

- (1) **Identify the State-developed criteria to be used by local boards in awarding grants or contracts for youth workforce investment activities** and describe how the local boards will take into consideration the ability of the providers to meet performance accountability measures based on primary indicators of performance for the youth program as described in section 116(b)(2)(A)(ii) of WIOA.<sup>3</sup> Further, include a description of how the State assists local areas in determining whether to contract for services or to provide some or all of the program elements directly.

South Dakota is a single area state and utilizes DLR as the provider of their youth workforce investment services. External entities are not awarded to deliver the youth program. Individual service contracts are established based on the customer's goals, assessment results, and employment plan. Employment specialists with emphasis in youth services are available to serve clients both virtually and in person to ensure participants are served in their preferred

<sup>3</sup> Sec. 102(b)(2)(D)(i)(V)

manner. When services such as training, transportation or healthcare are needed, the employment specialist will connect with a local provider. Employment specialists identify a suitable provider based on the participant's location and needs. The provider's ongoing utilization is contingent upon the participant's overall experience and progress and the business's ability to operate under DLR's fiscal procedures and requirements.

To continually work towards the expected performance DLR reviews reports, actively monitors data, and performs comprehensive analysis of both active and inactive SDWORKS files. Case management and service delivery training is provided to employment specialists. Trainings are focused on the information gathered from data and file analysis. Employment specialists have access to their management team, a Lead Employment Specialist, and a Youth Labor Program Specialist to assist with day-to-day needs regarding the delivery of services. DLR also has staff dedicated to data analysis and federal reporting which helps to identify trends, make predictions, and adjust service delivery to improve outcomes.

- (2) **Explain how the State assists local workforce boards in achieving equitable results for out-of-school and in-school youth.** *Describe promising practices or partnership models that local areas are implementing and the state's role in supporting and scaling those models within the state for both in-school and out-of-school youth.*

Service delivery models for out-of-school populations including Job Corps participants and GED® students working with Adult Education and Literacy (AEL) providers have been built by program specialists. There has been an increase in co-enrollment with both Job Corps and AEL providers since these models were created.

These service delivery models include structured services to benefit the participant in working towards their goal, communication expectations between the participant, DLR and the partner agency, and the wraparound support services that DLR can offer to ensure that participants stay on track with their goal. Some local job service offices are even implementing office hours with partners to ensure that they can frequently communicate with enrolled participants.

These service delivery models allow for the participant to know what to expect as they work with their Employment Specialists during their program participation. The models are an outline of potential services for the employment specialist to add or remove to best assist the participant based on their needs and goals. The models also offer current and potential partner agencies a roadmap their customers can expect as they make referrals to DLR.

More service delivery models are being built. These models will focus on serving participants from Jobs for America's Graduates, Department of Corrections, and ESL providers. They will also outline the services to help participants with job search, career exploration, work-based learning and post-secondary training preparation, and entering the workforce.

- (3) **Describe how the State assists local workforce boards in implementing innovative models for delivering youth workforce investment activities,** *including effective ways local workforce boards can make available the 14 program elements described in WIOA section 129(c)(2); and explain how local areas can ensure work experience, including quality pre-apprenticeship and registered apprenticeship, is prioritized as a key element within a broader career pathways strategy.*

In addition to service delivery models, structured sessions for participants focused strongly on the 14 program elements, such as leadership development, financial literacy, and transitioning from secondary to post-secondary or training will be developed. Program specialists will work with employment specialists to develop these sessions. Sessions will then be offered virtually, with in-person options, on a regular basis. These sessions will allow youth participants to connect with their peers from across the state and learn together.

Many of the service delivery models will include the opportunity for a youth to participate in either a job shadow, work experience, or on-the-job training as appropriate. Pre-apprenticeships and registered apprenticeships will be explored whenever possible in connection with the participant's goals.

- (4) **Provide the language contained in the State policy for “requiring additional assistance to enter or complete an educational program, or to secure and hold employment” criterion for out-of-school youth specified in WIOA section 129(a)(1)(B)(iii)(VIII) and for “requiring additional assistance to complete an education program, or to secure and hold employment” criterion for in-school youth specified in WIOA section 129(a)(1)(C)(iv)(VII). If the state does not have a policy, describe how the state will ensure that local areas will have a policy for these criteria.**

WIOA Regulation §681.300 provides State Boards with the authority to define and establish documentation requirements for additional assistance. Additional assistance is defined as an individual who meets one or more of the following:

- No employment within the last six months.
- Unable to hold employment due to being fired from, or quitting, two or more jobs in the last six months.
- History of substance abuse.
- One or more parents are currently incarcerated.
- Is a veteran.

Documentation requirements include a case note in the participant’s SDWORKS file outlining the Additional Assistance category that applies to the participant and the participant’s situation related to the Additional Assistance (reference WIOA [Youth Additional Assistance](#) Policy 4.4). Participants sign the completed WIOA application adding a layer of self-attestation for validation.

**(d) Single-area State requirements.** *In States where there is only one local workforce investment area, the governor serves as both the State and local chief elected official. In such cases, the State must submit any information required in the local plan (WIOA section 106(d)(2)). States with a single workforce area must include—*

- (1) **Any comments from the public comment period that represent disagreement with the Plan.** (WIOA section 108(d)(3).)

South Dakota made the Unified State Plan available on 12/11/2023 on the DLR website. The public comment period closed on 1/11/2024. An additional public comment period was held during the Workforce Development Council meeting on 2/8/2024. All WIOA partner agencies and WDC members were made aware of this public comment period.

- (2) **The entity responsible for the disbursement of grant funds, as determined by the governor, if different from that for the State.** (WIOA section 108(b)(15).)

DLR is responsible for ***disbursement of Title I, II, and III grant funds*** and offers a wide variety of services to participants statewide. The Department of Human Services (DHS) in South Dakota is responsible for disbursement of Title IV grant funds.

- (3) **A description of the type and availability of WIOA title I Youth activities and successful models, including for youth with disabilities.** (WIOA section 108(b)(9).)

At intake, ***activities*** with all Title I applicants beginning with the completion of an eligibility determination activity. Next, the Objective Assessment provides staff an overall view of the individual, and helps determine strengths and weaknesses, as well as physical, emotional, financial, and educational needs. The completion of the Objective Assessment flows naturally into the creation of the Employment Plan and helps drive the development of goals. When feasible all agencies providing services to a single customer are encouraged to develop a joint Employment Plan. The Employment Plan helps staff and participants to identify major career goals. Once a goal is established, this allows staff and participants to identify next steps and set expectations for both parties. Staff are encouraged to update the Employment Plan frequently to help participants track their progress and adjust goals and objectives as needed. Services are available to eligible youth, including those with disabilities. Beneficial services to assist youth with disabilities include accommodations, assistive technology, partnering with Vocational Rehabilitation, and connecting to counseling or behavioral services as appropriate. Our goal is to meet youth where they are and use the Employment Plan to move them along their educational and career pathway. All services are made available to eligible youth with disabilities. If the customer is interested, DLR will connect the participant to additional services through Vocational Rehabilitation (VR) and work in collaboration with VR to serve the customer. Accommodations, including assistive technology, are offered as needed to ensure a successful experience for the participant. Additional services include:

**Post-secondary Preparation and Transition Service** – Includes assistance in completing financial aid forms, assistance in applying to post-secondary institutions, coordinating remedial course work necessary to attend post-secondary training, coordinating meaningful meetings between the client and post-secondary representatives, and learning about necessary life skills to be successful in post-secondary environments. Post-secondary preparation and transition services have become increasingly popular as students, educators, and guardians are increasingly aware of the negative financial, emotional, and educational outcomes that occur when students attend post-secondary training without a clear view of expectations and a defined plan for completion. Through previous in-school focused partnerships named Career Launch SD, DLR has reached hundreds of high school students offering career exploration, industry engagement, business tours, employer presentations, and soft skills training; and spread the message of Title I services which has led to increased in-school youth WIOA enrollment. Although employment specialists will no longer be operating with such a presence in local school, they will continue to serve the large number of in-school youth that were enrolled through Career Launch SD's efforts.

**Educational Achievement** – Recorded when a participant takes part in active tutoring or study skills training in either the secondary or post-secondary environment.

**Leadership Development Services** – Designed to encourage responsibility, confidence, employability, self-determination, and other positive social behaviors. This activity is entered when a participant is enrolled through Job Search Workshop, group youth activities, mock interviews, community service projects, driver's education, voter's registration, soft skills training, completing assessments to ensure readiness, and more.

**Adult Mentoring** – Coordinated formal relationships between mentors and Title I Youth participants in which a participant's competence and character is enriched through the guidance, encouragement, and support of the mentor.

**Alternative Secondary School** – Offered to participants who, for one reason or another, have dropped out of school and have made the decision to enroll in GED® earning alternative education programs.

**Comprehensive Guidance and Counseling** – Used when referrals are made to quality providers for employment related issues, such as drug and alcohol counseling, mental health needs, behavior management etc. This service is also used when a participant provides an update regarding counseling sessions. This service will be used regardless of whether DLR or the participant is funding sessions.

**Education concurrent with Workforce Preparation** – Integrated education and training offered concurrently and contextually with workforce preparation activities, basic academic skills, and hands-on occupational skills training taught within the same time frame and connected to training in a specific occupation, occupational cluster, or career pathway. This is when a participant is active in an education service, while also participating in a Work Experience or On-The-Job Training. Similar to a Registered Apprenticeship or Pre-apprenticeship. Both services are entered, and staff can enter the education service and workforce preparation service as well.

**Provision of Labor Market Information** – Provides specific labor market information about industry sectors and occupations available based on a participant's interest to increase career awareness.

**Youth Incentives** – Financial incentives to complete short-term educational or employment related goals in accordance with the individualized employment plan. Youth incentives are not a stand-alone activity or service, they are simply a method for payment. The service the participant did to earn the incentive is the service.

**Financial Literacy** – Typically offered through a partnership with a local provider or financial institution. The class covers budgeting and maintaining a checking account, as well as credit, interest rates, and other borrowing related material.

**Occupational Skills Training** – Organized program of study on the ETPL that provides specific vocational skills that lead to an occupational skills certificate or credential.

**On-The-Job Training (OJT)** – Meaningful training to a participant on a path to regular full-time employment with an employer. Used to penetrate industries risk averse to hiring employees new to the vocation by allowing a subsidy for an agreed upon training period.

**Entrepreneurial Skills Development** – Provides the basic skills of starting and operating a small business. This is not a formal occupational skills training, meaning this includes exposure to entrepreneurship and can be offered through connection to small business owners and organizations.

**Enrolled in Secondary Education** – A service entered when a participant is enrolled in a secondary education program at the 9th grade level or above.

**Non-Occupational Skills Training** – Training that assists a participant in acquiring technical or occupational skills towards his/her career pathway and leads to an occupational skills certificate or credential and is not on the ETPL.

**Work Experience** – Generally a partnership with local employers, a paid or unpaid training experience, that gives youth participants hands on experience in a field they are interested in pursuing or provides them with other valuable employability enhancing skills through actual work experience.

**Pre-apprenticeship programs** – Coordination between educational institutions, primarily secondary schools, and local business and industry. This service provides monitored work experience and education that aids in the earning of educational and or working hours that lead towards the completion of a Registered Apprenticeship program.

**Job Shadowing** – Allows youth participants to earn a stipend while spending time on a work site with professionals in an industry of interest to the participant. A function of a Work Experience.

**Support Services** – Services to active Title I participants and Title I Youth participants in Follow Up status to aide in starting or maintaining participation in workforce training or employment retention. Services offered include assistance with child/dependent care, transportation, medical needs, housing, work attire, educational testing, necessary workplace or training/job seeking accommodations, books/supplies/fees required for education and training, fees associated with applications and tests, with an “other” service reserved for participant needs that do not fall under the categories listed.

(4) **A description of the roles and resource contributions of the one-stop partners.**

Education and training activities provided by the partners are summarized in the [One-Stop Partner Programs and Services for Individuals Form 3](#) provided to all Wagner-Peyser participants during their orientation and intake to the One-Stop System.

<b>South Dakota Agency</b>	<b>Program Role</b>	<b>Resources</b>
DLR	WIOA Title I Adult	Individualized, Training, Support, and Follow Up Services, Employer Services
	WIOA Title I Dislocated Worker	Individualized, Training, Support, and Follow Up Services, Employer Services
	WIOA Title I Youth	Youth Service Elements and Employer Services
	WIOA Title III Wagner-Peyser Act Employment Services	Basic Career Services, Coordinated Referrals to partner programs, and Employer Services
	Trade Adjustment Assistance (TAA)	Job Search Allowance, Relocation Assistance, Transportation and Subsistence Assistance while in Training, Training Services, Readjustment Allowance, and Reemployment Assistance
	Jobs for Veterans State Grants (JVSG)	Intensive career readiness services for Veterans and Employer Services

	Reemployment Assistance Benefits (RA)	Provides financial benefit to individuals who have lost their jobs due to no fault of their own
	Reemployment Services and Eligibility Assessment (RESEA)	Eligibility Review for Reemployment Assistance Benefits and Coordination with other workforce programs
	Migrant Seasonal Farmworker Program (MSFW)	Basic and Individualized services that meet the unique needs of farmworkers
Black Hills Special Services Cooperative	National Farmworker Jobs Programs (NFJP)	Provides education, training and employment, and support services
U.S. Forest System	Job Corps	Offers secondary education, post-secondary workforce training programs, and transition services to improve employment outcomes and self-sufficiency
Cheyenne River Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Sisseton-Wahpeton Oyate Sioux Tribe, & Yankton Sioux Tribe	Native American Programs	Employment and training activities to make individuals more competitive, and promote social and economic development
DLR	WIOA Title II Adult Education and Literacy (AEL)	Basic skill assessments, literacy and numeracy, high school equivalency preparation, family literacy, integrated education and training, English Language Acquisition, Integrated English Literacy and Civics
Department of Human Services (DHS)	WIOA Title IV Vocational Rehabilitation (VR)	Career planning, vocational counseling, situational assessments, work-based and training services, assistive technology, transition services, benefits specialists, disability specific, and employment services
DOE	Career and Technical Education Program (CTE)	Educational and training programs that provide opportunities to help students prepare for work
DSS	Temporary Assistance for Needy Families	Provides temporary financial assistance and employment and training services to improve economic self-sufficiency
	Supplemental Nutrition Assistance Program	Financial assistance for food to help individual meet basic dietary needs while they regain financial independence
DLR National Indian Council on Aging (NICOA)	Senior Community Service Employment Program (SCSEP)	Part-time work experiences and training opportunities to enhance self-sufficiency

(5) **The competitive process used to award the subgrants and contracts for Title I activities.**

DLR One-Stop Career Centers provide the majority of Title I services. Other services, such as driver’s education, counseling, or training are delivered by local providers using established partnerships and payment through the DLR fiscal processes. When a competitive process is needed, the state procurement law is used. This regulation can be found at [sdlegislature.gov/Statutes/Codified\\_Laws/DisplayStatute.aspx?Type=Statute&Statute=5-18A](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=5-18A).

(6) **How training services outlined in section 134 will be provided through individual training accounts and/or through contracts, and how such training approaches will be coordinated.** Describe how the State will meet informed customer choice requirements regardless of training approach.

DLR Employment Specialists assist participants in determining the training necessary to meet their needs and

employment goals. Based on guidance from DLR staff and eligibility, the participant can select a program of study from those identified on the Eligible Training Provider List (ETPL). After enrollment, assessments, and the Employment Plan are complete, a determination is made regarding the participant's eligibility for training services:

- The participant is unlikely or unable to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services (Title I Adults and Dislocated Workers);
- The participant is in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment (Title I Adults and Dislocated Workers); and
  - The participant has the skills and qualifications to participate successfully in training services.
  - The training will assist the individual in obtaining employment upon completion of the training.
  - The individual is eligible for funding through the WIOA Title I program.
- The participant has an unmet need based on their Financial Aid Award Letter.
- The participant has been accepted to the program of study.
- The program of study is on the ETPL. If eligible for training assistance, an Individual Training Account is created specifically for the participant, the program of study, and the training provider.

DLR issues payment to the provider once the proper documentation and payment is entered into the SDWORKS system, approved by the manager, then reviewed for final approval by the Administrative Services division.

- (7) **How the State Board, in fulfilling Local Board functions, will coordinate Title I activities with those activities under Title II.**  
*Describe how the State Board will carry out the review of local applications submitted under Title II consistent with WIOA secs. 107(d)(11)(A) and (B)(i) and WIOA sec. 232.*

The Workforce Development Council (WDC) serves as South Dakota's single-area statewide Workforce Investment Board and promotes coordination between all workforce programs, including those funded under Title I programs and Title II Adult Education and Literacy program. The WDC frequently hears testimony from both programs and supports policy efforts related to Participants Reaching Employment Potential (PREP) service delivery models.

With the Council's support, Adult Education issues are addressed, multiyear grant-applications are reviewed, and program initiatives are integrated or aligned with other statewide efforts. In past WIOA Title II grant-competitions (i.e., 2012, 2017, 2020), the Council has not only reviewed applicants' abstracts and program-goals, but also afforded a member to score and notate each eligible application across a set of predetermined, published [state and federal] criteria. In addition to the required review to determine whether applications are consistent with South Dakota's *WIOA State Plan*, the Council has the opportunity to make recommendations to DLR to promote the alignment of [local] Adult Education services with the state's *WIOA State Plan*.

Within the Council's statutory obligations, Job Service offices assist with job searches, employment guidance and counseling, as well as referrals to appropriate services [which benefit individuals under all WIOA Titles]. The Job Service offices not only serve individuals seeking jobs and training, but also support businesses and industries.

- (8) **Copies of executed cooperative agreements which define how all local service providers will carry out the requirements for integration of and access to the entire set of services available in the one-stop delivery system, including cooperative agreements with entities administering Rehabilitation Act programs and services.**

Reference Memorandum of Understanding: Appendix 2.

Reference Joint Powers Agreement Between DHS and DLR: Appendix 3.

- (e) **Waiver Requests (optional).** *States wanting to request waivers as part of their title I-B Operational Plan must include a waiver plan that includes the following information for each waiver requested:*

- (1) **Identifies the statutory or regulatory requirements for which a waiver is requested** and the goals that the State or local area, as appropriate, intends to achieve as a result of the waiver and how those goals relate to the Unified or Combined State Plan;

## **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

The State of South Dakota is requesting a waiver from Section 129 (a)(4)(A) and 20 CFR 681.410, which requires not less than 75% of funds allotted to states under Section 127(b)(1)(C), reserved under Section 128(a), shall be used to provide youth workforce investment activities for Out-of-School Youth. South Dakota is requesting a waiver to reduce the 75% funding requirement for out-of-school youth to 50%. South Dakota is a small state and the same employment specialists that work the out-of-school youth program also operate the in-school youth program. While still focusing efforts on out-of-school youth, reducing the expected expenditure rate to 50% will allow an equal financial opportunity to both populations and reduces confusion for staff. South Dakota's Employment Specialists can concentrate on serving youth participants and less on funding categories.

South Dakota DLR has received this waiver for the past four years. This waiver has allowed DLR to foster a relationship with the South Dakota Department of Education (DOE). This connection has subsequently led to collaboration with the Jobs for America's Graduates (JAG) program. Our strategy for assisting JAG students involves engaging with them *after graduation* to enhance our out-of-school youth program. Regular communication with JAG allows employment specialists to develop relationships with students, and if needed, address their needs even before graduation. This connection with high-need students not only benefits our out-of-school youth program but also positively influences our in-school youth program by ensuring students have resources if necessary.

Our collaboration with DOE enabled DLR to establish strong partnerships with local high schools, resulting in increased enrollment in our in-school youth program, with participants as young as 14 and 15 years old. To ensure these students positively impact our youth program by acquiring measurable skills gains and credentials, it's crucial to keep them active and engaged until graduation and beyond. This requires frequent communication and relevant services. To enhance our youth program's performance, a higher percentage of in-school youth funding is essential, allowing DLR to support these young individuals until they are ready for the workforce or full-time post-secondary education. Recognizing the challenge of maintaining youth engagement over a four-year period for the best program impact, our new strategy involves connecting with in-school youth during their junior or senior year when our program can have a deeper impact.

Historically, South Dakota DLR faced challenges in meeting the 20% expenditure rate for work experience funding in the youth program. The state's low unemployment rate of 2.0% and a youth workforce engagement 12.8% higher than the national average indicated that most ready to work youth were already employed full-time. This struggle recently saw some improvement in the last few program years because our carryover budgets allowed for the Work Experience Policy to be written for 39-hour work weeks, allowing our out of school youth population to have full-time employment. This carryover was quickly spent with the number of hours allowed per week and the increase in starting wages for our state. With the need to adjust to a smaller budget, the Work Experience Policy has been revised to allocate 25 hours per week, prompting out-of-school youth to lean towards full-time employment over work experience participation. The policy is now better suited to an in-school youth's lifestyle, and allocating a higher expenditure for this population will aid South Dakota in meeting the 20% Work Experience Expenditure requirement.

In the years since the COVID-19 Pandemic, South Dakota has seen an increase in alternative education students in the state. Some school districts have begun to create their own programs to assist students with earning their GED® while still being connected to the school. There has also been an increase in the number of students looking for alternatives, even if their schools are not offering a GED® alternative. Whether these students are connected to the school or seeking an independent alternative, they may need assistance in reaching their educational and employment goals. This waiver would allow DLR to be seen as a resource to support these students, whatever their path may be.

## **Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

The State of South Dakota is requesting a waiver from 20 CFR 681.550 that allows WIOA Individual Training Accounts (ITAs) for Title I Out-of-School Youth between the ages of 14 and 21. South Dakota is requesting a waiver to allow the state to provide Title I In-School Youth with WIOA ITAs. The waiver eliminates the disadvantage to enrolling a student in need as an in-school youth. This allows DLR to help those who are in need of assistance to complete their high school education and provide a pathway to post-secondary. In addition, it allows DLR to assist individuals who have started a program of study, but have a significant life change negatively impacting their ability to continue towards their goals. The ultimate goal with this waiver is to provide program flexibility to help youth in need of assistance in reaching their employment goals despite their current education status.

The waiver allows DLR to operate our in-school youth program in alignment with our out-of-school youth program. This eases implementation for a small state like South Dakota, where the same staff work multiple programs. This waiver will allow staff to focus on the participant and not worry about the program differences between in-school and out-of-school youth.

- (2) **Describes the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers;**

### **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

There is not a state or local statutory or regulatory barrier to implement the requested waiver.

### **Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

There is not a state or local statutory or regulatory barrier to implement the requested waiver.

- (3) **Describes the goals of the waiver and the expected programmatic outcomes if the request is granted;**

### **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

**Goal:** Maintain the 20% Work Experience Expenditure Requirement.

The inclusion of in-school youth with short-term, part-time work experiences will help DLR maintain the 20% work experience expenditure requirement. Most of South Dakota's out-of-school youth are looking for full-time employment and cannot afford reducing their weekly hours to twenty-five a week.

**Goal:** Maintain the Provision of Services to In-School Youth to Continue Engagement with Enrolled Youth.

The increase of younger in-school youth enrolled in our WIOA over the last few program years may negatively impact our Measurable Skills Gain, Credential, and Employment ratings in the youth program, if we are not able to keep these students engaged. The goal is to continue to provide services to the in-school youth population that is enrolled to keep them engaged to the point of finishing high school and entering the post-secondary or employment stage of their life with the help of DLR. By maintaining these youth in our program our Measurable Skills Gain, Credential, and Employment will improve with time. While the state has plans to focus on juniors and seniors in the future, we need to continue services to the younger youth currently in our program and in need of services.

### **Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

**Goal:** Improve the state's Measurable Skills Gains by supporting students as they continue their studies. Part of DLR's Occupational Skills Training policy is that the student must maintain a 2.0 or higher to continue to receive funding for

subsequent semesters. By including these students in the youth population, this measurement will be positively impacted.

- (4) **Describes how the waiver will align with the Department’s policy priorities, such as:**
- (A) *supporting employer engagement;*
  - (B) *connecting education and training strategies;*
  - (C) *supporting work-based learning;*
  - (D) *improving job and career results, and*
  - (E) *other guidance issued by the Department.*

### **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

Funding through a partnership with the DOE, Career Ready SD is a team of DLR employees that closely collaborates with DOE, schools, and businesses throughout the state to build sustainable, work-based learning strategies. Employers play a pivotal role in engaging with South Dakota's future workforce through activities such as job shadows, internships, and industry tours. This early exposure empowers students to make well-informed decisions about their future careers.

The waiver enables the allocation of additional youth funds to provide enrolled in school youth with paid work experiences. This not only allows them to enhance their skills but also build a work history and acquire references through work-based learning. Establishing a connection with youth during high school enables youth to align their remaining education with their career goals.

Through structured career exploration with DLR staff, youth gain exposure to various fields and receive guidance in processing the information gathered to make informed decisions about their future education and career. This proactive approach empowers youth to make well-informed, long-term decisions at a young age.

### **Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

DLR is addressing skills gaps in the current workforce by providing financial support for occupational skills training in high-wage, high-demand fields for disadvantaged in school youth. This initiative aims to enhance career advancement prospects for all participants, extending beyond out-of-school youth. With financial assistance and career exploration services from DLR, in school youth will have improved chances of achieving stronger employment outcomes and meet employer’s workforce needs.

- (5) **Describes the individuals affected by the waiver**, including how the waiver will impact services for disadvantaged populations or individuals with multiple barriers to employment; and

### **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

The Career Ready SD team is in close contact with local schools and serve as a referral source for in-school youth in need. They directly connect local schools with DLR employees to start working with students identified by school staff that need further assistance. This can vary from discussing the benefits of completing their high school education, exploring educational alternatives for those that will not be able to complete with the school system, explore career options and the various ways to enter an industry, job shadows to gain a future direction, or work experiences that reinforce the importance of education.

Below are examples of youth services that our previous waiver allowed DLR to offer. Without the continuation of this waiver, these opportunities for future students may no longer be available.

- A population that DLR has been able to make connections with is students located on the Pine Ridge and Cheyenne River Reservations.

- For the past two summers, DLR has connected with in-school youth in the Pine Ridge area and facilitated summer work experiences. These have been offered on a small scale but have had a high impact on these students, some who have had their first experience with working.
- The work completed with the students from the Cheyenne River Reservation has been focused on seniors and has taken place during the school year. Services provided to students included interest inventories, labor market information, soft skills training and mock interviews. Students were also encouraged to attend FAFSA family night and a career fair that was held at their school. These experiences and services allowed for a strong plan to form for post-secondary life and gave confidence to these students to enter the workforce. Students will benefit from continued follow-up services as needed as they enter their post-secondary lives.

## **Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

Individuals who are low-income and have at least one additional barrier to employment are eligible for the in-school youth program. These barriers include being basic skills deficient, English language learner, ex-offender, homeless, currently in or aged out of foster care, parenting, or having a disability. Individuals with these barriers and needs will benefit from this waiver.

- (6) **Describes the processes used to:**
- (A) ***Monitor the progress in implementing the waiver;***
  - (B) ***Provide notice to any local board affected by the waiver;***
  - (C) ***Provide any local board affected by the waiver an opportunity to comment on the request;***
  - (D) ***Ensure meaningful public comment, including comment by business and organized labor, on the waiver.***
  - (E) ***Collect and report information about waiver outcomes in the State’s WIOA Annual Report.***

## **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

Monitoring of the youth program and its progress in implementing the waiver will be completed annually as established in [Policy 6.7 Oversight and Monitoring](#).

While South Dakota has no local board, this state plan, including youth waivers, will be out for public comment. In addition, the state Workforce Development Council will have this plan as an agenda item for review and include time for public comment.

Annual progress on youth waivers will be included in the annual report data DLR issues each year.

## **Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

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Annual progress on youth waivers will be included in the annual report data DLR issues each year.

- (7) **The most recent data available regarding the results and outcomes observed through implementation of the existing waiver, in cases where the State seeks renewal of a previously approved waiver.**

## **Waiver 1: WIOA Section 129(a)(4)(A) and 20 CFR 681.410 – Out-Of-School Youth Expenditure**

With this waiver in place, DLR has enhanced its partnership with the South Dakota Department of Education and individual school districts throughout South Dakota. Opportunities to connect with industry and local employers enable youth participants to take ownership of their future and arrive at the most informed decision for their path forward.

***Increase Career Exploration services to youth regardless of their educational status.***

Career Exploration services include Job Shadows, Provision of Labor Market Information, and Leadership Development Services. With the approval of this waiver in PY18, there have been significant gains in the number of Career Exploration Services provided to youth in South Dakota except for PY20 due to the COVID-19 Pandemic. During PY22, there was a substantial growth in the number of career and training services provided to youth, from 565 in PY21 to 1157 in PY22 (see [Figure 1: Title I Youth Career Exploration Services by Program Year](#)).

***Increase Work-Based Learning services to youth despite their education status. This includes work experiences, internships, pre-apprenticeships, on-the-job training, and job shadows.***

South Dakota's low employment numbers make businesses increasingly interested in building student relationships. This waiver allows DLR to offer services to all youth participants equally, resulting in a sizable increase in the number of Work-Based Learning services offered to youth in South Dakota Communities.

As shown [Figure 2: Title I Youth Participants Enrolled in a Work-Based Training Program](#), DLR continues to grow the number of work-based learning services increasing the number provided to youth from 237 in PY21 to 331 in PY22.

***Enhance partnerships with schools and businesses to increase youth apprenticeship opportunities.***

While slightly down from last year, the launch of the Pathway Partnership initiative has created opportunities for those ages 16-24 to take part in apprenticeships (see [Figure 3: Apprentices by Age](#)).

**Waiver 2: 20 CFR 681.550 – Individual Training Account Usage for In-School Youth**

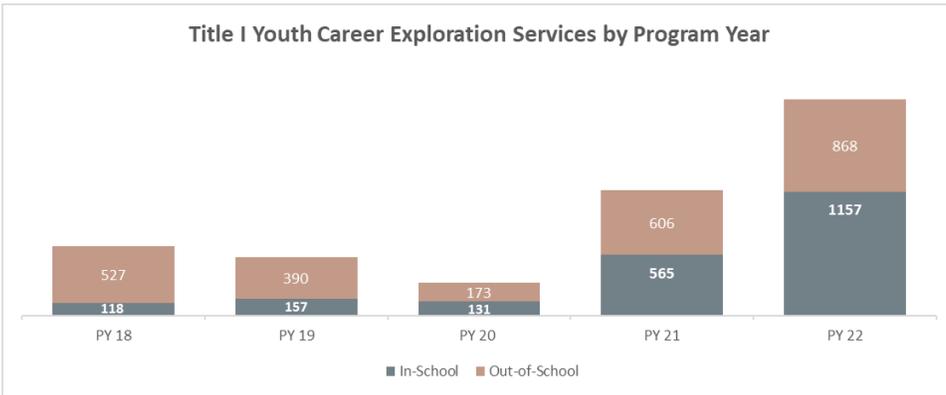
This eases implementation in a small state where staff works multiple programs. It reduces confusion for our partners and increases participation.

***Increase enrollment in South Dakota's WIOA Title I Youth program***

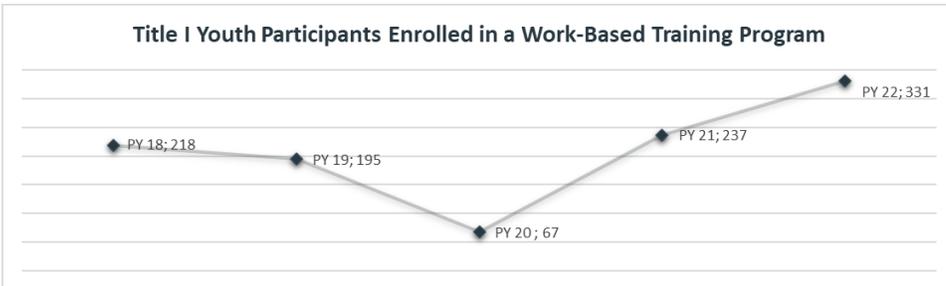
This waiver was first approved in PY18. DLR Job Service offices responded quickly to the opportunities provided by the waiver and raised enrollments by 43% in the first program year of waiver approval. From PY18 to PY19, our youth program participation increased by another 44%. COVID-19 contributed to a slight decrease in PY20, but PY21 saw a dramatic growth from 95 ISY participants to 222. PY22 has seen an increase of ISY (see [Figure 4: Title I Youth ISY & OSY Enrollments by Program Year](#)).

***Increase post-secondary options for disadvantaged In-School Youth***

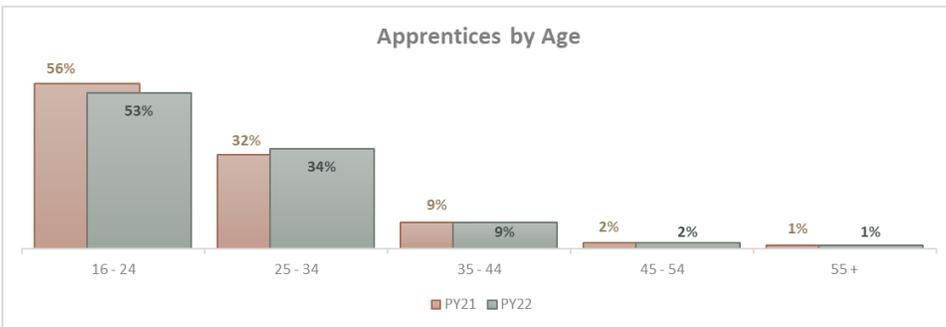
Since the implementation of this waiver, DLR has worked to increase post-secondary options for disadvantaged In-School Youth. In PY22, DLR assisted nine in-school youth with an occupational skills training service. While there have been marked increases in occupational skills training services since the implementation of this waiver, there was a dip in in-school youth enrollments for PY20, most likely due to the pandemic, which saw a recovery in PY21 and PY22 (see [Figure 5: Disadvantaged Title I Youth Participating in an Occupational Skills Training](#)). With the increase in participation, DLR anticipates continued growth in occupational skills training services in the coming years.



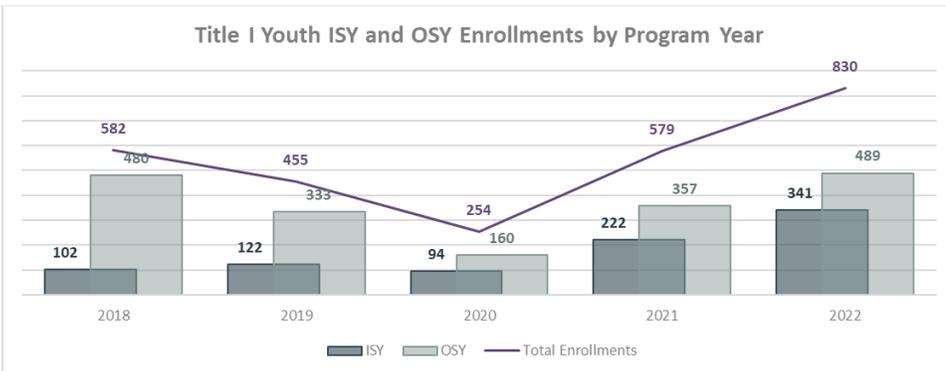
**Figure 1: Title I Youth Career Exploration Services by Program Year**



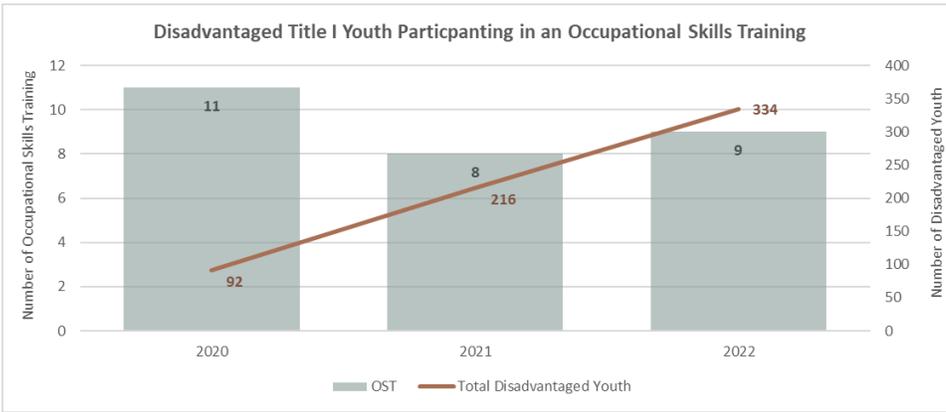
**Figure 2: Title I Youth Participants Enrolled in a Work-Based Training Program**



**Figure 3: Apprentices by Age**



**Figure 4: Title I Youth ISY & OSY Enrollments by Program Year**



**Figure 5: Disadvantaged Title I Youth Participating in an Occupational Skills Training**

## TITLE I-B ASSURANCES

The State Plan must include assurances that:	
1.	The State has implemented a policy to ensure Adult program funds provide a priority in the delivery of training services and individualized career services to individuals who are low income, public assistance recipients and basic skills deficient;
2.	The State has implemented a policy to ensure local areas have a process in place for referring veterans with significant barriers to employment to career services provided by the JVSG program’s Disabled Veterans’ Outreach Program (DVOP) specialist;
3.	The State has 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;
4.	The State established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years in accordance with WIOA section 107(c)(2);
5.	Where an alternative entity takes the place of a State Board, the State has written policy and procedures to ensure the alternative entity meets the definition under WIOA section 101(e) and the legal requirements for membership;

6.	The State established a written policy and procedure for how the individuals and entities represented on the State Workforce Development Board help to determine the methods and factors of distribution, and how the State consults with chief elected officials in local areas throughout the State in determining the distributions;
7.	The State will not use funds received under WIOA Title I to assist, promote, or deter union organizing in accordance with WIOA section 181(b)(7);
8.	The State distributes adult and youth funds received under WIOA equitably throughout the State, and no local area suffers significant shifts in funding from year-to-year during the period covered by this plan;
9.	If a State Workforce Development Board, 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, Adult and Dislocated Worker programs and Youth Programs under Title I;
10.	The State agrees to report on the impact and outcomes of its approved waivers in its WIOA Annual Report.
11.	The State has taken appropriate action to secure compliance with the Uniform Guidance at 2 CFR 200 and 2 CFR 2900, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the Uniform Guidance under section WIOA 184(a)(3);

## WAGNER-PEYSER ACT PROGRAM

### (a) Employment Service Staff.

- (1) **Describe how the State will staff the provision of labor exchange services under the Wagner-Peyser Act, such as through State employees, including but not limited to state merit staff employees, staff of a subrecipient, or some combination thereof.**

South Dakota will continue to utilize state merit staff employees.

- (2) **Describe how the State will utilize professional development activities for Employment Service staff to ensure staff is able to provide high quality services to both jobseekers and employers.**

The State of South Dakota's Bureau of Human Resources and Administration has a Learning Management System (LMS) with a variety of on-demand resources. In addition, they offer workshops throughout the state on items such as

leadership training, civil treatment in the workplace, and communication. DLR also has a LMS where we can put on-demand training created internally but also includes resources provided through the LMS subscription. Annually, DLR hosts an internal Workforce Conference offering professional development opportunities for all staff. Topics include items such as human trafficking, accent biases, embracing change, serving justice involved, poverty simulations, etc. There are also trainings offered in partnership with other workforce partners such as the annual Vocational Rehabilitation Conference or Adult Education Summer Summit. Internally, DLR holds statewide webinars when new policies are implemented or program specific in-depth training for those impacted. Partner programs and guest speakers are hosted on statewide webinars to share information such as Job Corps, Vocational Rehabilitation, Free Application for Federal Student Aid, etc.

- (3) **Describe strategies developed to support training and awareness across core programs and the Unemployment Insurance (UI) program and the training provided for Employment Service and WIOA staff on identification of UI eligibility issues and referral to UI staff for adjudication.**

Job Service Offices across the state have Employment Specialists who are cross trained in Wagner-Peyser, Title I programs, and have basic training regarding what is expected of a claimant to receive their reemployment benefits. They are not required to be experts in the unemployment field. South Dakota has developed a group of Reemployment Assistance Claims Specialists. These individuals were previously Employment Specialists working workforce programs, but during the pandemic were trained in Reemployment Assistance. Employment Specialists connect to the Reemployment Assistance call center or Claims Specialists to assist with their customer's needs or questions. Changes to policy or procedures are conducted through a statewide policy memo with representation from the Claims Specialists during policy review webinars. In addition, trainings are provided by the Reemployment Assistance team when changes are made. Recorded trainings are available for staff regarding eligibility issues and making referrals to the Reemployment Assistance team for adjudication questions or information.

- (b) Explain how the State will provide information and meaningful assistance to individuals requesting assistance in filing a claim for unemployment compensation through one-stop centers, as required by WIOA as a career service.**

A few of the DLR Job Service Offices have trained Reemployment Assistance team member located in their office to assist with filing a claim or for other questions that may arise. For those offices that do not have a trained team member located in their office, job service staff can help individuals connect directly to trained staff through a call queue. The state has provided a special phone number that is not available to the public and only used for individuals requesting assistance at Job Service Office. In addition to this direct linkage, numerous publications are available in each office and online to assist those individuals who wish to utilize self-guided tools.

- (c) Describe the State's strategy for providing reemployment assistance to UI claimants and other unemployed individuals.**

The Re-employment Services and Eligibility Assessment (RESEA) program will continue as a major resource to provide employment, re-employment and training services to individuals who qualify for Reemployment Assistance (unemployment) benefits. Individuals are selected through a statistical model that identifies claimants most likely to exhaust their Reemployment benefits. Once selected the claimant receives a letter guiding them to a Job Service Office. The overall strategy is to provide a seamless process for co-enrollment into WIOA Wagner-Peyser and Title I Dislocated Worker programs. Co-enrollment enables statewide staff to provide comprehensive assessments, labor market information, case management, training, support and resources that address barriers to employment. Job Service Offices statewide have Employment Specialists that are cross-trained in Wagner-Peyser and Title I programs. WIOA and the Reemployment Assistance Division work cohesively to maintain the integrity of the RESEA program where training is completed in unison for RESEA and Reemployment Assistance teams. South Dakota established a dedicated group of Reemployment Assistance Claims Specialists These Claims Specialists were formerly Employment

Specialists working workforce programs, and during the pandemic, they underwent specialized training in Reemployment Assistance. Employment Specialists can connect with the Reemployment Assistance call center or collaborate with Claims Specialists to address customer inquiries and needs.

Other unemployed individuals who do not qualify for unemployment insurance or under the definition of WIOA Dislocated worker may qualify for WIOA Adult Services or under other federal grants when available. Although these programs do not provide a weekly financial benefit, they may provide the same assessments, labor market information, resources, training and supportive services as funding allows.

South Dakota like many states struggles to provide comprehensive services for those receiving reemployment benefits and other unemployed individuals when budgets have been flat funded for so many years. To help alleviate this funding shortfall, South Dakota applied for the Quality Jobs, Equity, Strategy and Training Dislocated Worker Grant which will provide opportunities for individuals who are selected for RESEA, other unemployed individuals, and long-term unemployed individuals who are receiving SNAP and TANF benefits or who are incarcerated.

**(d) Describe how the State will use Wagner-Peyser Act funds to support UI claimants, and the communication between the Employment Service and UI, as appropriate including the following:**

**(1) Coordination of and provision of labor exchange services for UI claimants as required by the Wagner-Peyser Act;**

Coordination between Wagner-Peyser and Unemployment Insurance (UI) programs begins with the requirement that all UI claimants register with the employment service system to fulfill the UI eligibility requirement. Regardless of the claim filing method via online, or by phone. The Unemployment system and the Wagner Peyser system are connected to automatically register the claimant into our Management Information System or what we call SDWORKS. This allows for an easy transition into and meet the requirement to register with employment services. As a result of the UI claimants being registered in the employment services system, this expedites the availability of services and labor exchange. All claimants have the options to work with Employment Specialists in person or remote. Individuals can use SDWORKS on their own or with an Employment Specialists who are trained to provide assessments for job placement, information on training, educational or supportive services.

**(2) Registration of UI claimants with the State's employment service if required by State law;**

In South Dakota, SDCL 61-6-1(1): An unemployed individual is eligible to receive benefits with respect to any week only if the department finds that:

(1) The individual has registered for work at and thereafter has continued to report at an employment office in accordance with rules promulgated by the department pursuant to chapter 1-26. However, that the department may, by rule, waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the department finds that compliance with the requirements would be oppressive, or would be inconsistent with the purposes of this title. No such rule may conflict with this chapter.

**(3) Administration of the work test for the State unemployment compensation system, including making eligibility assessments (for referral to UI adjudication, if needed), and providing job finding and placement services for UI claimants; and**

47:06:04:17.01 of the South Dakota Unemployment Insurance Act states: An individual that has filed a claim for benefits shall submit to periodic eligibility assessments as frequently as the public employment office schedules an assessment. The frequency of the eligibility assessments shall be determined by the following considerations:

- (1) An individual's potential for being recalled to work by the individual's former employer;
- (2) An individual's reason for separating from the previous employer;
- (3) An individual's potential for employment within the individual's occupation and area of residence.

An individual who fails to report for a scheduled eligibility assessment shall be denied benefits for the week in which the eligibility assessment was scheduled and for every subsequent week until the individual reschedules an assessment or establishes good cause for failing to report.

47:06:04:17.02: Unless the secretary of the Department of Labor and Regulation determines that an individual has completed reemployment services, such as job search assistance services, or there is justifiable cause for an individual not to participate in such services, an unemployed individual is eligible to receive benefits for any week only if the individual participates in reemployment services determined by the secretary to be necessary for one of the following reasons:

- (1) By means of a profiling system administered to an individual when the first benefit payment is issued, the secretary determines that the individual is likely to exhaust regular benefits and need reemployment services; or
- (2) Based on an evaluation of the individual's experience, skills, and education level, the secretary determines that reemployment services will reduce the length of unemployment.

Justifiable cause includes factors such as attending approved training or obtaining employment which will start within three weeks.

(4) **Provision of referrals to and application assistance for training and education programs and resources.**

Individuals that require additional assistance with their reemployment efforts may be identified through various means including participation in the UI Reemployment Services and Eligibility Assessment program, agency correspondence, in-person contact at a Job Service Office, or contact by phone. Customers receive formal and informal assessments to identify barriers to re-employment that are addressed through an employment Plan from Employment Specialists representing the Wagner-Peyser and Dislocated Worker programs. The employment plan establishes goals and progressive objectives needed to obtain and retain long-term sustaining employment. Services may include financial literacy, job search workshops, adult education or literacy, supportive services, work-based training, occupational skills training, apprenticeships, veterans services, youth services, and vocational rehabilitation to name a few. Wagner-Peyser Employment Specialists collaborate with partner programs to offer a broad range of services to meet the customers employment goals.

(e) **Agricultural Outreach Plan (AOP).** *Each State agency must develop an AOP every four years as part of the Unified or Combined State Plan required under sections 102 or 103 of WIOA. The AOP must include an assessment of need.*

- (1) **Assessment of Need.** *Provide an assessment of the unique needs of farmworkers in the area based on past and projected agricultural and farmworker activity in the State. Such needs may include but are not limited to: employment, training, and housing.*

Based on agricultural employer activity in PY2022, (last fully completed program year at the writing of this AOP) DLR Local Offices placed 23,353 job orders. 597 of those orders were placed by agricultural employers making up 2.6% of the total job orders. Of the agricultural job orders, 467 were H2A related (78%). H2A is primarily used in lieu of year-round workers to help fill peak load need of the farmer or rancher. Most H2A workers in the state are requested for planting (normally late April and May) and for harvest needs (normally October and November).

The high percentage of H2A applications through the Foreign Labor Certification program administered by DLR and ETA in South Dakota, reflects the changes caused by the growing diversity of South Dakota's economy, mobility of individuals, interest in agriculture by individuals, and an aging ag producer population. DLR remains committed to providing opportunities to both agriculture producers needing permanent employees and individuals looking for a career in agriculture. For those individuals who are identified as migrant or seasonal employees, DLR will assist these individuals by promoting training either through WIOA Title I or WIOA 167 Farmworker Jobs Training Program (FJTP). Activities and partnerships will be discussed later in this AOP.

South Dakota has a relatively low number of Migrant Seasonal Farmworkers (MSFWs), estimated to be approximately 200-250 statewide. Lack of labor-intensive row crops seen in high-count MSFW states has an effect on the numbers. Those identified by either DLR AJC offices or the WIOA 167 providers are primarily seasonal workers rather than migrating individuals or families. Employment for these individuals can be limited by a number of factors including; willingness to move away from rural areas with limited high-income earning jobs, education and skill levels, job experience, and overall situational circumstances of the individual or their family, if present. While assistance to eligible individuals is available through various organizations and programs, challenges remain. Employment is available, but often, this requires the individual to move to higher-population areas. Housing is a factor. Affordable and practical housing is available in the higher-population density areas of South Dakota, but is scarce when an MSFW and their families are desiring to remain in a remote or rural area. Availability, quality, and modern safety features found in most newer dwellings are sometimes limited in rural areas.

Individuals willing to move from a rural area to receive training at a technical school or college have opportunities whether but often require assistance to do so. This is being found through the WIOA 167 provider and post-secondary education financial aid. Multiple training opportunities exist as well as training programs, but those being delivered is dependent on the individual's ability to move away from the rural areas to higher population centers.

- (2) **Provide an assessment of the agricultural activity in the State:** *1) identify the top five labor-intensive crops, the months of heavy activity, and the geographic area of prime activity; 2) Summarize the agricultural employers' needs in the State (i.e. are they predominantly hiring local or foreign workers, are they expressing that there is a scarcity in the agricultural workforce); and 3) Identify any economic, natural, or other factors that are affecting agriculture in the State or any projected factors that will affect agriculture in the State.*

South Dakota has long been regarded as one of the most agriculturally centric states in the country. It is the top industry in South Dakota since statehood in 1889. The 2021 South Dakota Agriculture Economic Contribution Study (SDAECs) prepared for by the South Dakota Department of Agriculture (SDDA) Decision Innovation Solutions provides the primary content and context of Section (1)(A). The 2021 report is the most current report completed.

<https://danr.sd.gov/AboutDANR/docs/2021AgEcStudy.pdf>

### **Key Findings**

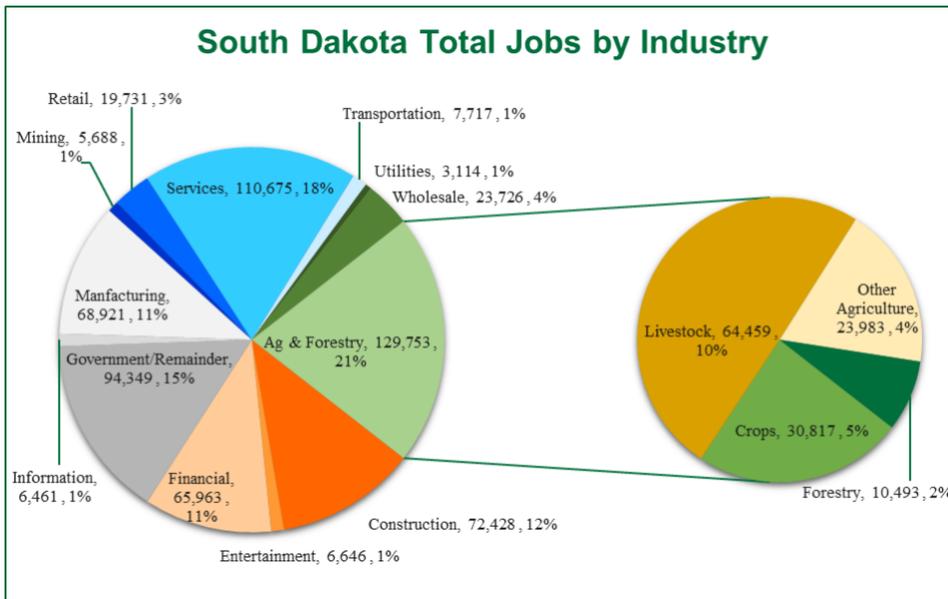
In 2021, agriculture, forestry, and related industries in South Dakota are estimated to contribute:

- \$11.7 billion in total value added
- 129,753 jobs
- \$32.1 billion in output (sales)
- \$11.6 billion in household income

Of the \$11.7 billion in total value added and 129,753 jobs from agriculture, agri-food, forestry, and related economic activity:

- Crop production and related industries contributed:
  - \$3.3 billion in value added
  - 30,817 jobs
- Livestock production and related industries contributed:
  - \$5.6 billion in value added
  - 64,459 jobs
- Other agriculture industries contributed:
  - \$2.0 billion in value added
  - 23,983 jobs
- Forestry production and related industries contributed:
  - \$860 million in value added
  - 10,493 jobs

South Dakota’s agriculture and forestry industries and related economic activities contribute a large number of jobs to the economy with nearly 130,000 jobs, which amounts to more than 1 in 5 of the state’s total jobs. Of this amount, 30,817 from Crops, 64,459 jobs come from Livestock, 23,983 from Other Agriculture, and 10,493 from Forestry.



### ***Agricultural Crops***

The Crops category includes industries such as grain and oilseed farming, as well as crop food processing industries. Total value added contributed to the South Dakota economy from crops was \$3.27 billion. Grain and oilseed farming together make up 86% of this contribution at \$1.46 billion and \$1.34 billion in value added, respectively. Crop production and related economic activity in South Dakota also accounted for 30,817 jobs, \$7.91 billion in output, and \$3.34 billion in household income. In addition to crop production, the ‘Primary Food Processing – Crops’ category was a major contributor in this area. This category includes items such as wet corn milling, flour milling, and soybean processing.

### ***Agricultural Livestock***

The Livestock category includes industries such as beef cattle production, hog production, dairy cattle, poultry production (layers (egg production), broilers and turkeys), meat/poultry processing rendering, and more. Total value added contributed to the economy from livestock and related economic activity in South Dakota was about \$5.57 billion. Livestock production and related economic activity in South Dakota also accounted for 64,459 jobs, \$16.1 billion in output, and about \$5.32 billion in household income. In all of these indicators, meat processing is the largest subcategory, which shows the importance of processing to the value chain.

### ***Other Agricultural***

The Other Agriculture category includes industries such as animal feed production, farm machinery and equipment manufacturing, custom farming services, and aerial crop spraying, ethanol production, dog and cat food manufacturing, veterinary services, many food manufacturing industries and more. Total value- added contributed to the economy from Other Agriculture industries was \$1.98 billion. The industries in the Other Agriculture category in South Dakota also accounted for 23,983 jobs, nearly \$6.0 billion in output, and about \$2.1 billion in household income. Other food processing and animal and pet food industries were major contributors to the Other Ag category. Ethanol contributes significantly to the Other Agriculture sector (30% of Other Agriculture; 5% of total South Dakota) with a value-added contribution of \$590 million and 5,334 jobs. Agriculture support also contributed significantly with nearly 8,100 jobs and a value added contribution of \$430 million.

- (3) **Provide an assessment of the unique needs of farmworkers** by summarizing Migrant and Seasonal Farm Worker (MSFW) characteristics (including if they are predominantly from certain countries, what language(s) they speak, the approximate number of MSFWs in the State during peak season and during low season, and whether they tend to be migrant, seasonal, or year-round farmworkers). This information must take into account data supplied by WIOA Section 167 National Farmworker Jobs Program (NFJP) grantees, other MSFW organizations, employer organizations, and State and/or Federal agency data sources such as the U.S. Department of Agriculture and the U.S. Department of Labor (DOL) Employment and Training Administration.

The migrant and seasonal farmwork populations, particularly those that meet the definition of MSFW under Section 167, have been predominantly eligible seasonal farmworkers involved in beef cattle farming and ranching, livestock and poultry processing, dairy farming, hog farming, and confinement, small grain harvest, including corn farming and more recently, beef cattle farming operations. Beef cattle processing, which includes the handling, packaging, processing, or grading of beef prior to market in the northeast central part of the state, has attracted some migrant farmworkers. BHSSC does reach out to these individuals, advising them of WIOA NFJP 167 and DLR services. NFJP collaborates with DLR local offices to coordinate and provide much-needed services to MSFWs.

The most recent sample of BHSSC NFJP participants illustrated that an individual's average income at enrollment is approximately \$15,500.00 per year. The income guidelines increase to 150% of the federal poverty limit has allowed NFJP to include more MSFWs otherwise not eligible for services under 100% guidelines; the increase was long-due and implemented in July of 2021. Eighty-five percent of the participants are male, and over 90% are seasonal farm and ranch workers. Migrant and seasonal farmworkers who meet Case Managers are from Mexico, Guatemala, Honduras, and El Salvador. The predominant language is Latin American Spanish.

The most common barriers to employment to MSFWs, cited by BHSSC outreach workers (Case Managers), towards gains in substantial employment are:

- Lack of technical or marketable skills;
- Limited education levels;
- Limited work experience outside of agriculture;
- Limited English proficiency;
- Limited personal and financial resources; and
- Access to needed employment, training, and family services.

The overall goals and objectives of the BHSSC NFJP include serving 185 eligible farm workers per year, 175 adults, and 10 youths. Through effective education and training strategies, including optimum job placements based on the utilization of current Labor Market Information supplied by DLR, On-the-Job training (OJT), and formal education at the State's Technical Institutes, the BHSSC NFJP team has consistently met federally prescribed performance standards. The most recent BHSSC/NFJP performance outcomes from WIPS QPR include the following: Employment Rate 2<sup>nd</sup> Quarter After Exit Goal 93.1%, Employment Rate 4<sup>th</sup> Quarter 91.8%, Median Earnings 2<sup>nd</sup> Quarter After Exit Goal \$10,400, Credential Attainment Goal 88.3%, Measurable Skills Gain 92.3%, and Retention with Same Employer 96.5%. All performance results are from the most recent quarterly performance report submitted ending in the fourth quarter (April – June 2023), where NFJP exceeds national performance target goals.

The number of MSFW workers traveling to or passing through South Dakota yearly remains steady.

- (4) **Outreach Activities.** *The local offices outreach activities must be designed to meet the needs of MSFWs in the State and to locate and contact MSFWs who are not being reached through normal intake activities. Describe the State agency's proposed strategies for:*
- (A) **Contacting farmworkers who are not being reached by the normal intake activities conducted by the employment service offices.**

South Dakota State Workforce Agencies (SWAs) conducted fourteen MSFW Outreach activities during program year 2022. Outreach efforts included booths at state and county fairs, booths at high-school and colleges, booths at

agricultural events like 4-H, FFA Conventions, and livestock shows, and going to local gathering areas of MSFWs including Farm and Ranch stores, grain elevators, and Ag Supply stores to reach out to local ag workers to explain DLR services and hang up flyers. DLR Job Service Offices work in collaboration with the NFJP provider to do joint outreach efforts as well as individual outreach as described below.

The Spearfish SWA conducted MSFW outreach on July 29, 2022, during the Meade County Fair and on August 4, 2022, during the Lawrence and Butte County Fair resulting in 13 MSFW contacts. Service provided included a presentation on services offered by the SWA.

The Watertown SWA conducted outreach on August 22, 2022, during the Lake Area Technical College student fair resulting in twenty-five MSFW contacts. Services provided included a booth where information on the services the SWA offers was disseminated.

The Rapid City SWA conducted outreach on August 16, 2022, during a Pennington County 4-H event resulting in five MSFW contacts. Services included presentation and individual one-on-one meetings to determine eligibility for WIOA services.

The Aberdeen SWA conducted outreach on September 22, 2022, during an Aberdeen Area Job Fair where eight MSFW contacts were made. Services provided included mini sessions and a presentation on services offered, including providing a pamphlet summarizing services available. Aberdeen also conducted outreach on September 29, 2022, during the Northern State University Student Career and Internship Fair where they provided information on services offered to MSFW students.

Mitchell SWA conducted MSFW outreach on September 17, 2022, at a Veterans Benefits Fair at the Davison County Fair Grounds. Information on MSFW services was provided, enrollment as needed, and job referral as requested.

The Vermillion SWA conducted MSFW outreach on October 26, 2022, during a career fair. During this event, staff discussed DLR services and provided brochures and business cards to MSFW students.

The Yankton SWA conducted MSFW outreach on March 08, 2023, at the Bon Homme High School job fair. This event was in a rural community where a lot of farm families live. A booth was set up with staff and services were advised to all students.

The Vermillion SWA conducted MSFW outreach on March 27, 2023, at the Vermillion High School during a job fair. Approximately 400 students in attendance.

Brookings SWA attended the Career Carnival activity at the South Dakota FFA Convention on April 17, 2023, and connected with high school FFA students to share the potential workforce training and career readiness opportunities. Hundreds of students from across the state rotated through the 5-hour event and visited the booth.

The Vermillion SWA conducted MSFW outreach on May 17, 2023, at the Dakota Valley School District job fair. Presented and discussed DLR services to 4 individuals.

Spearfish SWA went conducted MSFW outreach May 10 and May 17 by going out to local gathering areas of MSFWs including Farm and Ranch stores, grain elevators, and Ag Supply stores to reach out to local ag workers and explain DLR services. Also hung-up fliers and information posters in these locations.

DLR staff's goals are to promote DLR services to identified MSFWs. Information on services and the complaint process are disseminated and presented during outreach events. Dual enrollment in DLR programs and NFJP programs is an additional goal of the partnership.

DLR has designed an MSFW outreach reporting process that allows each Job Service Office to report their outreach efforts to the State Monitor Advocate (SMA). The process includes completing a Microsoft Form. The form captures:

- The Job Service Office
- Date Outreach was conducted
- Location of the outreach
- Goals and objectives of the MSFW Outreach event
- How many MSFW contacts were made
- Type of services provided
- Number of requests for job service services received

When the form is submitted the data is imported into a MSFW Outreach Worksheet that the SMA monitors.

*(B) **Providing technical assistance to outreach staff.** Technical assistance must include trainings, conferences, additional resources, and increased collaboration with other organizations on topics such as one-stop center services (i.e. availability of referrals to training, supportive services, and career services, as well as specific employment opportunities), the Employment Service and Employment-Related Law Complaint System (“Complaint System” described at 20 CFR 658 Subpart E), information on the other organizations serving MSFWs in the area, and a basic summary of farmworker rights, including their rights with respect to the terms and conditions of employment.*

South Dakota’s State Monitor Advocate provides field staff and support agency staff with technical assistance throughout the year.

The SMA developed 8.10 Agricultural Recruitment System (ARS) policy February of 2023. The policy was introduced to staff during the SD DLR Policy Memo 2023-001 on February 21, 2023. The policy explains what the ARS is and the SWAs requirements.

A MSFW Data Collection, MSFW Outreach, General Complaint Process (All Staff), Complaint Process for Managers/Designee and Outreach Staff training courses were created in DLR Learn, our learning management system, and are now available to all staff. Outreach staff are required to take all the classes and earn the ‘Outreach Staff Badge.’

Summary of MSFW related courses completed by SWA staff include 30 Complaint Process for Managers or Designee, 120 General Complaint Process (All Staff), 93 Migrant Seasonal Farmworker (MSFW) SDWORKS Data Collection, and 73 MSFW Outreach. This resulted in SWA staff completing 316 MSFW courses.

*(C) **Increasing outreach staff training and awareness across core programs** including the Unemployment Insurance (UI) program and the training on identification of UI eligibility issues.*

MSFW outreach is a continual focus of each SWA. A designated outreach staff is appointed in each SWA and is required to achieve the ‘Outreach Staff Badge.’ This is accomplished by completing the following courses in our learning management system: MSFW Data Collection, MSFW Outreach, General Complaint Process (All Staff), Complaint Process for Managers/Designee and Outreach Staff. During annual monitors, the SMA verifies each designated MSFW Outreach staff has obtained the ‘Outreach Staff Badge.’

In addition to training and monitoring, the SMA brings awareness across core programs through cross training with NFJP partner and core program labor programs specialists. July 19, 2022, DLR SMA and Labor Program Specialist (LPS), in charge of the Business Engagement Service Team (BEST) met with NFJP partner to discuss strategies for approaching businesses with intent to conduct MSFW outreach to their employees. During this meeting, the team identified key talking points highlighting the benefits to both employers and MSFW employees.

February 23, 2023, DLR SMA, BEST LPS, and Youth LPS met with NFJP partner to provide cross training on DLR's youth and BEST program. The NFJP partner will be expanding their MSFW customer base to youth starting July 1, 2023, and wanted to learn about our youth program. The BEST LPS shared a best practice, a needs assessment, DLR staff use with businesses.

To help bring awareness to Reemployment Assistance (aka UI) issues, DLR created a service code so staff could correctly report services for PIRL 1112, Received Unemployment Insurance UI Claim Assistance Equity Ratio Indicators. Staff were introduced to the new code, 124 Reemployment Assistance Claim Assistance, during policy memo 2022-006 on December 22, 2022.

**(D) Providing outreach staff professional development activities to ensure they are able to provide high quality services to both jobseekers and employers.**

As mentioned above, outreach staff have multiple professional development activities available with DLR's learning management system and cross training opportunities with our NFJP partners.

**(E) Coordinating outreach efforts with NFJP grantees as well as with public and private community service agencies and MSFW groups.**

BHSSC operates the WIOA 167 or National Farmworkers Jobs Program (NFJP) in South Dakota. DLR and BHSSC have an ongoing partnership agreement to provide MSFWs with additional services and training opportunities in South Dakota. BHSSC maintains a physical presence in the Sioux Falls, Rapid City, and Pierre serving areas. They also are invited to DLR One-Stop Career Centers to speak at staff meetings and are annually asked to attend and present at WDC meeting to discuss the NFJP program.

In addition to the joint outreach efforts described in 4) A. of this section, the NFJP coordinated cross training with our SWAs including:

- December 02, 2022 – Aberdeen
- February 15, 2023 – Vermillion
- February 16, 2023 – Sioux Falls & Yankton
- February 23, 2023 – BEST Meeting with SMA & Lexy Wajercka
- February 23, 2023 – BEST Meeting with SMA, NFJP staff
- February 24, 2023 – Update to NFJP on BEST, Youth Training provided by DLR Employment Specialist Kaitlin
- March 1, 2023 – NFJP provided training to Community Focus Group, Yankton DLR office staff present.
- March 31, 2023 – NFJP scheduled NFJP training to be provided to Spearfish & Rapid City DLR offices. Unfortunately, due to winter storm weather, these were cancelled and will be scheduled at a later time as weather improves.

**(5) Services provided to farmworkers and agricultural employers through the one-stop delivery system.**

*Describe the State agency's proposed strategies for:*

**(A) Providing the full range of employment and training services to the agricultural community, both farmworkers and agricultural employers, through the one-stop delivery system. This includes:**

- (i) How career and training services required under WIOA Title I will be provided to MSFWs through the one-stop centers; and**
- (ii) How the State serves agricultural employers and how it intends to improve such services.**

South Dakota maintains a strategic presence in 12 locations (and two itinerant offices) throughout South Dakota. None of the DLR One-Stop Career Centers are considered to be significant MSFW offices nor are any bilingual offices. However, each office is prepared to provide the necessary services to any and all individuals who either need staff-assisted services or able to provide themselves with self-service job seeking information.

Each DLR job service office has individuals trained in a variety of programs from Title III Wagner-Peyser, WIOA Title I, Title II Adult Education and Literacy, and strong relationships with the local DHS Vocational Rehabilitation offices under Title IV. Although several offices have a varying degree of physical presence with partner agencies, partnering presence is available wherever one goes in South Dakota or the ability to have outreach services provided. South Dakota is, again, in a unique position with WIOA since Titles I, II, and III all fall under the administrative and programmatic delivery of DLR. Strong relationships with Vocational Rehabilitation Title IV partners provide a solid foundation of all core WIOA partners. Additionally, required partnerships such as TANF, SNAP E&T, SCSEP, WIOA 167, and others are already directly within our offices or a mere phone call away to provide necessary services to an individual. Other services provided under this umbrella include but is not limited to;

- Assistance with registration into Wagner-Peyser (Employment Services) process to allow an individual to obtain additional services with other programs.
- Provide assistance with job search, resume writing, interview skills, and soft-skills information through the Job Search Assistance Program (JSAP).
- Provide an array of written and electronic information (web sites) of various services provided by the One-Stop Career Centers and One-Stop partners.
- Individuals are provided information regarding labor rights, how to file a complaint, protections, and responsibilities of employers when interviewing and hiring employees.
- DLR One-Stop Career Centers will provide information and encouragement to refer and assess an eligible individual to WIOA Title I for further understanding the person's need for training, what type of training, interests, and possible support services needed.
- Each DLR job service office manager and select staff have been trained on taking any staff or MSFW complaint and who to contact and/or refer the issue to if elevation of the complaint is needed.
- Offices have access to Language Link, a contracted, telephonic interpretive service to provide assistance to Limited English Proficient individuals when providing assistance. This is a no-charge service to any LEP individual who requires it. This assists the state in delivering services while maintaining universality of the One-Stop Career Center.
- Necessary referrals to community support entities and provision of support service funds when warranted.
- Career guidance, interest inventories, skills assessments, and other support structures necessary to assist a person towards successful outcomes.

Agricultural employers are treated in the same manner as non-ag employers in terms of services provided to the ag employer. There is not a differentiation between the two. Every employer is looking for employees to do the work, employees with certain skills, employees capable of showing up to work on time each day scheduled and keeping an eye open for a labor supply to continue to fill his/her jobs. Therefore, ag employers can receive the same level of services and information as non-ag employers. These services include but are not limited to:

- Assistance with on-line employer registrations for access to SDWORKS to provide a wide array of DLR services.
- Placing job orders on behalf of employers.
- Assistance with labor needs.
- Provide Labor Market Information.
- Provide opportunity for an employer to participate in job/career fairs.
- Recruitment activities to locate and obtain employees.
- Assistance with the H2A Temporary labor certification program for agricultural employers who can substantiate a labor shortage in their area for the occupation he/she desires to fill.
- DLR provides housing inspections for ag-employers who file under H2A guidelines.
- DLR One-Stop Career Centers provide employers compliance posters pertaining to labor law.
- Provide information and screening of individuals for job training and WOTC eligibility.
- Local DLR One-Stop Career Centers also have individuals trained to speak directly with all businesses to advise the business about all services DLR could provide to the employer.
- Information on Re-Employment Assistance (RA), formerly known as Unemployment Insurance, and RA Tax provisions and contacts are made available.

**(B) Marketing the Complaint System to farmworkers and other farmworker advocacy groups.**

DLR has 12 job service office locations around the state (and two itinerant offices). Each office has designated its manager and assistant managers as Complaint System representatives. If an office does not have an assistant manager, the manager may designate another staff person of his/her choosing to provide back-up for the complaint system in times of the manager's absence.

Everyone designated as the SWA complaint system representative is required to complete the General Complaint Process (All Staff) and Complaint Process for Managers/Designee training courses in DLR's learning management system. All job service and employment law related complaints must be logged on the complaint system log using the Microsoft Form – Local Office Complaint Log. The log form collects all required information outlined in 20 CFR 658.410. All complaints submitted using the complaint log form are automatically sent to the SMA for review to ensure the correct referral/action is made.

To ensure job seekers, program participants, MSFWs, employers, and the general public are aware of the complaint system, each SWA displays the Equal Opportunity is the Law poster in predominant places in their office. Additionally, staff conducting MSFW Outreach are trained on the complaint process and provide complaint information to MSFWs during outreach efforts. Outreach staff can also answer any questions or take complaints. If a complaint is taken, the outreach staff will take the intake information back to the job service office and log the complaint and make a referral the appropriate state and or federal agency, if applicable.

**(C) Marketing the Agricultural Recruitment System for U.S. Workers (ARS) to agricultural employers and how it intends to improve such publicity.**

The Agricultural Recruitment System (ARS) is designed to meet labor needs of agricultural employers, provide job opportunities to farm workers and protect the domestic agricultural workforce. The ARS allows for proper disclosure of the terms and conditions of employment to seasonal workers who are recruited from outside the local commuting area.

The SMA developed 8.10 Agricultural Recruitment System (ARS) policy February of 2023. The policy was introduced to staff during the SD DLR Policy Memo 2023-001 on February 21, 2023. The policy explains what the ARS is and the SWAs requirements. This policy focuses on the internal responsibility and process for Job Service Office staff to promote the ARS to agriculture employers as outlined in 20 CFR 653.501 (b). Compliance with this policy will be reviewed during the One Stop Certification process.

**(6) Other Requirements**

**(A) Collaboration.** Describe any collaborative agreements the State Workforce Agency (SWA) has with other MSFW service providers including NFJP grantees and other service providers. Describe how the SWA intends to build upon/increase collaboration with existing partners and establish new partners over the next four years (including any approximate timelines for establishing agreements or building upon existing agreements).

Black Hills Special Services Cooperative (BHSSC) administers the National Farmworker Jobs Program (NFJP) for the entire state of South Dakota. As part of the MOU between DLR and NFJP, the DLR SMA and NFJP partner meet on a quarterly basis. These quarterly meetings provide great opportunity for collaboration as seen with the below summaries of the meetings:

July 19, 2022, DLR SMA and Labor Program Specialist (LPS), in charge of the Business Engagement Service Team (BEST) met with NFJP partner to discuss strategies for approaching businesses with intent to conduct MSFW outreach to their employees. During this meeting, the team identified key talking points highlighting the benefits to both employers and MSFW employees.

July 19, 2022, DLR SMA attended an NFJP staff meeting to present updates on planned MSFW outreach between SWAs and NFJP staff. During this update, the SMA provided highlights on the key takeaways from the BEST and NFJP partner

meeting. Both NFJP staff and DLR SMA provided recap on recent MSFW outreach efforts. The group also discussed the benefit of both organizations referring MSFWs to each other to maximize benefits.

October 25, 2022, DLR SMA and NFJP partner met to discuss our MOU and see if there were any updates needed. One thing we identified needed to be updated was to have the MOU signed by the new SMA. The team also discussed the benefit of doing cross training between DLR and NFJP staff. Plans were made to coordinate cross training events. The team discussed quarterly reports and created a request template to use when requesting quarterly data for DLR and NFJP quarterly reports.

February 23, 2023, DLR SMA, BEST LPS, and Youth LPS met with NFJP partner to provide cross training on DLR's youth and BEST program. The NFJP partner will be expanding their MSFW customer base to youth starting July 1, 2023, and wanted to learn about our youth program. The BEST LPS shared a best practice, a needs assessment, DLR staff use with businesses. The NFJP liked the needs assessment and asked for a copy of it.

May 19, 2023, DLR SMA and NFJP partner attended the WIOA Partner Symposium. Here we learned about the value of partnerships, challenges with South Dakota labor market and had group discussions on creative solutions to these challenges.

**(B) Review and Public Comment.** *In developing the AOP, the SWA must solicit information and suggestions from NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. In addition, at least 45 calendar days before submitting its final AOP, the SWA must provide a proposed plan to NFJP grantees, public agencies, agricultural employer organizations, and other organizations expressing an interest and allow at least 30 days for review and comment. The SWA must: 1) Consider any comments received in formulating its final proposed AOP; 2) Inform all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore; and 3) Transmit the comments and recommendations received and its responses with the submission of the AOP.*

**(i) The AOP must include a statement confirming NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations and other interested employer organizations have been given an opportunity to comment on the AOP. Include the list of organizations from which information and suggestions were solicited, any comments received, and responses to those comments.**

In compliance with the Single-area State requirements, South Dakota made the Unified State Plan available on [date] on the DLR website. The public comment period closed on [date]. An additional public comment period was held during the Workforce Development Council meeting on [date]. All WIOA partner agencies and WDC members were made aware of this public comment period.

**(C) Data Assessment.** *Review the previous four years Wagner-Peyser Act data reports on performance. Note whether the State has been meeting its goals to provide MSFWs quantitatively proportionate services as compared to non-MSFWs. If it has not met these goals, explain why the State believes such goals were not met and how the State intends to improve its provision of services in order to meet such goals.*

The Monitor Advocate System tracks 3 of the 7 Minimum Service Level Indicators (MSLI) and all 8 of the Equity Ratio Indicators (ERI) using the participant level data in the quarterly title III Wagner-Peyser Employment Service Workforce Integrated Performance System (WIPS) quarterly performance submissions. The yearly Migrant Seasonal Farmworker (MSFW) outcomes (percentages) for ERIs and MSLIs on the report need to be **equal to or greater** than Non-MSFW outcomes in order to meet the equity indicator. The below reports, for program year 20, 21, and 22, will indicate if an indicator was met with a 'Yes' or a 'No'.

### **Program Year 2022 (07/01/22 – 06/30/23)**

Equity Ratio Indicators (Cohort Period: 07/01/22 - 06/30/23)								
Indicator Name	MSFW's		Non-MSFW's		Equity			
	Count	Percent	Count	Percent	Yes	No		
Total Participants	39	100.00%	6139	100.00%				
1. Received Basic Career Services (Staff-Assisted)	39	100.00%	6137	99.97%	Yes			
2. Received Staff-Assisted Career Guidance Services	39	100.00%	6105	99.45%	Yes			
3. Received Staff-Assisted Job Search Activities	31	79.49%	5217	84.98%		No		
4. Referred to Employment	6	15.38%	794	12.93%	Yes			
5. Received Unemployment Insurance (UI) Claim Assistance	0	0.00%	5	0.08%		No		
6. Referred to Federal Training	10	25.64%	484	7.88%	Yes			
7. Referred to Other Federal /State Assistance	1	2.56%	196	3.19%		No		
8. Received Individualized Career Service	22	56.41%	3487	56.80%		No		
					4	4		
Minimum Service Level Indicators								
Indicator Name	MSFW's			Non-MSFW's			Level Met	
	Den	Num	Rate	Den	Num	Rate	Yes	No
Individuals Placed in a Job (as defined in "Employment Rate 2nd Qtr After Exit") (Cohort Period: 07/01/21 - 06/30/22)	25	17	68.00%	4294	3002	69.912%		No
Median Earnings of Individuals in Unsubsidized Employment (as defined in "Median Earnings 2nd Qtr After Exit") (Cohort Period: 07/01/21 - 06/30/22)	17	\$5,508.76	NA	3002	\$6,315.18	NA		No
Individuals Placed Long term in Non-agricultural Jobs (as defined in "Retention with the same Employer in the 2nd and 4th Qtr after Exit" for whom a non-agricultural industry is reported) (Cohort Period: 01/01/21 - 12/31/21)	14	7	50.00%	2526	1576	62.391%		No
							0	3

**Program Year 2021 (07/01/21 – 06/30/22)**

Equity Ratio Indicators (Cohort Period: 07/01/21 - 06/30/22)						
Indicator Name	MSFW's		Non-MSFW's		Equity	
	Count	Percent	Count	Percent	Yes	No
Total Participants	27	100.00%	5061	100.00%		
1. Received Basic Career Services (Staff-Assisted)	27	100.00%	5061	100.00%	Yes	
2. Received Staff-Assisted Career Guidance Services	27	100.00%	5017	99.13%	Yes	
3. Received Staff-Assisted Job Search Activities	22	81.48%	4252	84.02%		No
4. Referred to Employment	2	7.41%	863	17.05%		No
5. Received Unemployment Insurance (UI) Claim Assistance	0	0.00%	0	0.00%	Yes	
6. Referred to Federal Training	6	22.22%	440	8.69%	Yes	
7. Referred to Other Federal /State Assistance	0	0.00%	190	3.75%		No
8. Received Individualized Career Service	13	48.15%	2726	53.86%		No
					4	4

Minimum Service Level Indicators								
Indicator Name	MSFW's			Non-MSFW's			Level Met	
	Den	Num	Rate	Den	Num	Rate	Yes	No
Individuals Placed in a Job (as defined in "Employment Rate 2nd Qtr After Exit") (Cohort Period: 07/01/20 - 06/30/21)	23	14	60.87%	2810	1930	68.683%		No
Median Earnings of Individuals in Unsubsidized Employment (as defined in "Median Earnings 2nd Qtr After Exit") (Cohort Period: 07/01/20 - 06/30/21)	14	\$4,113.49	NA	1930	\$5,798.98	NA		No
Individuals Placed Long term in Non-agricultural Jobs (as defined in "Retention with the same Employer in the 2nd and 4th Qtr after Exit" for whom a non-agricultural industry is reported (Cohort Period: 01/01/20 - 12/31/20)	9	6	66.667%	2322	1469	63.264%	Yes	
							1	2

**Program Year 2020 (07/01/20 – 06/30/21)**

Equity Ratio Indicators (Cohort Period: 07/01/20 - 06/30/21)						
Indicator Name	MSFW's		Non-MSFW's		Equity	
	Count	Percent	Count	Percent	Yes	No
Total Participants	24	100.00%	3368	100.00%		
1. Received Basic Career Services (Staff-Assisted)	24	100.00%	3367	99.97%	Yes	
2. Received Staff-Assisted Career Guidance Services	24	100.00%	3282	97.45%	Yes	
3. Received Staff-Assisted Job Search Activities	16	66.67%	2576	76.48%		No
4. Referred to Employment	5	20.83%	602	17.87%	Yes	
5. Received Unemployment Insurance (UI) Claim Assistance	0	0.00%	0	0.00%	Yes	
6. Referred to Federal Training	1	4.17%	253	7.51%		No
7. Referred to Other Federal /State Assistance	0	0.00%	192	5.70%		No
8. Received Individualized Career Service	8	33.33%	1509	44.80%		No
					4	4

Minimum Service Level Indicators								
Indicator Name	MSFW's			Non-MSFW's			Level Met	
	Den	Num	Rate	Den	Num	Rate	Yes	No
Individuals Placed in a Job (as defined in "Employment Rate 2nd Qtr After Exit") (Cohort Period: 07/01/19 - 06/30/20)	30	19	63.333%	6858	4327	63.094%	Yes	
Median Earnings of Individuals in Unsubsidized Employment (as defined in "Median Earnings 2nd Qtr After Exit") (Cohort Period: 07/01/19 - 06/30/20)	19	\$5,721.87	NA	4327	\$5,068.61	NA	Yes	
Individuals Placed Long term in Non-agricultural Jobs (as defined in "Retention with the same Employer in the 2nd and 4th Qtr after Exit" for whom a non-agricultural industry is reported (Cohort Period: 01/01/19 - 12/31/19)	26	15	57.692%	6009	3935	65.485%		No
							2	1

The above reports show DLR has consistently met ERI indicator 1. Received Basic Career Services (staff-assisted) and indicator 2. Received Staff-Assisted Career Guidance Services . However, there are three indicators DLR did not meet in any of the program year reports, including indicator 3. Received Staff-Assisted Job Search Activities, indicator 7. Referred to Other Federal/State Assistance, and indicator 8. Received Individualized Career Service. Indicator 4. Referred to Employment and indicator 6. Referred to Federal training were met two out of the three program years highlighted. It was identified there has been a reporting issue for indicator 5. Received Unemployment Insurance (UI) Claim Assistance where no data is being captured for MSFW or non-MSFW for program years 20 and 21. However, this indicator was fixed in program year 2022 where DLR did not meet the indicator. It is important to note, the three indicators missing each year have missed by less than 15%.

To help improve the results of the ERI indicators, DLR will continue to provide MSFW training to SWA staff.

*(D) **Assessment of progress.** The plan must include an explanation of what was achieved based on the previous AOP, what was not achieved and an explanation as to why the State believes the goals were not achieved, and how the State intends to remedy the gaps of achievement in the coming year.*

A big part of the last AOP was improving DLR's outreach efforts, fixing the glitch in PIRL reporting services for UI Claim Assistance, develop MSFW courses in DLR's new learning management system, conduct annual MSFW monitors of the SWAs, and develop an ARS policy.

As indicated in the above sections, all these objectives were achieved in program year 2022.

*(E) **State Monitor Advocate.** The plan must contain a statement confirming the State Monitor Advocate has reviewed and approved the AOP.*

South Dakota's State Monitor Advocate has reviewed and approved the AOP.

## WAGNER-PEYSER ASSURANCES

The State Plan must include assurances that:	
1.	The Wagner-Peyser Act Employment Service is co-located with one-stop centers or a plan and timeline has been developed to comply with this requirement within a reasonable amount of time. (sec 121(e)(3));
2.	If the State has significant MSFW one-stop centers, the State agency is complying with the requirements under 20 CFR 653.111, State Workforce Agency staffing requirements;
3.	If a State Workforce Development Board, 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 Act services, Adult and Dislocated Worker programs and Youth Programs under Title I; and
4.	SWA officials: <ol style="list-style-type: none"> <li>1. Initiate the discontinuation of services;</li> <li>2. Make the determination that services need to be discontinued;</li> <li>3. Make the determination to reinstate services after the services have been discontinued;</li> <li>4. Approve corrective action plans;</li> <li>5. Approve the removal of an employer's clearance orders from interstate or intrastate clearance if the employer was granted conditional access to ARS and did not come into compliance within 5 calendar days;</li> <li>6. Enter into agreements with State and Federal enforcement agencies for enforcement-agency staff to conduct field checks on the SWAs' behalf (if the SWA so chooses); and</li> <li>7. Decide whether to consent to the withdrawal of complaints if a party who requested a hearing wishes to withdraw its request for hearing in writing before the hearing.</li> </ol>
5.	The SWA has established and maintains a self-appraisal system for ES operations to determine success in reaching goals and to correct deficiencies in performance (20 CFR 658.601).

## ADULT EDUCATION AND FAMILY LITERACY ACT PROGRAM

*The Unified or Combined State Plan must include a description of the following as it pertains to adult education and literacy programs and activities under title II of WIOA, the Adult Education and Family Literacy Act (AEFLA).*

- (a) **Aligning of Content Standards.** *Describe how the eligible agency has aligned its content standards for adult education with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6311(b)(1)).*

South Dakota's Title II Program, as mandated in section 102 of WIOA, formally adopted a validated set of standards for its delivery of AEFLA instruction, activities, and services on July 01, 2016. In preparation for this required adoption of a standards-based model, a contingency of five South Dakotans attended the April 2014 iteration of the OCTAE-supported College and Career Readiness Standards for Adult Education's Implementation Institute. During PY2013, the South Dakota Title II program and Technology & Innovation in Education delivered a two-part training on CCRSAE with specific focus on "unpacking" standards and delving into Webb's Depth of Knowledge. (This standards-based Special Project was supported with *State Leadership* funds.)

Additionally, during PY2015, the State collaborated with LINCS to provide College and Career Readiness training opportunities in both English Language Arts and Mathematics; this professional development consisted of face-to-face and online interaction. DOE adopted in 2010 the Common Core Standards for both English Language Arts and Mathematics. During the 2014 Legislative Session, Governor Dugaard penned an open letter in support of the Common Core Standards.

The Title II program also recalibrated its instruction and activities to align with the GED® 2014 Series—and subsequently the College and Career Readiness Standards for Adult Education. In July 2017, at Title II's annual professional development statewide conference, Jane Roy presented two sessions: 1) Preparing Adult English Language Learners for the Workforce: Models and Resources and 2) Introduction to the English Language Proficiency Standards. The aforementioned seems particularly relevant given Jane Roy served as a national Panel Member for the College and Career Readiness Standards for Adult Education.

In PY2020, South Dakota's WIOA Title II Program supported a statewide team who participated in Cohort II of OCTAE's Teaching Skills That Matter (TSTM) initiative. The TSTM lesson plans' inclusion of Standards Addressed [section] is proving a key component of the template. The ongoing efforts to support TSTM make the Content Standards more accessible for Professional Development, local administrators, and instructors alike. Additionally, and perhaps most importantly, this inclusion seems to more meaningfully operationalize Content Standards within classroom settings, particularly through the lens of contextualized skill-development.

- (b) **Local Activities.** *Describe how the eligible agency will, using the considerations specified in section 231(e) of WIOA and in accordance with 34 CFR 463 subpart C, fund each eligible provider to establish or operate programs that provide any of the following adult education and literacy activities identified in section 203 of WIOA, including programs that provide such activities concurrently. The Unified or Combined State Plan must include at a minimum the scope, content, and organization of these local activities.*

### Adult Education and Literacy Activities (Section 203 of WIOA)

*Adult education;*

*Literacy;*

*Workplace adult education and literacy activities;*

*Family literacy activities;*

*English language acquisition activities;*

*Integrated English literacy and civics education;*

*Workforce preparation activities; or*

*Integrated education and training that—*

- (1) **Provides adult education and literacy activities, concurrently and contextually with both, workforce preparation activities, and workforce training for a specific occupation or occupational cluster, and**
- (2) **Is for the purpose of educational and career advancement.**

**Special Rule.** *Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this title for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are under the age of 16 and are enrolled or required to be enrolled in secondary school under State law, except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy activities. In providing family literacy activities under this title, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this title prior to using funds for adult education and literacy activities under this title for activities other than activities for eligible individuals.*

Adult Education and Literacy Activities are redefined as “programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training” (§203.2). Therefore, it is South Dakota’s intent to consider each of these federally defined activities as potentially allowable and fundable under WIOA Title II.

WIOA Title II obviously partners [to varying degrees] with Title I, III, and IV; the State seeks to increase the levels/numbers of co-enrolled participants across core programs throughout the grant-cycle. Improved collaboration may be achieved through deliberate, articulated coordination amongst the core programs. (Of course, federal memoranda clarifying or reinforcing WIOA’s Common Measures are always welcome and well received.) All eligible providers are required to detail in their application for funds their previous, current, and/or potential communication, coordination, and collaboration with their area One-Stop System (i.e., American Job Center).

South Dakota maintains the prerogative to entertain any viable proposal that seeks to deliver allowable activities with a compelling Statement of Need. Depending upon the merit of applications received, the State, in conjunction with the Workforce Development Council, considers alignment and applicability of proposed Title II instruction and services with the broader statewide goals and priorities [as articulated in this State Plan]. Additionally, South Dakota’s Workforce Development Council continues to prioritize WIOA Title II’s emphases on literacy, adult education, English language acquisition, as well as workplace adult education and literacy activities.

The AEFLA program ideally seeks to support the delivery of contextualized learning while partnering with other Core WIOA Programs for assistance with job shadowing, job coaching, work experiences, Job Search Workshops, and on-the-job training opportunities. Registered Apprenticeships are also an in-demand opportunity for some job-seekers. Managed worksites, soft-skills training, stackable credentials, occupational skills training with workplace-literacy instruction, work-readiness certification (through ACT’s National Career Readiness Certificate program), and GED® Testing preparation all serve the agency’s [and WIOA’s] priorities of assisting South Dakota residents toward literacy, numeracy, employability, civic engagement, familial responsibility, and self-sufficiency. The suite of Title III services will continue to be available for all job-seekers, regardless of the participant’s point of access.

Beyond efforts to increase the number of co-enrolled Title II students with other WIOA Core Programs, Title II seeks to reinforce Work Readiness skills in the classroom across ESL, ABE, and ASE programming; this reinforcement consists of delivering relevant professional development, grounding the curricula in College and Career Readiness Standards, highlighting promising practices, and promoting partnerships within the Agency’s capacity. It should be noted, too, that DLR Core Programs (Titles I – III) and the AEFLA Subrecipients have made noteworthy progress with identifying co-enrollments, utilizing data-sharing dashboards, reinforcing accuracy, assuring data-security, and improving tandem case-management.

Distance Education, as well as Digital Literacy, will continue to prove prominent throughout the current grant cycle as the intersection of educational and career advancement. Similarly, Family Literacy will likely always have some programmatic emphasis, especially with Title II’s adult learners navigating their children’s K-12 education [portals], as well as their own Digital Access/Safety and Job Searches.

The following definitions (WIOA Section 203) provide specific detail on the scope of Title II instruction, activities, and services.

- **Adult Education** means academic instruction and education services below the postsecondary level that increase an individual's ability to
  - read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;
  - transition to postsecondary education and training; and
  - obtain employment.
- **Literacy** means an individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.
- **Workplace Adult Education and Literacy Activities** means adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.
- **Family Literacy Activities** means activities that are of sufficient intensity and quality, to make sustainable improvements in the economic prospects for a family and that better enable parents or family members to support their children's learning needs, and that integrate all of the following activities:
  - Parent or family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.
  - Interactive literacy activities between parents or family members and their children.
  - Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children.
  - An age-appropriate education to prepare children for success in school and life experiences.
- **English Language Acquisition Program** means a program of instruction
  - designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and
  - that leads to attainment of a secondary school diploma or its recognized equivalent; and transition to postsecondary education and training; or employment.
- **Integrated English Literacy and Civics Education** means education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.
- **Workforce Preparation Activities** means activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training, or employment.
- **Integrated Education and Training** means a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

The Agency, to fund eligible providers for the establishment or operation of programs, utilized the 13 federal consideration [as detailed in WIOA Section 231] to evaluate and rank the 2022 grant competition's Applicants. The Title II Program emphasized Service Need and Provider Capacity (i.e., AEFLA's Considerations I, II, and XIII) and Quality and Effectiveness (Considerations III, V, VI, and IX).

- (c) **Corrections Education and other Education of Institutionalized Individuals.** *Describe how the eligible agency will, using the considerations specified in section 231(e) of WIOA and in accordance with 34 CFR 463 subpart C, fund eligible providers to establish or operate programs that provide any of the following correctional educational programs identified in section 225 of WIOA:*
- *Adult education and literacy activities;*

- *Special education, as determined by the eligible agency;*
- *Secondary school credit;*
- *Integrated education and training;*
- *Career pathways;*
- *Concurrent enrollment;*
- *Peer tutoring; and*
- *Transition to re-entry initiatives and other post release services with the goal of reducing recidivism.*

*Each eligible agency using funds provided under Programs for Corrections Education and Other Institutionalized Individuals to carry out a program for criminal offenders within a correctional institution must give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.*

South Dakota, under the direct and equitable access process-requirements, held its most recent AEFLA grant competition in spring 2022. Pursuant to Section 232 of the Adult Education and Literacy Act, eligible providers desiring a grant under this subtitle must submit an application containing a description of how funds awarded will be spent, and a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and literacy activities. DLR will announce the availability of funds through its homepage site; through direct emailing of applications and instructions to existing local program providers, and to any entity that contacted the Title II office to express interest during the previous grant cycle; on the State’s e-procurement system; and through Public Notice in major newspapers across South Dakota with statewide distributions.

The Corrections Education and other Education of Institutionalized Individualized programming (as funded under §225) was competed using the same application processes used for Section 231 funds. Any applications for full or partial funding under Section 225 were evaluated using the same scoring criteria as all other applications (i.e., §225, 231, or 243). The State considers any of the following academic programs for Corrections Education and other Education of Institutionalized Individualized programming:

- Adult education and literacy activities;
- Integrated education and training;
- Career pathways;
- Peer tutoring; and
- Transition to re-entry initiatives and other post-release services with the goal of reducing recidivism.

At this time, the State reserves the right to consider [federally allowable] academic programs for Corrections Education and other Education of Institutionalized Individualized programming:

- Special education;
- Secondary school credit; and
- Concurrent enrollment.

The incarcerated population in South Dakota is considered a major target group for adult education services; this target group constitutes a significant portion of the difficult-to-serve adult population. The objective of correctional education programs is to provide educational and job training services, linked to the goal of developing productive and responsible members of society. The South Dakota Department of Corrections (DOC) has placed a high priority on achieving the GED® credential. Incarcerated adults generally must have their GED® credential before becoming eligible for parole. Academic programs for basic education with special emphasis on literacy and numeracy offer these adults an increased chance to attain the skills to integrate successfully into society.

From funds made available under section 225 for a fiscal year, each eligible agency shall carry out corrections education or education for other institutionalized individuals, including academic programs. Funds shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic program activities outlined heretofore in this Unified Plan. The activities to be addressed within correctional education are

- Preparing students to receive a high school diploma equivalency;
- Preparing students to make a successful transition to the community;
- Preparing students for gainful employment;
- Promoting teacher professionalism and growth;
- Developing and implementing innovative approaches to improving the basic skills of students; and
- Expanding the use of technology to enhance instruction.

Correctional institutions described in their grant application how they will give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program. Regarding types of institutional settings, a correctional institution could include any of the following:

- Prison
- Jail
- Reformatory
- Work farm
- Detention center
- Halfway house, community-based rehabilitation center, or other similar institution designed for the confinement or rehabilitation of criminal offenders

Currently DOC manages the State Prison Systems, and adult education programs are made available to inmates. These programs include educational services in adult basic education, secondary education, and GED® preparation. Adult education programs may serve local and county correctional facilities in their area. Inmates are usually housed for a varied period of time, and their needs are best determined at the local level. Other facilities such as State Institutions may also apply to operate adult education programs within their facilities or in collaboration with community-based organizations. Depending upon the merit of applications received, the State will, in conjunction with the Workforce Development Council, consider alignment and applicability of proposed Title II instruction and services with the broader statewide goals and priorities [as articulated in this State Plan].

**(d) Integrated English Literacy and Civics Education Program.** *Describe how the eligible agency will, using the considerations specified in section 231(e) of WIOA and in accordance with 34 CFR 463 subpart C, fund eligible providers to establish or operate Integrated English Literacy and Civics Education (IELCE) programs under section 243 of WIOA. Describe how adult English language learners, including professionals with degrees and credentials in their native countries, are served in IELCE programs.*

*Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be offered in combination with integrated education and training activities found in 34 CFR section 463.36.*

*Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation.*

*Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be designed to prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency.*

*Describe how the Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be designed to integrate with the local workforce development system and its functions to carry out the activities of the program.*

South Dakota, under the direct and equitable access process-requirements, held a grant competition in spring 2022. The provision of Integrated English Literacy and Civics Education (IELCE) activities and services by eligible providers are part of this multi-year grant cycle [in accordance with the Unified State Plan and the federal provisions regulating WIOA’s direct and equitable access processes].

The State shall adopt the federal determinations regarding definitions and destinations. The term “integrated English literacy and civics education” means education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in

the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English Language Acquisition (ELA) and instruction on the rights and responsibilities of citizenship and civic participation and may include workforce training.

A fundable IELCE Program must be designed to enable adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Services will also include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation. These aforementioned activities must be provided in combination with integrated education and training activities; additionally, these programs funded under §243 must be designed to 1) prepare English language learners for, and place in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and 2) integrate with the local workforce development system and its functions to implement the activities of the program.

The state's refugee-resettlement entity, as an AEFLA sub-recipient, continues to deliver the sole IELCE programming in South Dakota. Students enroll in Literacy and Oracy Classes, Citizenship Test Preparation, as well as Digital Literacy instruction. Eventually, some of these students are co-enrolled in TANF or Title I Workforce Training, while a number of these non-native speakers are concurrently enrolled in the entity's Skills That Employ People (STEP) classes; STEP classes are specific job-sector training and general workforce preparation in conjunction with Job Developers from the resettlement agency and Employment Specialists from the One-Stop.

These STEP Classes have previously been offered to provide sector-specific Workforce Training in areas such as Commercial Housekeeping, Retail Customer Service, Landscaping & Gardening, Manufacturing Safety, Childcare Training, Food Service & Safety, and Introduction to Patient Care. These intensive, two-week [to four-week] classes have focused on in-demand occupations. Additional classes and curriculum enhancements are also developed as needed to meet local workforce needs.

Workforce Training activities are offered through sector-specific training courses across in-demand occupations and industries. ELA participants are invited to co-enroll in these STEP classes; the STEP classes include basic skills instruction in the context of sector-specific Workforce Training and use occupationally relevant instructional materials developed in partnership and collaboration with local employers. STEP-class participants are also enrolled in weekly Workforce Preparation classes/workshops such as Job Interviewing, Resume Writing, and Online Job-Applications.

The SD IELCE program develops learners' basic skills (reading and writing, speaking and listening, and numeracy) leading to self-sufficiency and success in community life, employment, further education/training, citizenship, and civic participation. This program integrates civics/citizenship activities into existing English language classes from the Beginning Literacy level to the Advanced level, as well as provides instruction on the rights and responsibilities of citizenship and civic participation, including American history and American systems of government. Plus, the English Language Acquisition (ELA) programming is delivered concurrently and contextually with Integrated Education and Training activities [including Workforce Preparation and Workforce Training].

Workforce Preparation activities are available through the entity's monthly, short-term, managed-enrollment classes in employability skills and digital literacy, embedded in ELA instruction through implementation of the College and Career Readiness Standards (CCRS), and incorporated in IET topical units focused on specific transitional skills.

The IELCE program delivers Integrated Education and Training activities through the provision of English Language Acquisition concurrently and contextually with Workforce Preparation Activities (also known as transition skills), which includes basic academics, critical thinking, digital literacy, self-management, resource-utilization, teamwork, and organizational systems. The program integrates transition skills into English language classes in conjunction with the

State ESL Competency Checklists and CCRS across all levels of English language instruction [as appropriate respective to Student Performance Levels].

The IELCE program provides short-term, managed-enrollment Workforce Preparation classes, even during the evening; these classes include Integrated Digital Literacy, Basic Computer Skills, Keyboarding, English for Driving, Job Interviews, Math & American Measurements, Resume Writing, and Job Applications.

The IELCE program delivers Integrated Education and Training activities through the provision of English Language Acquisition concurrently and contextually with Workforce Training for a specific occupation or occupational cluster, integrated with the local workforce development system and its functions to implement program activities. Instructors have developed and delivered IET units on Workforce Training; these Workforce Training units (called Workplace English for Specific Occupations) highlight in-demand industries and occupations aligned with the current needs of local employers. Moreover, one extensive IET unit, entitled Workplace Communication for Customer Service Careers, was developed to provide basic skills in the context of Workforce Training.

**(e) State Leadership.** *Describe how the State will use the funds to carry out the required State Leadership activities under section 223 of WIOA.*

*Describe how the State will use the funds to carry out permissible State Leadership Activities under section 223 of WIOA, if applicable.*

The Agency shall use not more than 12.5% of funds made available under the Act for State Leadership Activities for the following [required] adult education and literacy activities:

- The alignment of adult education and literacy activities with other core programs and One-Stop partners, including eligible providers, to implement the strategy identified in the State Plan, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.
- The establishment or operation of high quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.
- The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including o the development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training; o the role of eligible providers as a One-Stop partner to provide access to employment, education, and training services; and o assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.
- The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

WIOA Title II will expend State Leadership funds to collaborate with other core programs and partner-agencies for the alignment and coordination of services for program participants. State Leadership funds will also be expended to build programmatic capacity by guiding and reinforcing annual Memoranda of Understanding to formally articulate and detail Referrals, Services, and Case Management between AEFLA providers and their respective Local One-Stop(s). These MOUs better guide the development of career pathways through joint education and employment plans.

State Leadership funds will continue to support multiple cohorts of the State's Instructor Development Program(s). These Adult Basic/Secondary and English Language teacher-trainings serve as an induction for new instructors, as well as a refresher for senior staff; the structure of these IDPs incorporates both mentorship and reflection components. The participants review assessment protocol, instructional methodologies, program structures, National Reporting System,

College and Career Readiness Standards, lesson planning, serving individuals with disabilities, and persistence-related topics.

In addition to supporting the State's monthly, archived AEFLA database trainings, State Leadership funds will continue to support monthly AEFLA Administrator Meetings. These standing meetings reinforce Title II's commitment to Data Quality and WIOA Alignment. State Leadership funds also support two other standing [monthly] meetings: the Professional Development Team Meeting and the State's Third Thursday Trainings (T<sup>3</sup>). The PD Team is comprised of the State Director of Adult Education and three local AEFLA administrators respectively representing Adult Basic Education, Adult Secondary Education, and English Language Acquisition.

T<sup>3</sup> is the program's monthly forum explicitly for instructors, often led by instructors; these webinars are recorded and archived on the South Dakota Association for Lifelong Learning's [website](#). Job Corps and Tribal Colleges are also welcome to attend these monthly T<sup>3</sup> offerings. This series also serves as one of the means to disseminate information about models and or promising and proven practices across the state.

The Agency shall use not more than 12.5% of funds made available under the Act for State Leadership Activities for one or more of the following [permissible] adult education and literacy activities:

- The support of State or regional networks of literacy resource centers;
- The development and implementation of technology applications, translation technology, or distance education, including professional development to support the use of instructional technology.
- Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.
- Developing content and models for integrated education and training and career pathways.
- The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those program in achieving such objectives, including meeting the State adjusted levels of performance.
- The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.
- Integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.
- Activities to promote workplace adult education and literacy activities.
- Identifying curriculum frameworks and aligning rigorous content standards
- Developing and piloting of strategies for improving teacher quality and retention.
- The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessment tools and strategies that are based on scientifically valid research
- Outreach to instructors, students, and employers.
- Other activities of statewide significance that promote the purpose of this title.

South Dakota leadership monies will support the Management Information System license, technical support, data analytics, and training; funding for both evidence-based reading and numeracy instruction; training for the National Reporting System; teacher inductions/refreshers (Instructor Development Programs); assessment trainings; AEFLA-related travel; monitors and technical assistance; literacy, numeracy, oracy, and work-readiness professional development for subgrantee instructors; as well as membership in the National Association of State Directors of Adult Education (NASDAE).

Other permissible activities funded by State Leadership dollars include our attendance at NASDAE's National Training Institute, bulk purchases of federally approved assessments, the Teacher Quality and Effectiveness Special Projects,

outreach to WIOA Required Partners, partnership with the South Dakota Association for Lifelong Learning, and the annual WIOA Title II professional development conference.

- (f) **Assessing Quality.** *Describe how the eligible agency will assess the quality of providers of adult education and literacy activities under title II. Describe how the eligible agency will take actions to improve such quality, including providing the activities described in section 223(a)(1)(B) of WIOA. Describe how the eligible agency will use evaluations, data analysis, program monitoring, or other methods to improve the quality of adult education activities in the State.*

The State Adult Education and Literacy Program will administer formative assessments and conduct summative evaluations based upon the 13 federal considerations articulated within Section 231[e]; these assessments and evaluations include program monitoring (e.g., desk monitoring, onsite visits, quarterly reports, conference calls, video conferences, and webinars) and a robust Management Information System for student and teacher data.

The assessment of program quality includes ongoing review of the following metrics:

- Funding Amount(s)
- Number of Students—Reportables and Participants
- Cost Per Participant
- Measurable Skill Gains [percentages and historical totals]
- Average Hours Per Student
- Average Hours for Students with Post-Tests
- Total Hours of Classroom Instruction
- Post-Testing Rate
- Number and percentage of Entered Employment
- Number and percentage of Retained Employment
- Number and percentage of Earned High School Equivalencies
- Number and percentage of Entered Job Training or Postsecondary Education
- Number and percentage of Intermediate Adult Basic Learners
- Number and percentage of English Language Learners
- Accuracy between the student’s hardcopy file and the student’s information housed in MIS
  - Data Validation
- Validity and reliability of pre-test and post-test assessments

The State Adult Education and Literacy Program supports a student management system that allows each local provider to maintain a high-quality information system with the capacity to report participant outcomes and to monitor program-performance against the eligible agency’s performance measures. DLR will require each approved program to update student-records monthly, as well as submit quarterly data reports and an End-of-Year Narrative.

The State will monitor and analyze data for each program and provide feedback. Student performance measures will also be monitored on a regular basis to ensure continuous improvement at the local level. The State office will work with its sub-grantee providers and the local DLR offices to address the provision of appropriate referrals for individuals eligible for other support services to affect higher rates of student persistence, student achievement, program completion, and successful transitions to the workforce, post-secondary education, or job training. If Technical Assistance does not rectify or ameliorate the perceived situation, an Action Plan will be drafted between the Agency and the Provider explicitly detailing the corrective steps and the expected timeline.

The State’s Professional Development Team actively pursues the development of a monitoring and evaluation component to complement the existing structure of informing and training. The trifecta of Information, Training, and Assessment will reinforce the implementation of methodology, policy, and procedure through an “observational” mode of teacher assessment. These classroom/site observations have the capacity to strengthen collegiality across programs and throughout the State. Plans to utilize technology and various classroom-models may assist the program as we continue to integrate content from the Teaching Skills That Matter framework.

The State Title II program partners with the South Dakota Association for Lifelong Learning (SDALL) for assistance with Professional Development plans, administration, deliver, and assessment. In addition to electronic surveys, targeted evaluations of Instructor Development Programs, and Adult Education outreach [to non-AEFLA providers of Adult Education], DLR and the association host open-forum meetings to elicit feedback and to facilitate a candid dialogue. SDALL strives to share promising practices and vetted resources with its members; SDALL also maintains a website and a modest social-media presence to complement direct email-contacts.

SDALL continues to support conference-attendance and classroom-based research through scholarships and various cost-sharing efforts with the Agency. DLR’s Adult Education and Literacy Program performance measures shall include the following [primary] indicators of performance as described in Section 116:

- The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;
- The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;
- The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
- The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within one year after exit from the program; and
- The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.

## ADULT EDUCATION AND FAMILY LITERACY ACT PROGRAM CERTIFICATIONS AND ASSURANCES

<b>States must provide written and signed certifications that:</b>	
1.	The plan is submitted by the State agency that is eligible to submit the plan;
2.	The State agency has authority under State law to perform the functions of the State under the program;
3.	The State legally may carry out each provision of the plan;
4.	All provisions of the plan are consistent with State law;
5.	A State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan;
6.	The State officer who is submitting the plan, specified by the title in the certification, has authority to submit the plan;
7.	The agency that is submitting the plan has adopted or otherwise formally approved the plan; and
8.	The plan is the basis for State operation and administration of the program;
<b>The State Plan must include assurances that:</b>	
1.	The eligible agency will expend funds appropriated to carry out title II of the Workforce Innovation and Opportunity Act (WIOA) only in a manner consistent with fiscal requirements under section 241(a) of WIOA (regarding the supplement-not-supplant requirement);
2.	The eligible agency will ensure that there is at least one eligible provider serving each local area, as defined in section 3(32) of WIOA;
3.	The eligible agency will not use any funds made available under title II of WIOA for the purpose of supporting or providing programs, services, or activities for individuals who are not “eligible individuals” within the meaning of section 203(4) of WIOA, unless it is providing programs, services or activities related to family literacy activities, as defined in section 203(9) of WIOA;
4.	Using funds made available under title II of WIOA to carry out a program for criminal offenders within a correctional institution, the eligible agency will give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program.
5.	The eligible agency agrees that in expending funds made available under Title II of WIOA, the eligible agency will comply with sections 8301 through 8303 of the Buy American Act (41 U.S.C. 8301-8303).

## SECTION 427 OF THE GENERAL EDUCATION PROVISIONS ACT (GEPA)

**Instructions:** *In the text box below, describe the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs provide the information to meet the requirements of Section 427 of the General Education Provisions Act (GEPA), consistent with the following instructions. [Click here to enter text.](#)*

OMB Control No. 1894-0005 (Exp. 04/30/2020)

South Dakota's WIOA Title II Program shall ensure its Adult Education and Family Literacy Act applicants submit the required description under Section 427 of the General Education Provisions Act to the South Dakota DLR. Within a narrative format, each [applicant](#) must detail how it intends [as an eligible subrecipient] to maintain equitable access to (and participation in) Adult Education instruction, activities, and services. Based upon local circumstances, the applicant may address any of the statute's six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age.

As the Agency responsible for administering Title II of the Workforce Innovation and Opportunity Act, the South Dakota DLR shall further ensure subrecipients have equitable access to both required and permissible State Leadership activities. With specificity, the program will deliver Professional Development opportunities in multiple modalities and structures (e.g., online, archived, onsite, hybrid, flipped-model, chunking strategies, frequent breaks, kinesthetic approaches, etc.) to better accommodate administrators, instructors, support staff, and Agency staff [with disabilities or age-related infirmities].

It should be noted that Section 427 is not intended to duplicate the requirements of civil rights statutes; moreover, an applicant may use awarded Federal funds to eliminate barriers it identifies.

### NOTICE TO ALL APPLICANTS

*Review the linked document. Where “applicant” is mentioned, that refers to the State eligible agency and “application” refers to the state plan. This element does not apply to local providers for state plan purposes. State eligible agencies are required to maintain local GEPA responses separately from the state plan. The State eligible agency must provide a response to GEPA regarding use of AEFLA State Administration and State Leadership funds in the State Plan.*

*The purpose of this enclosure is to inform you about the following provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).*

### TO WHOM DOES THIS PROVISION APPLY?

*Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.***

*(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)*

### WHAT DOES THIS PROVISION REQUIRE?

*Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to*

overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

## WHAT ARE EXAMPLES OF HOW AN APPLICANT MIGHT SATISFY THE REQUIREMENT OF THIS PROVISION?

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.
- (4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

## ESTIMATED BURDEN STATEMENT FOR GEPA REQUIREMENTS

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) and reference the OMB Control Number 1894-0005.

1. [SF424B - Assurances – Non-Construction Programs](#)
  - a. [\(http://www2.ed.gov/fund/grant/apply/appforms/appforms.html\)](http://www2.ed.gov/fund/grant/apply/appforms/appforms.html)
2. [Grants.gov - Certification Regarding Lobbying](#)
  - a. [\(http://www2.ed.gov/fund/grant/apply/appforms/appforms.html\)](http://www2.ed.gov/fund/grant/apply/appforms/appforms.html)
3. [SF LLL Form – Disclosure of Lobbying Activities \(required, only if applicable\)](#)
  - a. [\(http://www2.ed.gov/fund/grant/apply/appforms/appforms.html\)](http://www2.ed.gov/fund/grant/apply/appforms/appforms.html)

## VOCATIONAL REHABILITATION

**(a) State Rehabilitation Council.** All VR agencies, except for those that have an independent consumer-controlled commission, must have a State Rehabilitation Council (Council or SRC) that meets the criteria in section 105 of the Rehabilitation Act. The designated State agency or designated State unit, as applicable, has (select A or B):

No (A) is an independent State commission.

Yes (B) has established a State Rehabilitation Council.

In accordance with Assurance 3(b), please provide information on the current composition of the Council by representative type, including the term number of the representative, as applicable, and any vacancies, as well as the beginning dates of each representative's term.

<b>Council Representative</b>	<b>Current Term Number/ Vacant</b>	<b>Beginning Date of Term Mo./Yr.</b>
Statewide Independent Living Council (SILC)	2 <sup>nd</sup> Term	July 2017
Parent Training and Information Center	1 <sup>st</sup> Term	June 2020
Client Assistance Program	2 <sup>nd</sup> Term	July 2020
Qualified Vocational Rehabilitation (VR) Counselor (Ex Officio if Employed by the VR Agency)	1 <sup>st</sup> Term	July 2020
Community Rehabilitation Program Service Provider	2 <sup>nd</sup> Term	July 2023
Business, Industry, and Labor	1 <sup>st</sup> Term	July 2023
Business, Industry, and Labor	1 <sup>st</sup> Term	July 2020
Business, Industry, and Labor	1 <sup>st</sup> Term	July 2020
Business, Industry, and Labor	1 <sup>st</sup> Term	July 2021
Disability Advocacy Groups	2 <sup>nd</sup> Term	July 2021
Disability Advocacy Groups	2 <sup>nd</sup> Term	July 2020
Current or Former Applicants for, or Recipients of, VR services	2 <sup>nd</sup> Term	July 2020
Section 121 Project Directors in the State (as applicable)	2 <sup>nd</sup> Term	August 2016
State Educational Agency Responsible for Students with Disabilities Eligible to Receive Services under Part B of the Individuals with Disabilities Education Act (IDEA)	1 <sup>st</sup> Term	July 2023
State Workforce Development Board	2 <sup>nd</sup> Term	July 2020
VR Agency Director (Ex Officio)	3 <sup>rd</sup> Term	July 2017

If the SRC is not meeting the composition requirements in section 105(b) of the Rehabilitation Act and/or is not meeting quarterly as required in section 105(f) of the Rehabilitation Act, provide the steps that the VR agency is taking to ensure it meets those requirements.

Annually, the Board and Division conduct a statewide solicitation for nominations. Nominations received from representatives of organizations representing a broad range of individuals with disabilities are forwarded to the Governor for review, consideration, and appointment. Names of members interested in serving a second term are also forwarded to the Governor for consideration of reappointment. The majority of Board members are people with disabilities, and not employed by the DSU.

The Board meets often as necessary, as determined by the Chairperson and in cooperation with the DSU and Board support staff, but at least quarterly.

In accordance with the requirements in section 101(a)(21)(A)(ii)(III) of the Rehabilitation Act, include a summary of the Council's input (including how it was obtained) into the State Plan and any State Plan revisions, including recommendations from the Council's annual reports, the review and analysis of consumer satisfaction and other Council reports.

The SRC in South Dakota is known as the Board of Vocational Rehabilitation (BVR or Board). The Board provides advice to and works in partnership with the Division of Rehabilitation Services (DRS or Division). The Board plays a significant role in ensuring that the vocational rehabilitation program operates effectively and remains responsive to the needs of those served. The Board works in partnership with the Division in developing policies, planning activities, evaluating program effectiveness, and carrying out other functions related to the delivery of vocational rehabilitation services. The primary focus is to ensure individuals with disabilities receive appropriate, timely, and effective vocational rehabilitation services which result in successful employment outcomes.

The Division continually reviewed strategies and evolving practices/procedures with the Board to solicit input throughout this reporting period. Items included the delivery of services in the midst of COVID, increasing consumer applications, expanding/strengthening services to youth and students with disabilities, promoting competitive integrated work opportunities for individuals with disabilities, increasing provider capacity, reviewing program goals and evaluation, increasing public education, building relationships with workforce partners, and engaging business partners. The Board was fully supportive of the Divisions' efforts to increase employment outcomes through the use of the Employment Skills Program, Summer Transition Placement Packages, and providing customized employment training for staff and providers.

The Board was kept up to date on activities at each meeting during the VR Program Initiatives reporting item. This report included explanations for needed program or policy changes due to further review or change in either SD Codified Laws or Rehabilitation Services Administration regulations. Proposed changes impacted policies (Financial Needs, Vehicle Assessments/Modifications, Merit Scholarships, Post Employment Services) and the case file review procedures. The Board was supportive of these changes and provided no recommendations.

The Board collaborated with the Division on work related to the Comprehensive Statewide Needs Assessment to develop new goals and strategies for program years 2023-2025. Input was provided in terms of the consultant contract, data collection, survey development, and participation on the executive team. This process will continue as the Board and Division work to identify the state plan goals, priorities and strategies. The Board prepared and submitted an annual report to the Governor and RSA Commissioner which highlighted board activity from meetings held December 2020 through September 2021 and highlighted accomplishments of the Division.

The Board's annual report highlighted the Consumer Satisfaction Survey. It contains four instruments utilized at different stages of the VR process. Each survey contains questions targeting satisfaction with informed choice, services, employment outcomes and unsuccessful closures. The majority of responses reflected responses in the 'strongly agree' and 'agree' with satisfaction of services. The responses are monitored regularly. This ensures the VR program meets the needs of those who receive services and ensures that the highest level of service is provided. Satisfaction Survey Results were reviewed with the Board during their September 2023 meeting. Results for Indicators 3.1, 3.2, and 3.3 were very positive reflecting satisfaction with participation in the planning and implementation of their IPE, suitability and quality of services and interactions with providers/VR staff. The question added to evaluate satisfaction with services and overall involvement in the VR program obtained more in-depth feedback, i.e., feedback regarding why the individual chose to stop receiving services. Comments reflected that persons chose to stop receiving services because of finding employment on their own, VR did not meet their needs, health condition worsened, decided not to obtain employment, and job would change benefits. The Board and Division agreed to continue monitoring responses to gain additional insight to responses of "other" to the questions of "I think this VR service could

have helped me get a job” and “I chose to stop receiving VR services because”. No recommendations were made during this time.

The Board endorsed financial support to communities across the state to conduct National Disability Employment Awareness Month activities and host the annual Governor’s Awards Ceremony. The Board also endorsed financial support of the 2022 Lighting the Way Conference which brings together various facets of the community and provides the opportunity to gain experience, learn and develop strategies for meeting the diverse needs of those with Autism Spectrum Disorders.

The Board’s Consumer Services Committee began working with Division staff to prepare the State Plan Sections early in 2023 with monthly meetings starting in February. This allowed for continual work and updates to be made to the State Plan Sections while soliciting additional feedback from the full Board. The Board and Division are working collaboratively to meet the timelines and coordinate efforts with the other partners to allow the timely submittal of the Unified State Plan.

Disseminate the draft State Plan Sections to obtain public comment/feedback The timelines and the committee’s work coincided with the efforts of the other Unified State Plan partners. The Board and Division are working collaboratively to disseminate the draft State Plan Sections to obtain public comment/feedback. This will allow the timely submittal of the Unified State Plan

The Board of Vocational Rehabilitation Services provided valuable input into the Division’s activities and policies. All recommendations by the Board of Vocational Rehabilitation Services were accepted.

Provide the VR agency’s response to the Council’s input and recommendations, including an explanation for the rejection of any input and recommendations.

[text box: List each recommendation/input followed by the VR agency response]  
No recommendations were rejected.

**(b) Comprehensive Statewide Needs Assessment (CSNA).** Section 101(a)(15), (17), and (23) of the Rehabilitation Act require VR agencies to provide an assessment of:

The South Dakota Division of Rehabilitation Services (DRS) contracted with Known Way Consulting to assist with the Comprehensive Statewide Needs Assessment (CSNA). This assessment was completed on 9/22/2022. The CSNA was conducted in partnership with the State Rehabilitation Council and partner agencies. The CSNA consisted of reviewing historical and national data; review of consumer satisfaction surveys; surveying staff, providers and businesses; and in-dept interviews with key informants.

(1) The VR services needs of individuals with disabilities residing within the State, including:

(A) Individuals with the most significant disabilities and their need for Supported Employment;

Through the survey process, individuals with mental health impairments were reported as the most significant disability group. Individuals with cognitive or intellectual impairments were the next prevailing population. It was further identified that counseling/guidance was the most limited and unprovided services to these minority groups. Supported Employment and Customized Employment were the next prevailing categories. Lack of support services and transportation access were the most common reasons identified as the barriers prevention or limiting services.

(B) Individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the VR program;

Through the survey process, American Indians were reported as the most unserved or underserved populations. Hispanic/Latino was the next prevailing population. It was further identified that counseling and guidance was the most limited and unprovided services to these minority groups. Transportation access and lack of awareness of services were the most common reasons identified as the barriers prevention or limiting services.

- (C) Individuals with disabilities served through other components of the workforce development system; and

Through the survey process, it was suggested that workforce system partners work to improve processes and information sharing to reduce paperwork activities and duplication. One perspective was that WIOA partners tend to get more information from community partners than is often received from VR staff. As this was also mentioned from providers interviewed, this may be one area the agency may want to consider prioritizing from this needs assessment.

- (D) Youth with disabilities, including students with disabilities and their need for pre-employment transition services. Include an assessment of the needs of individuals with disabilities for transition career services and pre-employment transition services, and the extent to which such services are coordinated with transition services provided under IDEA.

This assessment identified the following in regard to youth with disabilities in South Dakota:

- South Dakota VR engages in considerable activity directed at serving youth with disability.
- The COVID-19 pandemic affected the number of youths served PY'19 to PY'21 with an overall decline in numbers served. The one exception were youth ages 16-17 with PY'21 serving more than any of the three years included in the assessment.
- The number of youth, schools, and DRS staff engaged in Pre-Employment Transition Services (Pre-ETS) represent a statewide approach to services for students and youth that is successful and indicating no considerable area of need other than to continue the effort. This would include reestablishing engagement with schools and students as South Dakota, like the rest of the country, achieves post-pandemic conditions.
- The CSNA process received several reinforcing comments on the positive impact of the Transition Services Liaison Project in connecting students and youth with transition services.

(2) Identify the need to establish, develop, or improve community rehabilitation programs within the State. A survey was conducted with the providers in South Dakota. A total of 46 providers responded to the surveys identifying the most critical rehabilitation needs for community rehabilitation programs. These areas consist of:

- Mental Health populations have long wait lists at most mental health providers; Alcoholism and chemical dependency rates are increasing and limited access to crisis services.
- More opportunities for work-based learning in secondary ed.
- Extended hours where public transit is available
- Need to train all parts of the system on inherent biases re: people w/ disabilities
- Help existing CRPs retain staff and reduce rapid turnover
- Increase consistent availability of CRPs in rural and tribal areas of the state

**(c) Goals, Priorities, and Strategies.** Section 101(a)(15) and (23) of the Rehabilitation Act require VR agencies to describe the goals and priorities of the State in carrying out the VR and Supported Employment programs. The goals and priorities are based on (1) the most recent CSNA, including any updates; (2) the State's performance under the performance accountability measures of section 116 of WIOA; and (3) other available information on the operation and effectiveness of the VR program, including any reports received

from the SRC and findings and recommendations from monitoring activities conducted under section 107 of the Rehabilitation Act. VR agencies must—

(1) Describe how the SRC and the VR agency jointly developed and agreed to the goals and priorities and any revisions; and

The Consumer Services Committee for the State Rehabilitation Council and the VR agency met on 2/25/2023, 3/7/2023, 4/12/2023 and 5/9/2023 to develop the new goals and strategies. The goals and strategies were then presented to the full State Rehabilitation Council on 6/14/2023 where they approved them.

(2) Identify measurable goals and priorities in carrying out the VR and Supported Employment programs and the basis for selecting the goals and priorities (e.g., CSNA, performance accountability measures, SRC recommendations, monitoring, other information). As required in section 101(a)(15)(D), (18), and (23), describe under each goal or priority, the strategies or methods used to achieve the goal or priority, including as applicable, description of strategies or methods that—

(A) Support innovation and expansion activities;

(B) Overcome barriers to accessing VR and supported employment services;

(C) Improve and expand VR services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from school to postsecondary life (including the receipt of VR services, post secondary education, employment, and pre-employment transition services); and

(D) Improve the performance of the VR and Supported Employment programs in assisting individuals with disabilities to achieve quality employment outcomes.

### **Goal 1: Implement strategies to increase awareness and access to services/resources.**

- Strategy 1.1. Promote an *Employment First* philosophy that *WORK* is the first and preferred option for all individuals, including youth.
- Strategy 1.2. Expand efforts to ensure the state’s workforce represents the most advanced, diverse, skilled, and future ready workers.
- Strategy 1.3. Generate concentrated efforts to increase South Dakotan’s knowledge and understanding of VR services and ensure that individuals with disabilities can access services through consumer-friendly processes.
- Strategy 1.4. Increase dissemination of information with potential clients about how to access or connect with VR services (i.e., website, other VR related information).
- Strategy 1.5. Provide VR related materials and/or information in other languages and make it available as needs are identified.
- Strategy 1.6. Explore and partner with organizations/agencies to broaden outreach efforts to reach underserved minority groups, i.e., Oyate’ Circle, Multi-Cultural Center.

### **Goal 2. Identify and support students and youth with disabilities with making informed choices for successful daily living and participation in education/training leading to career pathways through the provision of individualized services.**

- Strategy 2.1. Continue to invest resources in developing school to work programs, i.e., Project Skills, Project SEARCH, Pre ETS summer camps; and other trainings (e.g., self-advocacy, self-determination, rights/responsibilities), and promote similar activities i.e., Parent Connection’s “Shift Training”.
- Strategy 2.2. Collaborate with employers, CILs, and workforce development system partners to increase opportunities for youth with disabilities to participate in paid work-based learning experiences, explore career options, and develop the soft skills/professional skills necessary for lifelong employment success.

- Strategy 2.3. Coordinate vocational rehabilitation services for students and youth with disabilities who are attending post-secondary programs.
- Strategy 2.4. Increase and strengthen transition services for eligible students and other youth with disabilities who are exploring their employment future; with an emphasis on those from underserved minorities i.e., Native American, Black/African American, Latino/Hispanic, Asian.
- Strategy 2.5. Conduct outreach activities to better identify and serve underserved youth with disabilities, i.e., youth home schooled, in foster care, served through alternative educational programs, corrections/juvenile detention programs; to encourage their participation in transition services and programs to improve future employment opportunities.
- Strategy 2.6. Conduct outreach activities for teachers, students with disabilities, and their family members to provide information on VR services and how to access the VR program.

**Goal 3: Provide services and supports to assist individuals with disabilities with making informed choices regarding employment, money management, and personal and work relationships, to live as independently as possible.**

- Strategy 3.1. Provide training on strategies and tools for VR Counselors to assist clients in reaching their employment goal.
- Strategy 3.2. Promote the utilization of counseling strategies and tools to access the client's critical strengths and barriers in order to enhance their personal life status and employment skills.
- Strategy 3.3. Explore and utilize different strategies and/or technology in order to increase the amount of time VR counselors engage with clients, especially those with significant disabilities, to improve outcomes impacted by guidance and counseling.
- Strategy 3.4. Identify and assist individuals with disabilities looking for advancement, career change, enhanced earnings to increase client choice and success rate of obtaining a better employment pathway.
- Strategy 3.5. Provide training to staff to improve communication and provide services in a culturally responsive manner.
- Strategy 3.6. Continue efforts to increase and expand provider supports for employment and life skills development.
- Strategy 3.7. Increase awareness, supports, and the utilization of self-employment as an outcome for VR clients.

**Goal 4: Facilitate the delivery of VR services to enhance earnings, employee benefits, retention, and career advancement for clients.**

- Strategy 4.1. Improve client engagement i.e., rapid engagement, timeliness of eligibility decisions, IPE development, need for other services.
- Strategy 4.2. Reduce the administrative burden to allow meaningful guidance and counseling to engage clients to improve quality of employment outcomes, retention, and advancement.
- Strategy 4.3. Increase knowledge base and understanding of VR, Mental Health, CRP's, Native American VR Programs to enhance service delivery for mutually served individuals.
- Strategy 4.4. Provide cultural humility/intelligence training for VR staff and partners to improve provision of culturally responsive services.
- Strategy 4.5. Increase awareness and referrals to Benefits Specialists and services for VR clients.
- Strategy 4.6. Increase work experience opportunities for adults with disabilities with a focus on individuals with mental illness and other underserved populations, including those living in very rural areas.
- Strategy 4.7. Continue with the development and utilization of vocational skills training for individuals with disabilities.

**Goal 5: Facilitate the development of a strong statewide community partnering with workforce systems, businesses, State Government, tribal systems, schools, service providers and service organizations to enhance services to individuals with disabilities eligible for services.**

- Strategy 5.1. Continue work to improve the structure, accessibility, and administration of workforce delivery systems across the state to align programs and services in an accessible, seamless, and integrated manner.
- Strategy 5.2. Ensure employers/businesses have access to workers and the technical assistance needed to employ individuals with disabilities; and to increase their understanding of how to attract and retain qualified individuals with disabilities as part of their workforce.
- Strategy 5.3. Expand services to rural and remote areas to provide employment related services, i.e., job development, job coaching, follow along services.
- Strategy 5.4. Identify and work with partners to develop and expand the use of work experience, internships, apprenticeships, and other job entry possibilities at various levels, i.e., local business, county, state, and federal positions.
- Strategy 5.5. Maintain and expand the utilization of extended services for assuring successful employment for supported employment clients.

**(d) Evaluation and Reports of Progress: VR and Supported Employment Goals.** For the most recently completed program year, provide an evaluation and report of progress for the goals or priorities, including progress on the strategies under each goal or priority, applicable to that program year. Sections 101(a)(15) and 101(a)(23) of the Rehabilitation Act require VR agencies to describe—

(1) Progress in achieving the goals and priorities identified for the VR and Supported Employment Programs;

Goal 1: Students and youth will enter their adult lives capable of self -advocacy with sufficient experience to make choices about work and career, being appropriately supported and living as independently as possible.

**Strategy 1.1:** Coordinate vocational rehabilitation services for clients who are attending post-secondary programs.

DRS sponsors an annual meeting/training for the South Dakota post-secondary disability coordinators. This training promotes the coordination of services for individuals with disabilities. On May 10, 2023, twenty-one people attended and sixteen of which were from vocational institutes and college universities. The annual event was held in Mitchell, SD. The purpose of this meeting is to discuss situations and brainstorm solutions to certain issues. Some of the issues seen were service animals, unique allergies, obtaining the appropriate documentation to access accommodations, and medical issues that caused extended absences from class. The meeting also had a speaker present on the topics of supporting learners in the classroom as well as teaching techniques for professionals to avoid burnout and stress relief.

DRS collaborated with post-secondary institutes in the state to host six “Catch the Wave” events. These are one-day workshops intended for high school students planning to attend post-secondary educational opportunities. Attendance numbers included a total of 532 individuals: Mitchell Technical College – eighty-two (82), South Dakota School of Mines & Technology - one hundred and one (101), University of South Dakota – one hundred thirty-five (135), Lake Area

Technical College – sixty-eight (68), Todd County High School – eighty-nine (89), and Northern State University – fifty-seven (57).

DRS works closely with the Dakota Wesleyan University/Lifequest program in Mitchell. This program provides students with disabilities employment skills classes while also providing a post-secondary opportunity. There were three students who were supported by VR during the school year 2022-2023.

DRS assisted with funding for four (4) clients to participate in Augie Access at Augustana University for the 2022-2023 school year. Students with developmental disabilities attend a post-secondary program for three years. DRS also funded a post-secondary program with Teachwell Solutions in coordination with Southeastern Technical College called STRIVE through an establishment grant. This program allows students to take dual-credit courses that count towards their high school diploma and an associate degree once they officially apply for college. DRS supported seven students at STRIVE during the 2022-2023 school year and sixteen students total since the start of the program in 2020.

**Strategy 1.2:** Increase and strengthen transition services for eligible students who are exploring their employment future.

The Division annually sponsors the Youth Leadership Forum (YLF). YLF is a five-day event held on a college campus that provides a learning opportunity for forty-two (42) high school students with disabilities, including members of ethnic and racial minority groups. The YLF assists students with disabilities in exploring personal leadership, career planning, developing self-advocacy skills, and enhancing their knowledge of the services and supports available in the transition process.

DRS staff present at school transition classes, high school classes, summer Pre-ETS camps, and Independent Living training sessions. These presentations covered information about VR services, employment skills, post-secondary opportunities, and job search supports.

VR Counselors regularly attend Individual Education Plan (IEP) meetings and meet with students at the school and/or in their office to discuss post-secondary goals and training needs. Services are set up on an individualized basis for transition students that we are working with. Approximately 59% of individuals applying for VR services are students with disabilities who are on an IEP. Another 5% are students with disabilities not on an IEP.

VR Counselors utilize the Pathful Explore online platform along with other interest inventories to help students with disabilities identify their interests, values, and aptitudes for certain employment considerations. VR Counselors can purchase eTrac accounts for students with disabilities. eTrac is an online curriculum that is designed to teach job search skills to people struggling to overcome barriers to employment.

DRS provides a work experience program, Project Skills, for students with disabilities to try various employment options. A student can receive up to 250 hours of paid work experience during a school year and participate in multiple experiences while receiving IEP services through their school district. During Program Year 2023, 381 students with disabilities participated in the Project Skills program. DRS has written agreements with one-hundred-forty-six (146) school districts and educational cooperatives to provide Project Skills. These paid work experiences not only teach students with disabilities the skills needed to be successful employees but also allow them to try a variety of employment experiences to determine what type of career they want to pursue.

DRS sponsors 5 Project Search sites in South Dakota where 26 students participate during Program Year 2023. An additional Project Search site will be added starting July 2024 in Yankton, SD.

During the 2023 summer, DRS offered funding for the Pre-ETS Initiative offering training opportunities for high school students with disabilities focusing on training in workplace readiness training to develop social skills and independent living, instruction in self-advocacy, and information about VR services and other programs available to assist individuals with disabilities. A total of 13 entities were involved in this. Altogether, a total of 134 participants or students were involved in the trainings, 77 are currently receiving VR services, and 57 are potentially eligible for VR services.

**Strategy 1.3:** Implement outreach and informed choice strategies to include strategies to enhance effective communication for youth who are deaf or hard of hearing.

DRS hosts five annual Regional Transition Forums in 5 communities across the state as well as offers 2 separate virtual forums. Approximately 160 people attend these annual forums. The forums provided an opportunity for the participants to learn about and meet the various service providers in the area (ex. Vocational Rehabilitation Services, Benefits Counselors, IL Services, DD Resource Coordinators, Community Support Providers, Assistive Technology Services, etc.).

DRS has provided funding for the past four years for a summer Pre-Employment Transition Services camp for students who are deaf or hard of hearing through Communication Service for the Deaf. The purpose of these camps is to introduce students to Science, Technology, Engineering, and Math (STEM) activities for career exploration, deaf mentoring, and students are made aware of services available to them in South Dakota.

DRS offices have purchased the UbiDuo communication machines to communicate with individuals who are deaf or hard of hearing. VR Counselors have also promoted various telecommunication devices for individuals to use for effective communication. DRS also utilizes the Purple application for video relay communication.

**Strategy 1.4:** Conduct outreach activities for teachers, students with disabilities, and their family members to provide information on vocational rehabilitation services.

VR Counselors attend Parent-Teacher conferences and other open house events at schools to meet with students and parents regarding available VR services. VR also attends the annual Project SEARCH Open House to provide information on VR Services for students participating in the program. DRS presented at the Lighting the Way Conference at Augustana University in Sioux Falls to discuss VR services for youth on the Autism Spectrum. DRS presented at the Special Education Conference, TSLP Summer Institute, and the Adult Education Conferences annually. VR counselors regularly attend the monthly TSLP Transition Round-Up Zoom meeting where a variety of topics are discussed. Also attending are Special Education teachers and directors, as well as staff from adult service agencies.

DRS sponsors at least 24 transition events (Catch the Wave, Let's Talk Work, Regional Forums) annually through the Transition Services Liaison Project. During these events, DRS provides teachers, students, and family members with information on VR services.

DRS staff implemented an outreach effort to contact Special Education Directors and 504 Coordinators in the school districts. At the beginning of the school year, DRS staff contacted and met with many Special Education Directors and 504 Coordinators to discuss Vocational Rehabilitation Services.

DRS staff have been creating monthly transition newsletters to mail to students and their families to increase outreach. Every month is a different topic that shares resources and supports available to South Dakota students with disabilities. Topics include job interview tips, ways to build your resume, disability disclosure, independent living, self-advocacy, and more. These newsletters are also available on the DRS transition resource website and highlight the benefits of working with a VR counselor.

DRS staff also created a Transition Timeline which provides suggested transition activities and resources based on grade/age level. The Transition Timeline has been distributed by VR counselors and TSLP staff to Special Education teachers/directors and other transition professionals to share with students with disabilities and their families to help them prepare for a successful transition from high school to adulthood.

**Strategy 1.5:** Increase and strengthen transition services for students who are Native Americans or other minorities with disabilities exploring employment future.

DRS sponsors Catch the Wave events annually on at least one of the Native American Reservations. These events are beneficial for students with disabilities when considering attending post-secondary programs. VR Counselors meet directly with school districts on the reservations to promote referrals for DRS for students to receive Pre-Employment Transition Services.

DRS works closely with the 5 Tribal VR programs in South Dakota. Annual meetings are held with the Tribal VR Programs to coordinate services with eligible VR clients. Agenda topics for these annual meetings always include transition services for students with disabilities. DRS provides technical assistance to the Tribes in South Dakota to apply for Tribal VR funding to serve students with disabilities on the Reservations. During Program Year 2023, DRS funded 2 summer Pre-Employment Transition camp initiatives on the Pine Ridge and Rosebud Reservations hosted by the USD Center for Disabilities, Oyate Circle.

Also, during Program Year 2023, Communication Service for the Deaf, SD hosted a summer Pre-Employment Transition camp and 61% of the attendees were Native American. Those campers will be opened as Potentially Eligible for VR services, if they weren't already working with VR, so counselors can provide further Pre-ETS.

**Strategy 1.6:** Increase the availability of Pre-Employment Transition Services to school districts across the State.

DRS worked closely with TSLP staff to expand the training event called "Let's Talk About Work". This past year, there was a total of five (5) training events held throughout South Dakota; Sioux Falls, Aberdeen, Rapid City, Ft. Pierre, and Mitchell. This is a one-day conference designed specifically for students who have a disability and want to learn more about careers and strategies that lead to competitive integrated employment. Over 340 individuals attended this event.

During the summer of 2023, DRS funded 13 initiatives that focused on Pre-Employment Transition Services to approximately 96 high school students with disabilities. Entities that submit proposals must incorporate curriculums associated with career exploration, workplace readiness training, and self-advocacy.

DRS has assisted with establishment grant funding for five school districts and two educational cooperatives to establish new transition programming for students with disabilities between the ages of 18-21. These students have completed all educational requirements but are still in need of transition services through their Individualized Education Program (IEP). Students with these transition programs participate in the Project Skills work experience program. The curriculum includes Pre-employment: Job-Exploration counseling, social skills, and self-advocacy; Workforce readiness: Attitude, communication, problem-solving, and professionalism; Community readiness: Accessing transportation, shopping, voting, and banking; and Domestic skills: Home care, meal planning/cooking, paying bills, and scheduling appointments. DRS also funds Project Skills work experiences for students at other 18-21 programs such as Sioux Falls Teachwell THRIVE, Rapid City Workforce Development, Black Hills Special Services Cooperative, Aberdeen Transition Learning Center, Sioux Falls Community Campus, and other smaller 18-21 programs through individual school districts.

DRS works closely with the Dakota Wesleyan University/LifeQuest program in Mitchell. This program provides students with disabilities employment skills classes while also providing a post-secondary opportunity. There were 3 students who received VR funding to participate during Program Year 2023.

DRS provides work experience for students with disabilities to try various employment options. A student can receive up to 250 hours participating in a paid work experience during a school year. During Program Year 2023, 381 students with disabilities participated in the Project Skills work experience program.

**Strategy 1.7:** Develop strategies to increase transition services for students with disabilities prior to age 16.

DRS and Transition Services Liaison Program (TSLP) staff present transition-related information to college students planning to enter the special education field at South Dakota post-secondary universities when requested. DRS, TSLP, and other contract staff also present to other high schools on VR services and referrals prior to 16 at Agency Meet & Greet events and Open Houses at agencies and schools as well as family events hosted by SD Parent Connection.

TSLP staff collaborated with the State Office of Special Education Programs to provide seven (7) Individual Education Plan (IEP) workshops with a Transition focus to about one-hundred-sixty (160) High School special education teachers across the state. The focus of the training went beyond IEP compliance and included best practice strategies and predictors of post-high school success.

TSLP staff hosted the Transition Summer Institute, a conference for high school special education teachers. During the summer of 2023, there were one-hundred-fifteen (115) attendees for a two-day event that included various transition-related topics including WIOA and Pre-employment transition services, IDEA law, charting the life course curriculum, career assessment tools, IEP development and collaboration with state and local agencies and work experience programs for youth in transition.

As of October 1, 2022, a revised SD Cooperative Agreement Concerning Transition Services for Students with Disabilities was signed by leadership from the Department of Education, Department of Human Services, Department of Labor & Regulation, and Department of Social Services. The purpose of this Cooperative Agreement is to fulfill the mandates found in the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act as amended. The focus is to facilitate and coordinate the smooth transition of eligible students with disabilities from school to post-school environments and activities, including education and training and competitive, integrated employment. Also included with this agreement is for the Department of Human Services to provide Pre-Employment Transition Services (Pre-ETS) to VR-eligible and potentially eligible students with disabilities as young as 14 years old. With this change, VR counselors are attending IEP meetings at school districts and providing Pre-ETS at an earlier age. During PY23, VR counselors served 212 potentially eligible students with disabilities with a variety of required Pre-ETS.

**Goal 2: A strong statewide community with DRS presence and partnerships with business, service providers, schools, State Government, workforce system and service organizations.**

**Strategy 2.1:** Increase the service capacity and quality of services delivered through the service providers.

DRS meets monthly with WIOA Core Partners to improve collaboration between the partners. DRS also meets quarterly with other community partners to learn about and discuss topics such as low-income housing, transportation, food stamps, training programs, financial services, and resources, etc. to better serve mutual clients.

DRS has developed a website to post provider resources. This website provides template forms, policies, and past training videos. DRS has also promoted providers to become Certified Employment Support Professionals (CESP) certified by the Association of People Supporting Employment First (APSE) to be reimbursed at a higher reimbursement rate.

DRS has contracted with Griffin Hammis Associates to provide a variety of training for providers including Customized Employment Training, preparation for the CESP Certification exam, training for agency leadership, and monthly trainings and community of practice meetings geared toward employment service providers to help them enhance their knowledge and skills.

**Strategy 2.2:** Strengthen partnerships with the business community.

In 2014, DRS, established a single point-of-contact (business specialist) at the state level to establish and maintain partnerships with businesses by offering customized assistance or support for recruiting, hiring, and retaining people with disabilities. This single point of contact continues for DRS.

DRS contracts with nonprofit organizations in the state to provide local assistance, support, and training to businesses (a form of a business-led model) in their local communities, and each of them employs a full-time executive director. The entities are Employment Disability Resources (formerly known as Sioux Falls Business Resource Network and the Workplace Disability Network of the Black Hills (formerly known as the Workforce Diversity Network of the Black Hills).

DRS has office memberships for personnel to participate in local Human Resources groups and the Chamber of Commerce as another strategy for outreach and partnership opportunities with businesses. Since January 2017, the DRS business specialist has been the Workforce Readiness Director (a volunteer role) on South Dakota's State SHRM Council which she will term off in December 2023. The Aberdeen district supervisor is the diversity chair for the local Society of Human Resource Managers chapter in Aberdeen. The Yankton district supervisor is the diversity chair for the local Society of Human Resource Managers chapter in Yankton.

DRS and the Board of Vocational Rehabilitation sponsor at least 12 training annual events for National Disability Employment Awareness Month. The events are promoted to individual businesses and business organizations, which also promote the hiring and retention of people with disabilities.

DRS also conducts outreach to businesses by attending business-related events held throughout the state. For example, had a booth during the State Society of Human Resource Management Annual Conference that was held May 3-5, 2023.

DRS conducts trainings for businesses to provide them with information and resources to promote employment opportunities for people with disabilities. DRS provides training on topics such as disability etiquette/awareness, WINDMILLS training, basics of mental health disabilities, and other customized training topics. Trainings are provided at no cost to businesses. DRS is also tracking the number of services and supports being provided to employers. During Program Year 2022, DRS provided services and support to 483 South Dakota employers.

**Strategy 2.3:** Strengthen partnerships with organizations serving Native Americans and other minorities with disabilities.

VR Counselors actively work with Tribal VR programs in their area and have regular schedules at the Tribal VR offices. Through these connections, VR Counselors maintain active and positive relationships within those communities. DRS continues to meet at least annually with all five Tribal VR Programs. DRS VR Counselors and State Office staff participate in meetings on the Native American Reservations with individual Tribal VR Programs and events such as Catch the Wave, regional forums, or public listening sessions. Each Tribal VR program has a VR Counselor assigned to their program.

DRS staff participated in the First Responders Disability Awareness Training for Tribal Nations Niagara University and Oyate Circle (the training was the first of its kind in the nation) in Rapid City.

DRS staff participated in Adventure for Leadership and Fulfilment with Access (ALFA) Camp at Lakota Tech High School on Pine Ridge.

DRS staff have also assisted two Tribes in submitting proposals for Tribal Vocational Rehabilitation funding. One of these was approved for funding increasing the number to 6 Tribal VR Programs in South Dakota.

DRS contracted with the Oyate Circle at the Center for Disabilities to provide disability awareness training on the Reservations. All the Division staff attended this training. DRS assisted the Independent Living system in receiving funding for independent living services on the 9 reservations.

**Strategy 2.4:** Strengthen working relationships with entities, agencies, and organizations to enhance the delivery of vocational rehabilitation services to underserved rural areas.

DRS has developed contacts in rural communities where some have evolved into regular interagency meetings in rural communities.

DRS staff work closely with the Oyate Circle at the Center for Disabilities in providing disability awareness training on the reservations. DRS staff also participate in the Department of Labor Youth Council which establishes relationships in rural areas to promote education and employment.

**Strategy 2.5:** Strengthen the extended services for assuring successful employment for supported employment clients.

DRS local offices work closely with Community Support Providers to strengthen employment outcomes to include job coaching and related services. This partnership also includes the development of plans for sustaining employment for individuals who are Social Security recipients.

DRS participates in the State Employment Leadership Network (SELN) with the Division of Developmental Disabilities. This initiative includes redefining policies and services to support extended employment services for people with significant disabilities.

DRS has funded establishment grants to expand the service capacity of service providers with 18 agencies to add 21 Employment Specialists/Job Coaches available to provide services for individuals with the most significant disabilities.

DRS has funded grants to Community Support Providers to develop their expertise in Customized Employment. DRS has completed contracts with about half of CSP's in South Dakota to cover training expenses for providers interested in learning about and providing Customized Employment Services in South Dakota. This will allow providers to provide a more individualized service appropriate for individuals with more significant needs that have not been well-served by traditional services.

In 2022, DRS created the Transition to Extended Service incentive a one-time incentive to long-term service providers to help ensure that individual client supports are discussed and added to the person's support plan as they transition from VR supports to extended services through their provider.

**Strategy 2.6:** State Government will be a model employer in increasing the employment of people with disabilities in State Government.

In 2022, DRS began facilitating virtual trainings from the WINDMILLS training program in which is available for all state government employees with the goal of increasing disability awareness.

DRS staff emails state government job openings on a weekly basis with staff and providers as an opportunity to share with job seekers with disabilities.

**Goal 3: DRS clients will have greater access to transportation services needed to obtain and maintain employment.**

**Strategy 3.1:** Increase knowledge of the current transportation systems and compatibility with the employment systems.

VR staff attend local community interagency meetings to become more aware of transportation services. This information is then shared with new applicants and current clients. This includes information on available transportation options in their local community.

Training on transportation services is available and provided to current VR clients when it relates to their employment goal.

Division staff are attending the annual Mobility Conference to learn about accessibility and options for vehicle modifications and related services that could be made available in South Dakota.

**Strategy 3.2:** Promote the participation of disability agencies and local communities to improve transportation services.

DRS staff participate in mayor's committees in Aberdeen, Brookings, Mitchell, Watertown, Sioux Falls, and Rapid City. The mayor's committees in these communities promote initiatives and strategies to improve the transportation services in their area.

DRS staff participated in an initiative (Care Council) to receive grant funding in Brookings for continued transportation services.

**Strategy 3.3:** Improve the availability of transportation for Vocational Rehabilitation clients.

DRS staff actively network with local transportation systems in their community. Many of these systems are utilized for transportation services for VR clients to obtain/maintain employment. An example is the Aberdeen Area Community Transportation Coordination Committee. DRS funds driver assessments, vehicle modifications and driver training for VR clients when it relates to their Individual Plan for Employment.

Lyft now provides free rides for people with disabilities when they have job interviews. DRS promotes this service in addition of funding transportation services from Lyft for current VR clients. Instructions on how to use this service in the most effective manner have been updated as we find ways to streamline the process.

**Goal 4: A VR Services delivery system that results in enhanced earnings, employee benefits, retention and career advancement for individuals with the most significant disabilities.**

**Strategy 4.1:** Improve the employment retention of Vocational Rehabilitation clients.

VR Counselors work to ensure that prior to closure of a client's VR case, all related services or long-term supports are in place. For individuals who are Social Security recipients, this includes completing the Plan for Sustaining Employment or ensuring that independent living and other needs are met prior to closing a case file. Clients are made aware that they can reach out to the VR Counselor after closure if concerns arise and often, we are able to remedy or assist with concerns without needing to formally open another case file if contacted to assist someone in maintaining employment.

DRS has established various milestones payment incentives for providers to promote the employment retention of VR clients.

Starting in 2018, the Division of Rehabilitation Services began an initiative to bring Customized Employment services to South Dakota. Customized Employment training continues to be provided annually through Griffin Hammis Associates in addition to several other provider-specific trainings to help build and enhance skills in our provider network.

**Strategy 4.2:** Provide specialized support services based upon individual's unique needs to keep their employment.

The Division of Rehabilitation Services has also begun training employment service providers and counselors on Customized Employment that will provide a more in-depth service to individuals with significant barriers to employment who have never received VR services or have not found successful employment with traditional services in the past. Customized Employment includes an in-depth analysis of the person and their environment to determine potential good fits before any job seeking is done allowing the employment specialist to individualize all aspects of the job search to the unique needs of the individual.

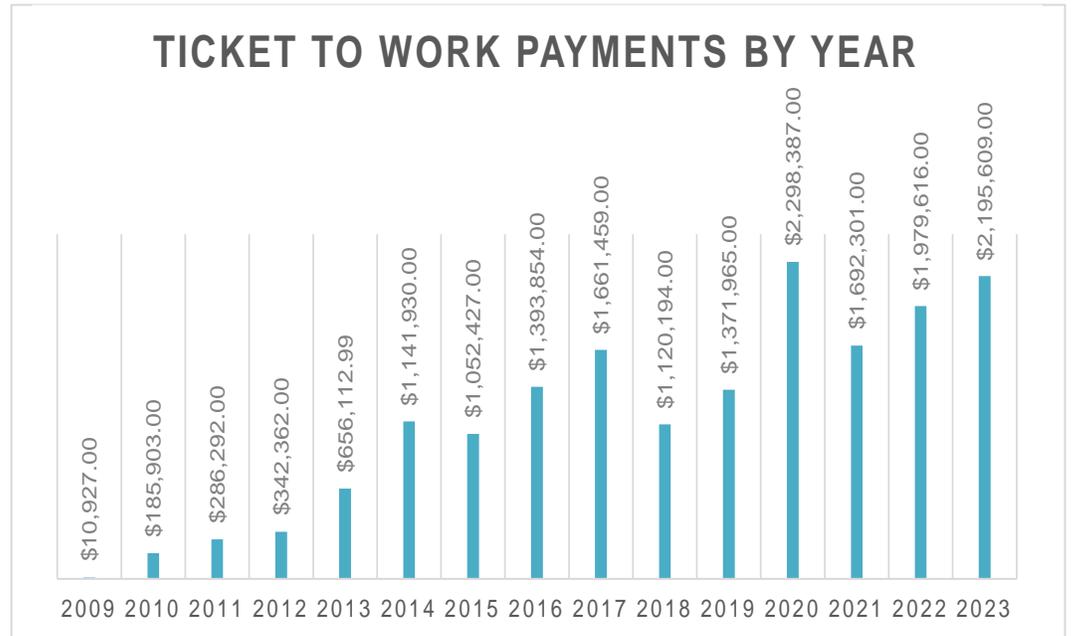
**Strategy 4.3:** Strengthen the Benefits Specialist services for VR clients.

The SD Benefits Specialist Network (funded by DRS) provides counseling and advisement services to beneficiaries of SSI and SSDI who are currently working or seeking employment. Benefits Specialists answer questions about how work will impact SSI, SSDI, Medicaid, Medicare, and other public benefits. Benefits Specialists also provide information about how work incentives can help beneficiaries increase their earnings. During Program Year 2022, 719 VR current and past clients received services from a Benefits Specialist. The Benefits Specialist Network also provided a series of training sessions in seven different communities. This training is for VR Counselors, Community Support Provider staff, Mental Health Center staff, and state agency staff. Training objectives include understanding the Social Security Administration's eligibility process; understanding how income from employment impacts eligibility for benefits; identifying and directing individuals to programs providing support; recognizing key SSA work incentives; and dispelling myths and encouraging people with disabilities to work. There were 126 individuals who attended these training sessions.

DRS has increased the number of Benefits Specialists to a total of seven Benefits Specialists. The Division is planning an 8<sup>th</sup> Benefits Specialist in the Aberdeen District.

**Strategy 4.4:** Increase the utilization of the Ticket to Work initiatives for Social Security beneficiaries.

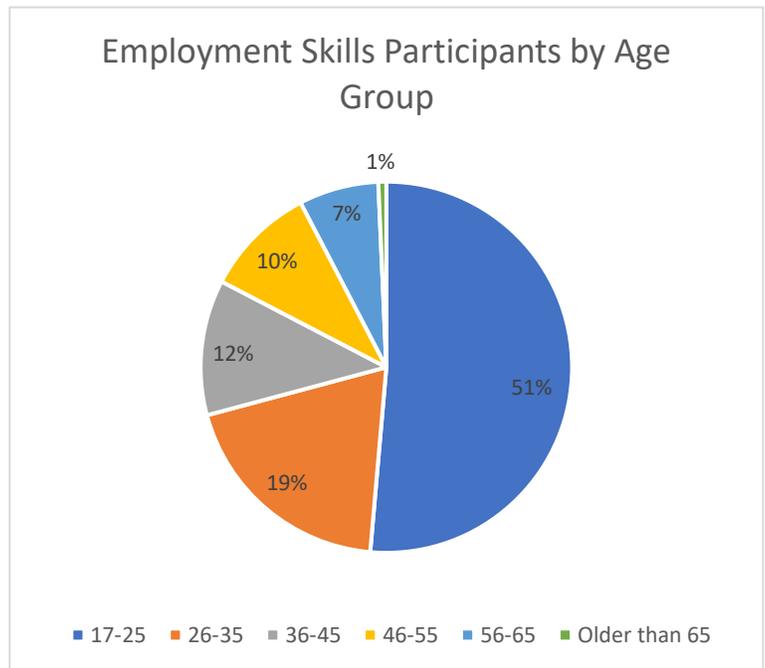
DRS funds incentives to providers when working with individuals who are Social Security beneficiaries. Below is the chart showing the increase in the utilization of the Ticket to Work initiative.



**Strategy 4.5:** Increase work experience opportunities for adults with disabilities.

DRS utilizes a work experience program titled “Employment Skills” where adults or students who are not on an Individual Education Plan can receive up to 250 hours of paid work experience. In Program Year 2022, 147 individuals participated in this program.

DRS also coordinates with DLR work experience programs to provide job coaching and other support services to individuals in need of additional services for successful employment beyond those that can be provided through the DLR program. This partnership gives consumers the “best of both worlds” from each program expanding their success in these kinds of experiences.



**Strategy 4.6:** Promote the development & utilization of vocational skills training for individuals in South Dakota.

DRS works closely with the four technical institutes in South Dakota and other vocational skills training programs. In Program Year 2022, 80 VR clients were receiving vocational skills training from the technical institutes.

With new reporting requirements, DRS has started tracking Measurable Skills Gains as well as Credential Attainment for clients to get a more accurate look at progress and benefit from services beyond a successful closure with employment. With this, there is a requirement to get documentation verifying progress, which staff are in the process of negotiating

with schools and figuring out with consumers. At this time, numbers are not reflective of actual MSGs and Credentials Attained due to difficulties in receiving the necessary documentation to report on this progress.

DRS utilizes other vocational skills training programs typically through Career Learning Centers and other providers. These programs consist of programs such as computer training, medical transcriptionist services, office operations and other skill-based training programs.

DRS has revised the On-the-Job training procedures to increase the utilization of vocational skills training directly from employers. DRS also works closely with DLR on the Registered Apprenticeship program.

**Goal 5: DRS clients will have the skills, motivation, and support necessary to make an informed choice for successful daily living, employment, money management, and personal and work relationships.**

**Strategy 5.1:** Implement strategies and tools for the Vocational Rehabilitation Counselors in assessing the motivational state of VR clients as to their desire for employment.

DRS has provided extensive Motivational Interviewing (MI) training for VR Counselors to provide them with the skills to assess their clients. MI is discussed during regular staff meetings to ensure that VR Counselors are utilizing the tools and assessing motivation during all phases of the VR process.

In 2022, DRS contracted with Trevor Manthey to provide MI Training for beginners (initial training as well as follow-up training) as well as refresher training for more seasoned staff. In total, 69 DRS staff received training on MI practices and concepts.

**Strategy 5.2:** Vocational Rehabilitation Counselors will utilize strategies and tools for assessing critical strengths and deficits in the client's personal life status and skills.

DRS encourages the professional development of its VR Counselors through the participation of a variety of training and conferences. Participating in trainings that cover a wide range of topics such as transition services, counseling skills and techniques, specific disabilities, and ethics benefits DRS clients by having a VR Counselor with a diverse foundation of knowledge. From July 2022 – June 2023, DRS staff collectively participated in over 900 trainings.

**Strategy 5.3:** Develop potential provider support for life skills development.

DRS has sponsored small grants to providers to provide employment and independent living skills training. These initiatives have utilized curriculum such as “Skills to Pay the Bills” for young adults. VR Counselors also work closely with the two Centers for Independent Living in providing life skills services for eligible VR clients.

During the 2023 summer, DRS offered funding for the Pre-ETS Initiative offering training opportunities for high school students with disabilities focusing on training in workplace readiness training to develop social skills and independent living, instruction in self-advocacy, and information about VR services and other programs available to assist individuals with disabilities. A total of 13 entities were involved in this. Altogether, a total of 134 participants or students were involved in the trainings, 77 are currently receiving VR services, and 57 are potentially eligible for VR services.

**Strategy 5.4:** Increase the utilization of self-employment as an employment outcome for VR clients.

DRS has developed a policy on self-employment and has provided training for VR Counselors to promote the utilization of self-employment. This training promoted ways to best assist VR clients who have a goal of operating a business. This has been promoted further in rural areas and discussions on identifying various generational things (including on the reservations) that may be happening where the next generation could take over and continue to provide a meaningful service to the community. DRS has been successful in working with the Oglala Sioux Tribal VR Program in jointly funding several self-employment cases on the Pine Ridge Reservation

In 2023, a workgroup was created to update the program's policy and procedures regarding self-employment. The goals of the changes were to increase the support VR could provide, clarify the process for staff and clients, and encourage a process that included presumed competence and minimized the use of screening out clients from self-employment services.

(2) Performance on the performance accountability indicators under section 116 of WIOA for the most recently completed program year, reflecting actual and negotiated levels of performance. Explain any discrepancies in the actual and negotiated levels; and

There are six primary indicators of performance under section 116 of WIOA:

1. **Employment Rate – 2nd Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit);
  - a. 61.8% of participants were in unsubsidized employment during the second quarter after exit from the program.
2. **Employment Rate – 4th Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit);

- a. 56% of participants were in unsubsidized employment during the fourth quarter after exit from the program.
3. **Median Earnings – 2nd Quarter After Exit:** The median earnings of participants who were in unsubsidized employment during the second quarter after exit from the program;
    - a. For program year 22, the median earnings of participants in unsubsidized employment during the second quarter after exit was \$3,599.
  4. **Credential Attainment:** The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;
    - a. In program year 2022, the Division recorded 34% of participants attained postsecondary credentials or a secondary school diploma (or its recognized equivalent) during participation in or within one year after exit from the program. The Division is making ongoing efforts to train staff for a better understanding of credential attainment and obtaining documentation of participant progress. It is expected that this percentage will increase with improved data collection.
  5. **Measurable Skill Gains:** The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment.
    - a. The Division recorded that 49.8% of participants obtained measurable skill gains leading to a recognized postsecondary credential or employment. This percentage is expected to increase in conjunction with staff training.
  6. **Effectiveness in Serving Employers:** addresses the program’s efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time.
    - a. The Division provided services to 483 employers in Program Year 2022.

Employer Services	Total Records
Employer Information and Support Services	187
Workforce Recruitment Assistance	33
Strategic Planning/Economic Development Activities	2
Untapped Labor Pools Activities	3
Training Services	382
Incumbent Worker Training Services	1
Rapid Response/Business Downsizing Assistance	0
Planning Layoff Response	0
<b>Total Services to Businesses</b>	<b>608</b>
<b>Total Employers Served PY22</b>	<b>483</b>
<b>Total Employers Served PY21</b>	<b>576</b>
<b>Total Employers Served PY20</b>	<b>453</b>
<b>Total Employers Utilizing Services More than 1 Year</b>	<b>267</b>
<b>Total Establishments</b>	<b>39,300</b>
<b>Repeat Business Customers PY 22</b>	<b>0.006793893</b>
<b>Retention with the Same Employer PY22</b>	<b>0.11827957</b>

- (3) The use of funds reserved for innovation and expansion activities (sections 101(a)(18) and 101(a)(23) of the Rehabilitation Act) (e.g., SRC, SILC).

Prior to the 1998 Amendments of the Rehabilitation Act, the Division of Rehabilitation Services was required to utilize 1.5% of the Federal 110 funds for Innovation and Expansion (I&E) activities. The Division continues to use these funds at an increased percentage. During the Program Year 2022, \$92,401 was spent for I&E activities through a contract with Black Hills Special Services Cooperative to provide staff support for the Board of Vocational Rehabilitation and the State Independent Living Council. The contract provides for the following:

- Support staff for the Board of Vocational Rehabilitation and the Statewide Independent Living Council contracted through the Black Hills Special Services Cooperative. This includes wages and benefits for 1 FTE Board support staff.
- Operational costs, equipment, and travel for support staff and office supplies are paid through the Black Hills Special Services Cooperative.
- Costs involved in having members of the Board of Vocational Rehabilitation or the Statewide Independent Living Council attend meetings/training.
- Strategic Planning Initiatives approved by the Board of VR to expand and improve the provision of vocational rehabilitation services to individuals with disabilities, particularly individuals with the most significant disabilities, consistent with the findings of the statewide assessment and goals and priorities of the State.

The Division of Rehabilitation Services budgets approximately \$202,507 annually for support services and strategic planning activities for both the Board of Vocational Rehabilitation and the Statewide Independent Living Council.

**(e) Supported Employment Services, Distribution of Title VI Funds, and Arrangements and Cooperative Agreements for the Provision of Supported Employment Services.**

(1) Acceptance of title VI funds:

(A) [Yes] VR agency requests to receive title VI funds.

(B) [check box] VR agency does NOT elect to receive title VI funds and understands that supported employment services must still be provided under title I.

(2) If the VR agency has elected to receive title VI funds, Section 606(b)(3) of the Rehabilitation Act requires VR agencies to include specific goals and priorities with respect to the distribution of title VI funds received under section 603 of the Rehabilitation Act for the provision of supported employment services. Describe the use of title VI funds and how they will be used in meeting the goals and priorities of the Supported Employment program.

The South Dakota Division of Rehabilitation Services (Division) is committed to ensuring that rehabilitation services are made available on a statewide basis to individuals with the most severe disabilities who have not traditionally been competitively employed or for whom competitive employment has been interrupted or intermittent. These services are available through the Supported Employment Program.

South Dakota's annual allotment of Title VI-B funds is \$300,000. \$150,000 of this grant award is used for Vocational Rehabilitation clients who are considered youth. This \$150,000 is matched with 10% state funds. Over 97.5% of the Title VI-B funds are spent for consumer services. The state spends less than 2.5% of its allotment of Title VI-B funds for administrative costs. Supported employment funds are not expended until

individuals with disabilities have been determined eligible for the 110 Vocational Rehabilitation Program and are employed. Supported Employment services are purchased by the vocational rehabilitation counselors through an authorization system. Expenditures exceeding the Title VI-B allotment are covered with funds from the 110 Program.

The Division will continue to expend over 97.5% of the Title VI-B funds on direct services for supported employment consumers. Supported employment expenditures exceeding the Federal allotment will continue to be paid from the 110 Vocational Rehabilitation funds. Supported employment funds will be authorized for approved providers of the consumer's choice. The amount of funds authorized will be based upon the individual's needs, type of placement, hours and type of employment. Supported Employment funds can only be used for job coaching and follow-along services.

During the next program year, the Division plans to distribute the Title VI-B funds through the fee for service system as traditionally done in previous years. This allows for Vocational Rehabilitation clients who have greater needs to receive the level of services necessary to help them obtain supported employment. The Division will continue outcome-based contracts with mental health centers for supported employment services for individuals with severe and persistent mental illness. This contract model has encouraged the mental health centers to provide supported employment services and is a more accessible method of supported employment services for these consumers. These initiatives will help promote the employment of individuals with the most severe disabilities.

(3) Supported employment services may be provided with title 1 or title VI funds following placement of individuals with the most significant disabilities in employment. In accordance with section 101(a)(22) and section 606(b)(3) of the Rehabilitation Act, describe the quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities, including youth with the most significant disabilities; and the timing of transition to extended services.

The Department of Human Services Divisions of Rehabilitation Services and Developmental Disabilities revised our Memorandum of Understanding (MOU) on 7/1/2022 to describe the quality, scope and extend of supported employment services. This MOU improved the transition of extended services between our agencies. The Division of Rehabilitation Services added a new fee rate when the transition to extended services was successful with the long term support agency.

(4) Sections 101(a)(22) and 606(b)(4) of the Rehabilitation Act require the VR agency to describe efforts to identify and arrange, including entering into cooperative agreements, with other State agencies and other appropriate entities in order to provide supported employment services. The description must include extended services, as applicable, to individuals with the most significant disabilities, including the provision of extended services to youth with the most significant disabilities in accordance with 34 CFR 363.4(a) and 34 CFR

361.5(c)(19)(v).

Extended services will be available for youth with the most significant disabilities for up to 4 years with other entities providing long term supports after that time period. With the addition of Customized Employment as an available service, this will better serve youth that may not have been well-served by more traditional services.

Medicaid waiver funds are available for extended services and expanded supported employment opportunities for youth with the most significant disabilities through the public-school system and Medicaid waiver services.

**(f) Annual Estimates.** Sections 101(a)(15) and 101(a)(23) of the Rehabilitation Act require all VR agencies to annually conduct a full assessment of their resources and ability to serve all eligible individuals before the start

of the Federal fiscal year. In accordance with 34 CFR § 361.29(b), annual estimates must include the following projections:

(1) Estimates for next Federal fiscal year—2025

(A) VR Program; and

Priority Category (if applicable)	No. of Individuals Eligible for Services	No. of Eligible Individuals Expected to Receive Services under VR Program	Costs of Services using Title I Funds	No. of Eligible Individuals Not Receiving Services (if applicable)
Priority Category I - Most Significantly Disabled	3668	3668	\$4,375,810	0
Priority Category II - Significantly Disabled	395	395	\$286,744	0
Priority Category III - Not Significantly Disabled	53	53	\$24,151	0

(B) Supported Employment Program.

Priority Category (if applicable)	No. of Individuals Eligible for Services	No. of Eligible Individuals Expected to Receive Services under Supported Employment Program	Costs of Services using Title I and Title VI Funds	No. of Eligible Individuals Not Receiving Services (if applicable)
Priority Category I - Most Significantly Disabled	654	654	\$935,632	0

**(g) Order of Selection.**

Yes The VR agency is **not** implementing an order of selection and all eligible individuals will be served.

No The VR agency is implementing an order of selection with one or more categories closed.

\* VR agencies may maintain an order of selection policy and priority of eligible individuals without implementing or continuing to implement an order of selection.

Pursuant to section 101(a)(5) of the Rehabilitation Act, this description must be amended when the VR agency determines, based on the annual estimates described in description (f), that VR services cannot be provided to all eligible individuals with disabilities in the State who apply for and are determined eligible for services.

(1) For VR agencies that have defined priority categories describe—

(A) The justification for the order;  
[text box]

(B) The order (priority categories) to be followed in selecting eligible individuals to be provided VR services ensuring that individuals with the most significant disabilities are selected for services before all other individuals with disabilities; and  
[text box]

(C) The VR agency’s goals for serving individuals in each priority category, including how the agency will assist eligible individuals assigned to closed priority categories with information and referral, the method in which the VR agency will manage waiting lists, and the projected timelines for opening priority categories. NOTE: Priority categories are considered open when all individuals in the priority category may be served.  
[text box]

(2) Has the VR agency elected to serve eligible individuals outside of the order of selection who require specific services or equipment to maintain employment?

[check box] Yes

[check box] No

**(h) Waiver of Statewideness.** The State plan shall be in effect in all political subdivisions of the State, however, the Commissioner of the Rehabilitation Services Administration (Commissioner) may waive compliance with this requirement in accordance with section 101(a)(4) of the Rehabilitation Act and the implementing regulations in 34 CFR 361.26. If the VR agency is requesting a waiver of statewideness or has a previously approved waiver of statewideness, describe the types of services and the local entities providing such services under the waiver of statewideness and how the agency has complied with the requirements in 34 CFR 361.26. If the VR agency is not requesting or does not have an approved waiver of statewideness, please indicate “not applicable.”

The South Dakota Division of Rehabilitation Services (Division) has implemented a work experience program for students with disabilities called Project Skills. This venture is a cooperative arrangement with the local school districts and the Division. South Dakota has 149 public school districts, 14 Educational Cooperatives and 19 Tribal/Bureau of Indian Education Schools statewide. The Division makes this program available to all schools with approximately 145 Public/Educational Cooperatives/Tribal School districts participating in the program. The program is available to the remaining school districts, but they have chosen not to enter into a contract with the Division.

**(i) Comprehensive System of Personnel Development.** In accordance with the requirements in section 101(a)(7) of the Rehabilitation Act, the VR agency must develop and maintain annually a description (consistent with the purposes of the Rehabilitation Act) of the VR agency’s comprehensive system of personnel development, which shall include a description of the procedures and activities the VR agency will undertake

to ensure it has an adequate supply of qualified State rehabilitation professionals and paraprofessionals that provides the following:

(1) Analysis of current personnel and projected personnel needs including—

- (A) The number and type of personnel that are employed by the VR agency in the provision of vocational rehabilitation services, including ratios of qualified vocational rehabilitation counselors to clients;
- (B) The number of personnel currently needed by the VR agency to provide VR services, broken down by personnel category; and
- (C) Projections of the number of personnel, broken down by personnel category, who will be needed by the VR agency to provide VR services in 5 years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.

Personnel Category	No. of Personnel Employed	No. of Personnel Currently Needed	Projected No. of Personnel Needed in 5 Years
Secretaries	9	0	3
Counselor Aides	9	0	3
VR Counselors	38	0	7
District Supervisors	5	0	1
Management	8	0	1
Interpreters	1	0	0

- (D) Ratio of qualified VR counselors to clients: In Program Year 2022, there were 3,897 total individuals served. This was a ratio of 115 individuals served by a VR Counselor. The average open cases for a VR Counselor is 67 individuals.
- (E) Projected number of individuals to be served in 5 years: It is estimated that in 5 years, 4,500 individuals will receive VR services.

(2) Data and information on personnel preparation and development, recruitment and retention, and staff development, including the following:

- (A) A list of the institutions of higher education in the State that are preparing VR professionals, by type of program; the number of students enrolled at each of those institutions, broken down by type of program; and the number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.

Institute of Higher Education	Type of Program	No. of Students Enrolled	No. of Prior Year Graduates
SDSU	Masters in VR	8	2

- (B) The VR agency’s plan for recruitment, preparation and retention of qualified personnel, which addresses the current and projected needs for qualified personnel; and the coordination and facilitation

of efforts between the VR agency and institutions of higher education and professional associations to recruit, prepare, and retain personnel who are qualified, including personnel from minority backgrounds and personnel who are individuals with disabilities.

Recruitment of qualified staff including individuals with minority backgrounds and individuals with disabilities is accomplished through promoting vacancies at universities in Region VIII with master level programs. The University of Colorado, Montana State University, South Dakota State University and Utah State University are also sources for recruitment of graduates with master's level degrees in vocational rehabilitation counseling. In addition, South Dakota has three State public universities with programs offering master's degrees in counseling. These three State Universities have expanded their class locations to other universities and distance learning options. Graduates of the following programs are recruited for vocational rehabilitation counselor openings: Doctorate of Education program options, Counselor of Education and Counseling Practice; School Psychology and Educational Psychology, Mental Health Counseling, or Master of Arts in Counseling or Educational Psychology. Graduates are hired and trained to prepare for the Certification for Rehabilitation Counselors (CRC) to meet the highest qualifications in the state for rehabilitation counselors. During the next five years, it is projected that up to 8 counselors will be hired who are graduates of these programs.

The announcements for all state positions including the Vocational Rehabilitation Counselor positions are posted on the State web page. The Division also utilizes Facebook, Linkin, Indeed and Google Ads.

Retention and advancement are accomplished through the opportunity for all entry—level vocational rehabilitation counselors to participate in master's level vocational rehabilitation education programs and, once meeting the requirements for "Senior Counselor", receive promotion to this level. Leadership and management training and assignments with senior level management teams assist counselors to prepare for supervisory and administrative positions. Senior rehabilitation counselors are encouraged to apply for management and administrative positions when vacancies occur. Opportunities for promotion are available through announcements of supervisory and management positions provided those candidates meet the requirements for the position.

To address the priority of recruiting individuals with disabilities, BHR has in SD Administrative Rule the requirement that individuals with disabilities are automatically certified applicants to be interviewed. In addition, any eligible applicant for employment who has been certified severely disabled by a rehabilitation counselor will be certified (eligible to interview) regardless of the ranking the applicant receives compared to other applicants. This ensures individuals who have disabilities have the opportunity to interview and compete for openings in the designated state unit.

- (C) Description of staff development policies, procedures, and activities that ensure all personnel employed by the VR agency receive appropriate and adequate training and continuing education for professionals and paraprofessionals:
  - i. Particularly with respect to assessment, vocational counseling, job placement, and rehabilitation technology, including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998; and
  - ii. Procedures for the acquisition and dissemination of significant knowledge from research and other sources to VR agency professionals and paraprofessionals and for providing training regarding the amendments to the Rehabilitation Act made by the Workforce Innovation and Opportunity Act.

The Division has established liaison relationships and cooperative agreements with the other partner agencies that are included in the Workforce Innovation and Opportunities Act and the State Unified Plan. The training officer is on a work group with other agency's training officers to plan joint training initiatives. The Director of the Division of Rehabilitation Services as a member of the state's Workforce Investment Council deals with training issues system wide.

Training needs of the state's Native American Indian Vocational Rehabilitation Services Programs, Centers for Independent Living, the Client Assistance Program and Community Based Rehabilitation Programs are considered in planning annual training activities. Training needs are addressed through a variety of resources including workshops, conferences and seminars hosted by other organizations such as Special Education, DLR, Parent Connection, BHR training, professional organizations, client organizations (SD Association of the Blind, National Federation of the Blind of SD, Community Support Providers of South Dakota, SD National Alliance of Mental Illness and the SD Association of the Deaf), and distance learning are examples of sponsors of training activities in which staff participate. Independent study and mentoring by supervisors and senior rehabilitation counselors are other means for meeting individual staff development needs.

The Division distributes research information to the Vocational Rehabilitation staff when it becomes available.

The Division of Rehabilitation Services purchased a learning management system, YesLMS, through the VR Development Group. YesLMS allows the Division to host live, virtual trainings through the platform as well as develop on-demand, self-paced courses. In addition to in-house trainings, YesLMS also offers a library of courses from the VR Development Group, a company that specializes in vocational rehabilitation training, and their partner agencies to provide a large library of additional trainings that are pre-approved for continuing education credits through the Commission on Rehabilitation Counselor Certifications. The LMS currently has nearly 200 courses professional development training opportunities.

- (3) Description of VR agency policies and procedures for the establishment and maintenance of personnel standards consistent with section 101(a)(7)(B) to ensure that VR agency professional and paraprofessional personnel are adequately trained and prepared, including—
- (A) Standards that are consistent with any national or State-approved or -recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which such personnel are providing VR services; and
  - (B) The establishment and maintenance of education and experience requirements, in accordance with section 101(a)(7)(B)(ii) of the Rehabilitation Act, to ensure that the personnel have a 21st century understanding of the evolving labor force and the needs of individuals with disabilities.

The Rehabilitation Act as amended and the Vocational Rehabilitation regulations refer to personnel as "Qualified Personnel" and "Qualified Vocational Rehabilitation Counselors". The Division has defined these positions as follows: Qualified Vocational Rehabilitation Counselor: All Vocational Rehabilitation Counselors, District Supervisors and State Office Personnel

- a. meets the standards for Senior Vocational Rehabilitation Counselor;
- b. meets the standards for Senior Vocational Rehabilitation Counselor except is not CRC certified; or
- c. meets the standards for Vocational Rehabilitation Counselor; has been employed by the Division as a VR Counselor for a minimum of six months; and has an approved plan to be eligible to take the CRC certification test by the Commission on Rehabilitation Counselor Certification in eight years. (This employee does receive oversight and monitoring of the non-delegated functions of the VR process.)

The approved plan must be signed by the Supervisor. The plan will include at a minimum one course each semester unless the individual can present extenuating circumstances that are approved by the State Office. As of 7/1/2023, 8 VR Counselors are in a plan for CRC with 1 of them able to take the CRC examination. 13 VR Counselors are Senior VR Counselors and have their CRC.

### **Qualified Personnel**

The Division is committed to assisting vocational rehabilitation counselors to obtain the necessary academic training and professional experience to meet the standards of a Senior Vocational Rehabilitation Counselor. FFY 2023, 8 Division employees were pursuing their Vocational Rehabilitation master's degree program through South Dakota State University. Two individuals graduated during the past year with a master's degree in vocational rehabilitation and are preparing to take the CRC exam. Another important strategy is coordination of resources to access the most comprehensive training opportunities.

The Division of Rehabilitation Services approaches personnel development through a number of avenues. Each employee's current level of education and training, as well as short term and long-term training needs are tracked by supervisors who evaluate methods for addressing these needs annually through the Continuous Performance Communication (CPC) review system. CPC is the State's new performance review process intended to increase communications between employees and supervisors. CPC is a series of check-ins and a year-end appraisal. Check-ins occur throughout the year between the supervisor and employee to discuss areas related to performance and growth. At the end of the year, the check-ins are used to determine the employee's year-end appraisal.

The CPC system allows for ongoing feedback between employees and supervisors by incorporating a self-audit while addressing professionalism, work quality and areas for development as well as areas of strength. Training needs are addressed utilizing a form that not only identifies needed training, but also includes fields for the date the training is scheduled and the date it is attended. BHR workshops are identified under the following headings: supervisory, job enrichment and technology with "other training" and "job-specific skills" included in the document used to track need and attendance. The training officer works with agency supervisors to identify resources for obtaining training in areas related to vocational rehabilitation (including the Rehabilitation Act Amendments, Workforce Innovation and Opportunity Act and RSA regulations), including serving individuals with the most significant disabilities and those of minority backgrounds. Training needs are also identified through input from clients responding to satisfaction surveys and input from the State Rehabilitation Council.

- (4) Method(s) the VR agency uses to ensure that personnel are able to communicate in appropriate modes of communication with or in the native language of applicants or eligible individuals who have limited English speaking ability.

The Division does employ an interpreter who is available for all training sessions to clients who are deaf or deaf/blind. If additional interpreters are needed, the Division contracts for these services. Braille, materials on disk and enlarged print are provided to all staff or clients who request alternative formats. The Division has developed fee schedules and vendors to pay for interpreters of foreign languages and Native American interpreters. The Division also purchases foreign language interpreting services such as Linguistica and Interpretalk service for interpreting services through phone services.

- (5) As appropriate, describe the procedures and activities to coordinate the designated State unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

Training on IDEA and transition services for students with disabilities is coordinated with the DOE Special Education Program and the State Transition Project. The annual Youth Leadership Forum is planned in collaboration with the Special Education Program, Rehabilitation Services, Service to the Blind and Visually Impaired, Statewide Independent Living Council, and the Transition Project. The annual Fall Conferences were a combined effort with the Special Education Program, DLR which offered a series of transition presentations.

**(j) Coordination with Education Officials.** In accordance with the requirements in section 101(a)(11)(D) of the Rehabilitation Act—

- (1) Describe plans, policies, and procedures for coordination between the designated State agency and education officials responsible for the public education of students with disabilities, that are designed to facilitate the transition of the students with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services, including pre-employment transition services.
- DRS staff has been appointed by the SD Governor to be part of a panel advising the Office of Special Education of unmet needs within the state regarding the education and services for children with disabilities. The quarterly meetings allow the panel to comment publicly on the state plan and rules or regulations proposed for issuance by the state regarding the education of children with disabilities and the procedures for the distribution of funds under CFR Part 300. Also, staff from the Office of Special Education is also appointed by the SD Governor to review, analyze, and advise the state VR agency by sitting on the Vocational Rehabilitation Board on the extent, scope, and effectiveness of services provided to VR clients.
  - South Dakota has a cooperative agreement concerning transition services for students with disabilities which was revised in October 2022. This agreement includes the following South Dakota entities: Office of Special Education, Division of Workforce and Technical Education, Division of Developmental Disabilities, Division of Rehabilitation Services, Division of Service to the Blind and Visually Impaired, Department of Labor & Regulation, Division of Behavioral Health, and Division of Child Protection Services.
  - The agreement was created to operationalize South Dakota's transition process, Local Educational Agencies and Adult Services Agencies who are part of this agreement, will coordinate transition services for students and youth with disabilities. Coordination maximizes existing resources and funding responsibilities, thus avoiding duplication, and promoting continuity of service provision. This coordination is important as it assures compliance with providing required services as well as compliance with federal and state laws. The cooperating agencies will also encourage staff to take part in training sponsored by the other cooperating agencies to ensure that services are provided by qualified and appropriately certified staff.
  - The agreement identifies each agency's roles and responsibilities according to the students' ages for the following services:
    - Consultation and technical assistance to assist in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
    - Transition planning by personnel of the Division of Rehabilitation Services and school district personnel;
    - Roles and responsibilities of each agency including State lead agencies and qualified personnel responsible for transition services;
    - Financial responsibilities; and

- Procedures for outreach and identification of students with disabilities who need transition services

(2) Describe the current status and scope of the formal interagency agreement between the VR agency and the State educational agency. Consistent with the requirements of the formal interagency agreement pursuant to 34 CFR 361.22(b), provide, at a minimum, the following information about the agreement:

- (A) Consultation and technical assistance, which may be provided using alternative means for meeting participation (such as video conferences and conference calls), to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including pre-employment transition services and other vocational rehabilitation services;
  - a. The Transition Cooperative Agreement and conceptual framework will be implemented throughout the state, and continuing evaluation of its effectiveness will provide further direction to the participating state agencies. Based on feedback, the collaborating state agencies will revisit the agreement on an annual basis. They will also provide coordination, technical assistance, and training necessary for implementation.
- (B) Transition planning by personnel of the designated State agency and educational agency personnel for students with disabilities that facilitates the development and implementation of their individualized education programs (IEPs) under section 614(d) of the Individuals with Disabilities Education Act;
  - a. The cooperating agencies agree that a transition plan, as a component of the Individual Education Program (IEP), will be initiated for every student with a disability age 16 and older or at a younger age as determined by the Local Education Agency. To the extent possible, the IEP will be integrated into the planning documents of all coordinating agencies, and where possible, eliminates duplication of such plans and services. The IEP will outline all transition services necessary to successfully transition to the next environment or service delivery system and have access to appropriate independent living options in integrated community-based settings.
- (C) The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services and pre-employment transition services;
  - a. The cooperating agencies have defined their roles and responsibilities in the Transition Cooperative Agreement which also includes a Timeline for Transition Services that serves as a reference of services based on the students' ages by division.
- (D) Procedures for outreach to and identification of students with disabilities who need transition services and pre-employment transition services. Outreach to these students should occur as early as possible during the transition planning process and must include, at a minimum, a description of the purpose of the vocational rehabilitation program, eligibility requirements, application procedures, and scope of services that may be provided to eligible individuals;
  - a. The cooperating agencies will work together to market the services available between Local Educational Agencies and Adult Services Agencies to increase access to and opportunities for transition services. For these agencies to carry out effective planning and assessment of transition services, meaningful data on student needs and service outcomes must be available. The cooperating agencies agree to share with each other data on the needs of students with disabilities and the outcomes of services and programs.
  - b. DRS staff are consistently giving presentations to cooperating agencies, students, and their families about how VR can support students with disabilities in the workforce. DRS staff have also developed and distributed marketing items that are used to highlight services and supports available to South Dakota students with disabilities. These items include:
    - Monthly Transition Newsletters for students and their families

- Transition Timeline for SD Students with Disabilities
  - Annual Transition Calendar for SD Professional Development
- (E) Coordination necessary to satisfy documentation requirements set forth in 34 CFR part 397 regarding students and youth with disabilities who are seeking subminimum wage employment; and
- a. Per the Transition Cooperative Agreement, South Dakota VR, in consultation with the Local Education Agencies (LEA), will continue utilizing the process of documentation of this process consistent with the confidentiality requirements of the Family Education Rights and Privacy Act (20 USC 11232g(b) and 34 CFR§99.30 and 99.31) and 34 CFR 300.622) pursuant to section 511(d) of the Act and §397.10. This documentation must contain, at a minimum (§397.10(a)(1)):
    - Youth’s name;
    - Determination made, including a summary of the reason for the determination or a description of the activity or service completed;
    - Name of individual making the determination or the provider of the service/activity;
    - Date determination was made, or the required service or activity completed;
    - Applicable signatures and dates by the South Dakota VR Agency or LEA making determination or completion of the required services or activity;
    - Signature of the South Dakota VR Agency personnel transmitting documentation to the youth with a disability;
    - Date and method by which the document was transmitted to the youth; and
    - South Dakota VR Agency and LEA must retain copies of the documentation in a manner consistent with the requirements of 2 CFR 200.333.
- (F) Assurance that, in accordance with 34 CFR 397.31, neither the SEA nor the local educational agency will enter into a contract or other arrangement with an entity, as defined in 34 CFR 397.5(d), for the purpose of operating a program under which youth with a disability is engaged in work compensated at a subminimum wage.
- a. Per the Transition Cooperative Agreement, language is included that prohibits schools from contracting or arranging employment opportunities with subminimum wage providers. The transition agreement also details the necessary steps individuals with disabilities who are 24 years of age or younger must complete including participating in Pre-ETS under the Rehabilitation Act and transition services under IDEA, are found eligible for VR services with an approved IPE while receiving career counseling and information about available services to programs that could assist with competitive, integrated employment.

**(k) Coordination with Employers.** In accordance with the requirements in section 101(a)(11)(E) of the Rehabilitation Act, describe how the VR agency will work with employers to identify competitive integrated employment and career exploration opportunities in order to facilitate the provision of VR services; and transition services for youth and students with disabilities, including pre-employment transition services for students with disabilities.

The Division of Rehabilitation Services (DRS or Division) has been very proactive in working collaboratively with employers. These initiatives consist of the following:

- Point of Contact: The Division has a designated single point-of-contact (business specialist) to disseminate materials, conduct trainings, and serve as a resource to employers, providers, and people with disabilities throughout the state.
- Business-Led Models: There are two nonprofit entities available in South Dakota offering supports to the business communities which are led by employers (business-led model). The entities are the Employment Disability Resources in Sioux Falls and the Workplace Disability Network of the Black Hills. Each entity has an executive director. Both entities have an approved contract in place with the

Division to provide education, consulting, and technical assistance to businesses on the hiring, accommodations, supports, and retention when employing people with disabilities.

- **Business Organization Involvement:** The Division maintains memberships and regular involvement of staff within non-disability related organizations in efforts to collaborate with employers. Some examples of the organizations consist of the local Chamber of Commerce, Society of Human Resource Managers (SHRM), and the South Dakota Retailers Association. These opportunities allow for connecting with businesses to learn more about their workforce needs and identify any disability training needs they may have.
- **Trainings:** The purpose of conducting trainings to businesses is to provide them with information and resources to promote employment opportunities for people with disabilities. DRS provides trainings on topics such as disability etiquette/awareness, WINDMILLS trainings, basics of mental health disabilities, and other customized training topics. Trainings are provided at no-cost to businesses.

*(I) transition services, including pre-employment transition services, for students and youth with disabilities.*

The Division of Rehabilitation Services (DRS or Division) has been very proactive in working collaboratively with employers for Pre-Employment Transition Services. These initiatives consist of:

- **Project Skills:** Project Skills is a paid work experience program with employers for high school students with disabilities in South Dakota. The program is a cooperative arrangement between the state vocational rehabilitation agencies, employers, and local school districts providing students the opportunity to learn different skills in a variety of job placements, with the assistance of a job coach. Project Skills helps build the student's work history, references, and assist them with experiencing different career fields as they mature and take on new challenges. Vocational rehabilitation counselors and school staff identify employment sites to match the areas in which students have expressed an interest in working.
- **Project Search:** Project SEARCH is a unique business-led transition program for students with disabilities. Students who want to work have the chance to explore careers and develop transferable job skills. The goal of the Project SEARCH program is competitive employment for each intern. Designed as an internship program, Project SEARCH affords students the opportunity to put employability skills into practice. South Dakota currently has 5 Project SEARCH initiatives in Aberdeen, Brookings, Sioux Falls (Teachwell Education Cooperative), Sioux Falls School District, and Rapid City/Sturgis. Another Project SEARCH initiative is scheduled to start in Yankton at the beginning of 2024.
- **Summer Pre-ETS Initiatives:** Since the summer of 2016, DRS has offered funding to entities during the summertime for training opportunities relevant to Pre-ETS to students with disabilities. Primarily, funding is provided that focuses on the following Pre-ETS areas: Job exploration activities; workplace readiness training to develop social skills and independent living; instruction in self-advocacy; post-secondary training/college exploration, preparation, and planning services; and information about vocational rehabilitation services and other programs available to assist individuals with disabilities.
- **Let's Talk Work Events:** This is a one-day conference that gives students with disabilities a chance to prepare for their next phase of life after high school. More specifically, the events focus on employment soft skills and supports available for best chances of success. Events are held throughout the states, which employers are involved in being part of panels and presenting to students who attend.

**(I) Interagency Cooperation with Other Agencies.** In accordance with the requirements in section 101(a)(11)(C) and (K), describe interagency cooperation with and utilization of the services and facilities of agencies and programs that are **not** carrying out activities through the statewide workforce development system

to develop opportunities for community-based employment in integrated settings, to the greatest extent practicable for the following:

(1) State programs (designate lead agency(ies) and implementing entity(ies)) carried out under section 4 of the Assistive Technology Act of 1998;

The Department of Human Services/Division of Rehabilitation Services is the lead agency for implementing the section 4 of the Assistive Technology Act. The AT Project is contracted to DakotaLink to promote and expand AT services. In addition, the Department has an established fee schedule to purchase services from DakotaLink.

(2) Programs carried out by the Under Secretary for Rural Development of the Department of Agriculture; The South Dakota Rural Development State Office is located in Huron, SD. Their website is: <https://www.rd.usda.gov/sd>. We provide information about their services of loans, development grants, and housing to VR clients who may benefit from their programs/services. We refer people to their programs and visa versa when appropriate.

South Dakota also has and AgrAbility Program located on the Pine Ridge Indian Reservation. This program enhances quality of life for farmers, ranchers, and other agricultural workers with disabilities.

(3) Non-educational agencies serving out-of-school youth; The Division of Rehabilitation Services works closely with the Boxelder Job Corps Civilian Conservation Center. In this program, VR clients can receive training in carpentry, nurse assistant, culinary arts, electrical, facilities maintenance, forestry conservation, firefighting, office administration, painting, and welding.

(4) State use contracting programs;

South Dakota does not have any State Use laws or contracts.

(5) State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

The Department of Social Services (DSS) is the state's Medicaid Agency. DHS has the following agreements with the DSS Medicaid Agency.

- Abuse, Neglect and Exploitation as well as Guardianship and Conservatorship: This agreement was updated March 2018 to assure each agency's response to meet the needs of persons who are at risk for abuse, neglect and exploitation or in need of guardianship and or conservatorship services.
- Money Follows the Person: This agreement was implemented on June 10, 2014 for the implementation of the Money Follows the Person initiative involving persons eligible for waiver services.
- Medicaid Fraud Control: This agreement was implemented on July 1, 2015 for the purpose of defining mutual responsibilities in the Medicaid Program to ensure maximum efficiency and benefit to the State and to minimize duplication of effort.
- Title XIX Medicaid Funding Memorandum of Understanding: This agreement was implemented on February 15, 2013 for the purpose of defining administrative and fiscal accountability responsibilities.
- Protected Health Information Memorandum of Understanding: This agreement implemented policy on restrictions of disclosing protected health information.

(6) State agency responsible for providing services for individuals with developmental disabilities; The Department of Human Services/Division of Developmental Disabilities is the state agency responsible for providing services to individuals with developmental disabilities. This agency is in the same department as the State Vocational Rehabilitation Programs allowing regular communication between programs.

The Division of Developmental Disabilities updated the Policy Memorandum on July 1, 2022 with the Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired. This Policy Memorandum defines how each agency's funding sources are coordinated in regards to the time limited and on-going support services. This policy agreement has had a significant impact in changing how services are provided to individuals with the most significant impediments to obtain and maintain their employment.

(7) State agency responsible for providing mental health services;

The Department of Social Services/Division of Behavioral Health Services is the state agency responsible for providing services to individuals with mental illness. In December of 2018, the Memorandum of Understanding was updated to help coordinate the services and funding between the Divisions of Behavioral Health Services, Rehabilitation Services, and Service to the Blind & Visually Impaired. This document serves as a policy directive for the Community Mental Health Centers and the local Vocational Rehabilitation Offices. It provides guidance in three areas relative to providing vocational services for individuals with severe and persistent mental illness:

- What services can and should be provided by the Community Mental Health Center,
- What services are available from Vocational Rehabilitation, and
- Which agency pays for the different services.

(8) Other Federal, State, and local agencies and programs outside the workforce development system; and The Vocational Rehabilitation Counselors works with a large variety of local and state agencies in their local communities. This can include Chamber of Commerce organizations, Human Resource organizations at the local and state levels.

Other interagency cooperation with and utilization of the services and facilities of agencies and programs that are not carrying out activities through the statewide workforce development system consist of:

#### Project Skills

The Division of Rehabilitation Services has cooperative agreements with local school districts throughout South Dakota for the provision of transition services. This program provides paid work experiences in student's career areas to help them prepare for adulthood and the world of work.

#### Project Search

The Division of Rehabilitation Services has cooperative agreements with local Project Search sites for Aberdeen, Brookings, Sioux Falls, Rapid City, and Sturgis locations. This agreement lays out each party's responsibility for the Project Search activities.

(9) Other private nonprofit organizations.

The Division of Rehabilitation Services works extensively with the 21 Community Service Providers, 11 Community Mental Health Centers throughout South Dakota, Centers for Independent Living and South Dakota Deaf Resources & Outreach Programs. We have issued establishment grants with them to establish/expand supported employment and customized employment services. The Division also has an established fee schedule for purchasing employment services from these agencies.

# SBVI Portion of the Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act

VOCATIONAL REHABILITATION

**Program-Specific Requirements for State Vocational Rehabilitation Services Program**

The Vocational Rehabilitation (VR) Services Portion of the Unified or Combined State Plan must include the following descriptions and estimates, as required by sections 101(a) and 606 of the Rehabilitation Act of 1973, as amended by title IV of WIOA.

**(a) State Rehabilitation Council.** All VR agencies, except for those that have an independent consumer-controlled commission, must have a State Rehabilitation Council (Council or SRC) that meets the criteria in section 105 of the Rehabilitation Act. The designated State agency or designated State unit, as applicable, has (select A or B):

[check box] (A) is an independent State commission.

**[X]** (B) has established a State Rehabilitation Council.

In accordance with Assurance 3(b), please provide information on the current composition of the Council by representative type, including the term number of the representative, as applicable, and any vacancies, as well as the beginning dates of each representative’s term.

<b>Council Representative</b>	<b>Current Term Number/ Vacant</b>	<b>Beginning Date of Term Mo./Yr.</b>
Statewide Independent Living Council (SILC)	<b>Term 2</b>	<b>6/2023</b>
Parent Training and Information Center	<b>Term 1</b>	<b>6/2023</b>
Client Assistance Program <b>Exempt from term limits</b>		<b>8/2016</b>
Qualified Vocational Rehabilitation (VR) Counselor (Ex Officio if Employed by the VR Agency)	<b>Term 1</b>	<b>7/2021</b>
Community Rehabilitation Program Service Provider	<b>Term 2</b>	<b>6/2023</b>
Business, Industry, and Labor	<b>Term 1</b>	<b>6/2023</b>
Business, Industry, and Labor <b>Appointment pending</b>	<b>Vacant</b>	
Business, Industry, and Labor	<b>Term 1</b>	<b>1/2022</b>
Business, Industry, and Labor	<b>Term 2</b>	<b>6/2023</b>
Disability Advocacy Groups	<b>Term 1</b> <b>Term 1</b> <b>Term 1</b>	<b>8/2021</b> <b>1/2022</b> <b>7/2023</b>
Current or Former Applicants for, or Recipients of, VR services	<b>Term 1</b> <b>Term 1</b> <b>Term 1</b> <b>Term 2</b>	<b>7/2023</b> <b>8/2021</b> <b>7/2023</b> <b>6/2023</b>
Section 121 Project Directors in the State (as applicable) <b>Exempt from term limits</b>		<b>8/2018</b>
State Educational Agency Responsible for Students with Disabilities Eligible to Receive Services under Part B of the Individuals with Disabilities Education Act (IDEA)	<b>Term 1</b>	<b>10/5/2023</b>
State Workforce Development Board	<b>Term 1</b>	<b>6/2021</b>
VR Agency Director (Ex Officio) <b>Exempt from term limits</b>		<b>8/2002</b>

If the SRC is not meeting the composition requirements in section 105(b) of the Rehabilitation Act and/or is not meeting quarterly as required in section 105(f) of the Rehabilitation Act, provide the steps that the VR agency is taking to ensure it meets those requirements.

**Nominations are sought for members whose terms expire on an annual basis. Requests for nominations are sought from consumer organizations, agency staff, WIOA programs including the Workforce Development Board and other partner organizations with representation on the Board. Two nominations are pending appointments from the Governor.**

**The Board of SBVI meets quarterly and meetings are open to the public and held in accordance with the requirements in the Rehabilitation Act and the State's open meeting laws, SDCL, 1-25-1. All meetings are publicized via the state's news website and the State of South Dakota Board Portal. The agenda is posted at all meeting sites and is available in alternative formats. Meetings are held in accessible locations with the option to attend virtually. Dates, times, and location of meetings are determined by members of the Board of SBVI. Public comment is a standing agenda item on all Board of SBVI agendas.**

In accordance with the requirements in section 101(a)(21)(A)(ii)(III) of the Rehabilitation Act, include a summary of the Council's input (including how it was obtained) into the State Plan and any State Plan revisions, including recommendations from the Council's annual reports, the review and analysis of consumer satisfaction and other Council reports.

**The Board of SBVI addressed priorities at quarterly Board meetings which are recorded in meeting minutes. Topics included:**

- **The comprehensive statewide needs assessment (CSNA) and revision of goals and strategies based on the CSNA. The Board Strategic Plan and Policy Committee met with the SBVI Assistant Director via video conference to draft revised goals and strategies that based on results of the CSNA. Their recommendations were shared with full Board who voted to adopt the goals and strategies for the state plan submission to RSA.**
- **State plan development was addressed by the Board executive committee working with the SBVI Assistant Director to develop draft goals and strategies based on the comprehensive statewide needs assessment results, which were shared with and approved by the full Board. The state plan was an agenda item at Board of SBVI meetings and the draft state plan was shared with Board members for input prior to submission.**
- **Client satisfaction survey results are shared and discussed with Board members. The Board assisted with development of the survey questions and methodology. Board input is used to improve survey results.**
- **Annual Report to the Governor and RSA Commissioner: The Board makes recommendations on content of the report. Annual reports are approved by the full Board prior to submission to the Governor and RSA Commissioner.**
- **Policies for the vocational rehabilitation program are shared with and approved by the Board members prior to finalization.**

Provide the VR agency's response to the Council's input and recommendations, including an explanation for the rejection of any input and recommendations.

**Public Forums: The Board recommended that public forums be held in conjunction with the National Federation of the Blind of South Dakota and South Dakota Association of the Blind**

**conventions. The Division of SBVI held public forums in conjunction with the conventions on an annual basis with Board members available to facilitate when possible.**

**The Board recommended a public forum be held via the Dakota Digital Network with sites at SBVI office locations with the option to attend virtually to solicit input on the draft state plan.**

**SBVI Response: SBVI holds public forums in conjunction with consumer organization conventions to provide updates on the Board of SBVI, Division of SBVI programs and to obtain input on constituent needs and recommendations. A public forum was held prior to submission of the state plan to offer the opportunity to provide input on the plan.**

**National Disability Employment Awareness Month Activities (NDEAM): The board of SBVI sponsors NDEAM activities each October to promote employment of people with disabilities to employers and South Dakota citizens. Board members serve on a committee with Board of Vocational Rehabilitation and Statewide Independent Living Council members to make recommendations on proposal for events that are submitted by local committees from communities around the state. The Board votes on contributions to support the events and members are invited to attend the events.**

**SBVI Response: The Division supported the Board's recommendations on NDEAM activities.**

**Governor's Awards Recognizing Employment of Citizens with Disabilities: The annual Governor's Awards event is held to recognize individuals, employers, and organizations for their contributions to the employment of persons with disabilities. This annual event is a joint effort of the Board of Vocational Rehabilitation, Board of Service to the Blind and Visually Impaired and the Department of Human Services.**

**SBVI Response: The Division supported the Board's recommendation to assist with the Governor's Awards and supported attendance by Board members. The Board has representatives who assist with making the award selections along with a committee of the Board of Vocational Rehabilitation.**

**Youth Leadership Forum (YLF): The YLF is held annually with 40 + students in attendance each year. Several participants who are blind are supported by SBVI. YLF makes a significant impact in the students' lives through interaction with peer mentors and activities that teach self-advocacy skills.**

**SBVI Response: The Division agreed with the Board's recommendation to support the annual Youth Leadership Forum for participation of transition age students with vision loss.**

**Board Representation at Consumer Organization Conventions: The Board of SBVI has made the commitment to support the attendance of clients and representatives of the Board each year at state conventions of consumer organizations including National Federation of the Blind of South Dakota and South Dakota Association of the Blind.**

**SBVI Response: The Division supported the Board's recommendation for Board member representation at consumer organization conventions. The Division also supported the recommendation that stipends be provided to first time attendees at the conventions. Public forums are held in conjunction with consumer organization conventions when the organizations agree to have the forums.**

**Board of SBVI and consumer organization representation at Disability Day at the state capitol during legislative session was recommended by the Board.**

**SBVI Response: The Division agreed with and supported sponsorship and participation of the Board and consumer organizations at Disability Day at the capitol on an annual basis.**

**(b) Comprehensive Statewide Needs Assessment (CSNA).** Section 101(a)(15), (17), and (23) of the Rehabilitation Act require VR agencies to provide an assessment of:

**The comprehensive statewide needs assessment for the South Dakota Division of Service to the Blind and Visually Impaired utilized qualitative and quantitative methods to investigate the vocational rehabilitation needs of individuals with disabilities in the State. The assessment was completed in September 2022, with a combination of surveys (existing and Known Way Consulting conducted), interviews, focus group, and Board discussions resulted in more than 500 people and their voices represented in the assessment. These voices represent the following: Workforce Innovation System, secondary education, postsecondary education, mental health, career training centers, community rehabilitation programs (CRPs), businesses, brain injury association, the Board of SBVI and SBVI staff. Not represented in that number but represented in three years of customer satisfaction surveys are SBVI program participants.**

(1) The VR services needs of individuals with disabilities residing within the State, including:

(A) Individuals with the most significant disabilities and their need for Supported Employment;

**CSNA findings included:**

- **Consider possible strategies to enhance the partnership between SBVI and the mental health system at all levels for support services for mutually served individuals.**
- **Skills training for confidence in counseling and coordinating service delivery for individuals with blindness/vision loss who have coexisting disabling conditions. Specifically mentioned were:**
  - **Autism,**
  - **Mental Health,**
  - **Intellectual Disability,**
  - **Brain Injury**

(B) Individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the VR program;

**CSNA findings/suggestions:**

- **Consider starting or continuing cultural humility/intelligence training for VR staff and partners, if possible, for better culturally responsive services.**
- **Consider potentials to provide resources to individuals with blindness/vision loss who are not English speakers (ESL, materials available in Spanish, Somali, Vietnamese)**

(C) Individuals with disabilities served through other components of the workforce development system; and

**Through the survey process, it was suggested that workforce system partners work to improve processes and information sharing to reduce paperwork activities and duplication. One perspective was that WIOA partners tend to get more information from community partners than is often received from VR staff.**

- (D) Youth with disabilities, including students with disabilities and their need for pre-employment transition services. Include an assessment of the needs of individuals with disabilities for transition career services and pre-employment transition services, and the extent to which such services are coordinated with transition services provided under IDEA.

**As youth with disability are specifically mentioned as a targeted group for the CSNA, an extensive review of services for this population was conducted. This assessment from looking at agency performance data found the following:**

- **South Dakota SBVI engages in considerable activity directed at serving youth with disability.**
- **The COVID-19 pandemic has had an impact on the number of youth served during the period under review, showing an overall decline in numbers served.**
- **The number of youth, schools, and SBVI staff engaged in Pre-Employment Transition Services (Pre-ETS) represent a statewide approach to services for students and youth that is successful and indicating no considerable area of need other than to continue the effort. This would include reestablishing engagement with schools and students as South Dakota, like the rest of the country, achieves post-pandemic conditions.**
- **The CSNA evaluator received several reinforcing comments on the positive impact of the Transition Services Liaison Project in connecting students and youth with transition services.**

- (2) Identify the need to establish, develop, or improve community rehabilitation programs within the State.

**CSNA findings on the need to establish, develop or improve Community Rehabilitation Programs (CRPs)**

**Consider options to:**

- **Help existing CRPs retain staff and reduce rapid turnover;**
- **Increase consistent availability of CRPs in rural and tribal areas of the state.**

**(c) Goals, Priorities, and Strategies.** Section 101(a)(15) and (23) of the Rehabilitation Act require VR agencies to describe the goals and priorities of the State in carrying out the VR and Supported Employment programs. The goals and priorities are based on (1) the most recent CSNA, including any updates; (2) the State's performance under the performance accountability measures of section 116 of WIOA; and (3) other available information on the operation and effectiveness of the VR program, including any reports received from the SRC and findings and recommendations from monitoring activities conducted under section 107 of the Rehabilitation Act. VR agencies must—

- (1) Describe how the SRC and the VR agency jointly developed and agreed to the goals and priorities and any revisions; and

**The Board of Service to the Blind and Visually Impaired Strategic Planning and Policy workgroup met on 1/24/2023, 3/23/2023 and 8/21/2023 to develop new goals and strategies. These goals and strategies were then presented to the full board of SBVI on 9/15/2023 with suggested changes. Additions and revisions were made, and the Executive Committee of the Board met and approved the goals and strategies. The amended goals and strategies were shared and approved by the full board at the December 2023 Board meeting.**

- (2)** Identify measurable goals and priorities in carrying out the VR and Supported Employment programs and the basis for selecting the goals and priorities (e.g., CSNA, performance accountability measures, SRC recommendations, monitoring, other information). As required in section 101(a)(15)(D), (18), and (23),

describe under each goal or priority, the strategies or methods used to achieve the goal or priority, including as applicable, description of strategies or methods that—

- (A) Support innovation and expansion activities;
- (B) Overcome barriers to accessing VR and supported employment services;
- (C) Improve and expand VR services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from school to postsecondary life (including the receipt of VR services, post-secondary education, employment, and pre-employment transition services); and
- (D) Improve the performance of the VR and Supported Employment programs in assisting individuals with disabilities to achieve quality employment outcomes.

**Goal 1: Increase VR client successful employment outcomes. (Recommended by SRC)**

**Strategy 1.1: Improve timeliness from application to service provision to ensure client engagement.**

**Strategy 1.2: Increase counselor/client engagement as full partners in the development of services.**

**Strategy 1.3: Decrease unsuccessful closures through consistent client/counselor engagement and emphasizing the value of service provision.**

**Goal 2: Improve quality guidance and counseling services to Vocational Rehabilitation clients. (Recommended by CSNA)**

**Strategy 2.1: Provide counseling skills training to increase comfort and skills level of counselors.**

**Strategy 2.2: Improve consumer satisfaction results and follow up with respondents who express dissatisfaction with SBVI services.**

**Strategy 2.3: Prioritize counseling and guidance by aligning duties with clear expectations for committing time to provide counseling to clients on a consistent basis.**

**Goal 3: Increase awareness of and access to SBVI services. (Recommended by SRC)**

**Strategy 3.1: Expand outreach in communities to include organizations such as National Federation of the Blind of South Dakota, SD Association of the Blind, Lions Clubs, Sertoma, Rotary, Kiwanis, Optometric Society, and local referral sources.**

**Strategy 3.2: Annually conduct activities that promote services for individuals with vision loss including those from minority backgrounds, such as individuals working with local Lutheran Social Services Center for New Americans and tribal vocational rehabilitation programs.**

**Strategy 3.3: Update and ensure accessibility of the SBVI website and outreach materials and procedures that staff utilize to promote services to clients, referral sources, employers, and other entities.**

**Goal 4: Build capacity to increase staff engagement, expertise, and retention of qualified staff. (Recommended by SRC)**

**Strategy 4.1: Create individual development plans with counselors based on training and development needs.**

**Strategy 4.2: Cross train staff to ensure sustainability and build expertise.**

**Strategy 4.3: Provide mentoring opportunities for newer staff with a focus on understanding blind culture.**

**Goal 5: Strengthen the agency's ability to provide quality services to minority populations in South Dakota. (Recommended by CSNA)**

**Strategy 5.1: Provide training opportunities to SBVI staff on culturally relevant service provision and cultural sensitivity.**

**Strategy 5.2: Collaborate with Tribal Vocational Rehabilitation programs to ensure that eligible individuals are served in an effective and efficient manner on reservations and tribal lands.**

**Strategy 5.3: Inform minority populations of vocational rehabilitation services and the role of SBVI to meet the needs of those who are blind or visually impaired in these populations.**

**Goal 6: Improve coordination of services to facilitate the transition of students from high school to postsecondary education and/or training in preparation for employment. (Recommended by SBVI Admin)**

**Strategy 6.1: Increase the number of potentially eligible students referred by SD School for the Blind and Visually Impaired Outreach Consultants and Vision Transition Specialist.**

**Strategy 6.2: Increase the provision of pre-employment transition services to students with visual impairments through outreach to public and Tribal schools across South Dakota.**

**Strategy 6.3: Promote participation in transition activities such as Project Skills, Project Search, Youth Leadership Forum, Rehab. Center for the Blind Transition Week, and Employment Skills Training for students who are blind or visually impaired.**

- (a) **Evaluation and Reports of Progress: VR and Supported Employment Goals.** For the most recently completed program year, provide an evaluation and report of progress for the goals or priorities, including progress on the strategies under each goal or priority, applicable to that program year. Sections 101(a)(15) and 101(a)(23) of the Rehabilitation Act require VR agencies to describe—

Progress in achieving the goals and priorities identified for the VR and Supported Employment Programs

**Goal 1: Improve earnings, benefits, and career advancement for clients served by SBVI.**

**Strategy 1.1: Increase utilization of South Dakota Rehabilitation Center for the Blind to**

**improve skills of clients served, including alternative techniques and vocational services: Skills of blindness, employment skills training, and job placement services were provided at the SD Rehabilitation Center for the Blind to 333 clients in PY2022. This is an increase from the previous year of 290 clients. The Rehabilitation Center anticipates continued growth in providing training services to blind individuals.**

**Strategy 1.2: Improve the quality of job development services to SBVI clients by providing specialty training on blindness and visual impairments to providers: SBVI Vocational Rehabilitation Counselors perform job development services due to their expertise in blindness and visual impairments. Training on service provision is provided by counselors to job development/employment providers, including sharing resources available to clients with vision loss. Training and technical assistance is available at the SD Rehabilitation Center for the Blind free of charge to providers. Recorded trainings and presentation materials have been saved on the SBVI website to educate providers on how to work with people with vision loss. This four-session training is very valuable to employment specialists, teaching them the anatomy of the eye, common eye diseases and how they affect vision, learning about barriers and how to overcome them, low vision assistive technology, and orientation and mobility, as well as useful resources for Human Resources staff and supervisors helping employees who experience vision loss to maintain employment. The Rehabilitation Center for the Blind has an on-site Employment Consultant, who specializes in accommodations in the workplace, providing job coaching to individuals with vision loss, offering technical assistance to employers and co-workers, and promoting SBVI services to local employers.**

**Strategy 1.3: Increase the use of SSI/SSDI benefits specialist services and training to assist individuals with significant disabilities to manage their benefits: Counselors referred 33 clients for benefits specialist services in PY 22, an increase of over 50% compared to PY 20. Counselors continue to work closely with Benefit Specialists and promote their services with clients who are on SSI/SSDI. Counselors are required to offer benefits specialist services to clients receiving SSI or SSDI as they begin to pursue employment so they can make informed decisions regarding employment and its impact on their benefits.**

**Strategy 1.4: Provide annual training in areas of need that are specific to blindness or visual impairment including assistive technology (AT): In Program Year 2022, the following training sessions were provided to all SBVI staff: Adjustment to Blindness Counseling, Setting Ethical Personal Boundaries, as well as Diabetes Management with Vision Loss. This was an in-depth training that focused on monitoring blood sugar levels with vision loss, self-managing diabetes medication with vision loss, and real-world solutions to managing diabetes with vision loss, such as getting insurance to pay for a talking glucometer, navigating the healthcare system to obtain care, and other resources. Staff utilize the Assistive Technology Specialist at the SD Rehabilitation Center for specific training topics related to assistive technology. In addition, DakotaLink provides hands on training on assistive technology in group settings and on an individual basis. Newly hired Rehabilitation Counselors are required to attend hands-on training at the Rehabilitation Center for the Blind in skills of blindness, including training on assistive technology. Rehabilitation Counselors can utilize expertise from any of the certified/qualified staff at the SD Rehabilitation Center for the Blind to obtain individualized training on an as needed basis.**

**Strategy 1.5: Exceed performance levels established for the Performance Indicators under Evaluation Standard 1- Employment Outcomes (established in 34 CFR Sec. 361.84(c)(1) of the**

**Federal Regulations): Program Year 2022 (PY22) Performance:** The number of people were served through the SBVI VR Program during PY22 decreased from 401 in PY 21 to 392 in PY 22. This also impacted the number of VR clients who had their cases closed successfully employed at 61 for PY 22, compared to 64 successfully employed in PY 21. The median earnings for people who obtained and/or maintained employment second quarter after exit through the South Dakota vocational rehabilitation programs, both General and Blind, did increase in PY 22 to \$3,599 compared to \$3,492 in PY 21.

**Goal 2: Develop outreach methods so that referral sources, employers, and citizens who are blind or visually impaired are aware of the unique services provided by SBVI.**

**Strategy 2.1: Design and disseminate outreach materials and participate in activities that target employers to educate them on the capabilities of people who are blind or visually impaired:** A Fact Sheet was developed for service providers as a guide for referring people with vision loss to vocational rehabilitation services. To raise awareness of SBVI services, SBVI staff prioritize outreach efforts to educate businesses, schools, providers, and the public on services available to individuals with vision loss needing employment assistance. Staff report on their efforts monthly and is a performance expectation on their annual performance reviews. A system for tracking has been implemented so metrics can be analyzed in the future. Employer contacts are submitted and tracked utilizing the electronic case management system Staff are expected to enter their contacts monthly. In October 2022, there were twelve National Disability Employment Awareness Month activities held around the state, raising awareness of, and supporting opportunities for employers to hire individuals with disabilities. A Governors Awards ceremony was also held on Wednesday October 26, 2022, in the State Capitol Rotunda in Pierre, SD, with Governor Kristi Noem recognizing and honoring employees with disabilities and outstanding employers who actively recruit and hire individuals with disabilities in their communities.

**Strategy 2.2: Annually conduct two or more activities that promote services for citizens with vision loss including those from minority backgrounds:** SBVI shared a booth at the annual Lakota Nation Invitational basketball tournament in Rapid City, which includes a forum for information dissemination to all the state Tribes in South Dakota. This is a very large annual event held in December 2022 in Rapid City, with booth rental space filling up quickly. SBVI staff also attended a Public Listening session hosted by Disability Rights, South Dakota on May 30, 2023. This event occurred in Kyle, SD, on the Pine Ridge reservation, with participation from the Oglala Lakota Tribal VR program. This allowed opportunity to renew relations with tribal VR counselors and staff, as there hadn't been any regular meetings since pre-Covid.

**Strategy 2.3: Provide annual training and materials for staff to train them to market services to targeted audiences:** Outreach materials were developed and disseminated to staff with instructions for marketing services to target audiences including employers, service providers, schools, and many other entities, including optometrists and ophthalmologists. SBVI continues to discuss and identify who our target audience is, and where we need to focus our outreach efforts to increase awareness and referrals.

**Strategy 2.4: Annually review and update outreach materials and procedures that staff utilize to promote services to referral sources, employers, and other entities:** A SBVI Fact Sheet was created with the target audience of ophthalmologists and providers. The intent of the fact sheet is to increase awareness of SBVI services, focusing on employment-related services that can be provided to ophthalmologist patients who may benefit from the SBVI program. These continue to be distributed by field office staff in local communities to increase understanding of SBVI

services that could benefit their patients. A new program of community health workers (CHW) has been established in South Dakota to serve as liaison between health/social services and the community to facilitate access to services in local communities. Building relationships at the local level will raise awareness of VR to community health workers who meet with individuals in need of services. SBVI staff have met with and provided information about the SBVI programs that can be offered, and CHW has been invited to an upcoming staff meeting to share their information to VR counselors and Rehabilitation teachers from around the state.

**Goal 3: Ensure that Vocational Rehabilitation clients receive services that allow for informed choice and help them to improve their ability to communicate, interact, and perform to their potential in their community.**

**Strategy 3.1: Develop assistive technology training resources to improve accessibility for individuals who are blind or visually impaired, including those with most significant disabilities: The Assistive Technology (AT) Specialist at the South Dakota Rehabilitation Center for the Blind has implemented training opportunities, including designated times for walk-in or call-in technical assistance and training. The SD Rehabilitation Center for the Blind hosts monthly seminars on a variety of topics, including assistive technology training. The Assistive Technology Access Project covers costs for up to five hours of training from DakotaLink, the state assistive technology project. This allows current and former clients to get assistance as technology changes and as new options for access become available.**

**Strategy 3.2: Increase the provision of independent living and social skills training when necessary to VR clients to ensure that they have the skills necessary to obtain employment: The SD Rehabilitation Center for the Blind incorporates independent living and social skills into the curriculum for those who participate in training, including youth with vision loss who attend Transition Week. SBVI Rehabilitation Teachers provide hands-on training to assist clients to overcome barriers by learning alternative techniques to increase their confidence and independence. Field Rehabilitation Teachers provide services in the home and the workplace on a statewide basis. Peer support groups have also been established in many communities around the state, and Rehabilitation Teachers participate in those meetings on a regular basis. When the pandemic occurred, these peer support groups moved to a virtual platform, utilizing Zoom for those who wanted to continue to participate and support each other during that time. The virtual platform has proven to be very effective and efficient, allowing an increase in participation of peers supporting each other statewide, instead of in small local groups.**

**Strategy 3.3: Promote access to programs and services in the statewide workforce investment system: SBVI works with the Department of Labor and Regulation (DLR) through a memorandum of understanding that outlines roles and responsibilities of vocational rehabilitation and other programs in the state workforce investment system. The Core Partner Alignment Consortium (CPAC) includes all WIOA core partners, and we have established meetings to discuss ongoing joint activities in the state, as well as opportunities to improve collaboration. With most of our offices co-located with the Dept. of Labor, conversations focus on how to best meet the needs of our clients in those locations, discuss joint cases and referral processes, and plan outreach activities and trainings together. Training is conducted for audiences at the annual vocational rehabilitation conference to offer the opportunity for them to learn about Dept. of Labor services. Local Integrated Resource Teams have been established to bring together local core partners to discuss efforts to collaborate at the local level and work together with identified clients who need more intensive employment services to be successfully employed.**

**Strategy 3.4: Serve at least 5 individuals in Supported Employment to ensure services are comprehensive and have long term supports: Training has been provided to SBVI staff on supported employment strategies, motivational interviewing and person-centered planning which resulted in counselors providing supported employment services and identifying long term supports for 14 clients in PY 2022. Although SBVI does not receive Supported Employment funds, SBVI continues to provide services to those clients with most significant disabilities through regular VR funding. SBVI works with the South Dakota General VR program and Community Support Providers to provide training on Customized Employment Services in South Dakota. This allows providers to provide a more individualized service appropriate for individuals with more significant needs that have not been well-served by traditional services.**

**Goal 4: Strengthen the agency’s ability to provide quality services to the ever-changing minority populations that exist in South Dakota.**

**Strategy 4.1: Maintain regular contact with Native American Nations and minority service agencies to increase awareness of services that are available: VR counselors meet regularly with Tribal VR staff in shared counties to discuss potential referrals and updates on shared cases. SBVI and DRS regularly schedule meetings designed to continue the positive strides that have been made over the past years in coordinating services and promoting the employment of Native American citizens who are blind or visually impaired. SBVI also has had an informational booth each year at the Lakota Nation Invitational basketball tournament held in Rapid City which is a forum for information dissemination to all the state Tribes.**

**Strategy 4.2: Collaborate with tribal VR programs to ensure that all eligible individuals are served in an effective and efficient manner on reservations and tribal lands: SBVI utilizes the cooperative agreements that are in place with Native American Vocational Rehabilitation Programs as a guide when coordinating services on reservations and tribal lands. VR cooperative agreements were signed with the Standing Rock Tribal VR program, the Cheyenne River Sioux Tribe Tribal VR program, and the recently formed Sisseton Wahpeton Oyate Tribal VR Program. SBVI staff travel to provide regular staff presence in the Kyle and Pine Ridge offices located on the Pine Ridge Reservation, Eagle Butte on the Cheyenne River Reservation, McLaughlin on the Standing Rock Reservation, Lower Brule Reservation and Mission on the Rosebud Reservation to educate people on State VR services, take applications for those interested in services, and meet with Tribal VR to discuss and plan services for joint cases. SBVI continues to reach out to maintain those relationships. SBVI VR counselors are assigned to partner with their local Tribal VR offices for referrals and joint cases.**

**Strategy 4.3: Provide bi-annual training to agency staff to provide tools for meeting the cultural and linguistic needs of culturally diverse populations: Training to address cultural and linguistic needs of diverse populations was delivered through collaboration with local agencies and the Tribal VR Programs. In October 2021, the Oyate’ Circle presented to the general audience of approximately 250 attendees of the annual fall conference. Their presentation was Changing Our Perspective on Indigenous People with a Disability and provided the audience with new and innovative approaches in working with Tribal members with disabilities and their family members. They also presented during a breakout session on Innovative Services for Native American Youth with Disabilities, which covered the support services at Lakota Tech High School. During the luncheon, Dallas Chief Eagle II performed Lakota hoop dancing and**

storytelling.

**Goal 5: Provide quality transition services to eligible students that facilitate the students' movement from school to post-secondary education and/or employment and results in successful employment.**

**Strategy 5.1: Continue transition activities and services, such as Project Skills, Project Search, the Youth Leadership Forum, Catch the Wave, and SBVI Transition Week, which provide students with valuable experience and skills needed to move from school to employment: For transition age students with vision loss, 39 transition activities and services were provided in PY 22. SBVI has a contract with the SD School for the Blind and Visually Impaired to provide Pre-Employment Transition Services to students with vision loss. The school was challenged to hire the staff needed to provide these services on a consistent basis. As a result, there were fewer referrals of transition age students to the VR program. However, with the hire of a new Transition Specialist in May 2023, those referrals are increasing.**

**Strategy 5.2: Develop additional mentoring opportunities for students who are blind or visually impaired: Mentoring activities occur during Transition Week at the SD Rehabilitation Center for the Blind through participation of SBVI Board members in transition and job exploration activities. SBVI staff who are blind or visually impaired serve as mentors for citizens with recent loss of vision. In addition, the state chapters of the National Federation of the Blind and SD Association of the Blind have worked in cooperation with SBVI to coordinate referrals of new VR clients to the blind organizations, with the intent to provide peer support to individuals experiencing vision loss and blindness and connect them with mentors so they don't have to travel the road to vision loss alone.**

**Strategy 5.3: Collaborate with the SD School for the Blind and Visually Impaired Transition Specialist to provide statewide education to teachers, students, and family members about services available to students through SBVI: SBVI has an Interagency Agreement with the SD School for the Blind and Visually Impaired to provide pre-employment transition services to students with disabilities at the SD School for the Blind. The agreement fosters collaboration between Outreach Consultants who work with students with vision loss in local school districts and VR counselors that can begin working with students at age 14 to provide pre-employment transition services. SBVI provides oversight of the agreement to ensure enhanced VR services, including pre-employment transition services, are being provided to SBVI transition age youth, as well as students who are potentially eligible for services. Effective October 1, 2022, a Cooperative Agreement Concerning Transition Services for Students with Disabilities was revised between the vocational rehabilitation programs in South Dakota, including Departments of Education, Social Services, Human Services and Labor and Regulation, agreeing that the VR agencies will provide consultation to assist in the identification of eligible and potentially eligible students with disabilities and their needs for Pre-Employment Transition Services as young as 14 years of age. This is a change in the definition of "student with a disability" from 16 years of age to 14 so VR agencies can find students who may be potentially eligible for services at an earlier age.**

**In PY 2022, there was a vacancy in the Transition Specialist position at the school, beginning in July 2022. Job announcements occurred and a few applicants were offered the position but declined. The position was vacant for almost a year, when a transition specialist was hired to begin the new contact year, starting June 1, 2023. This vacancy had a negative impact on the**

ability to collaborate with the school for the blind, and now that the position has been filled, it is a focus to strengthen the collaboration and increase VR referrals in local communities of students who are blind or visually impaired. The SBVI Assistant Director serves on the School for the Blind and Visually Impaired Advisory Council. A representative from the SD School for the Blind and Visually Impaired also serves on the Board of Service to the Blind and Visually Impaired.

- (1) Performance on the performance accountability indicators under section 116 of WIOA for the most recently completed program year, reflecting actual and negotiated levels of performance. Explain any discrepancies in the actual and negotiated levels; and

**There are six primary indicators of performance under section 116 of WIOA. Below is a table that identifies the actual and negotiated levels of performance for PY 2022, as well as narrative**

in the

RSA Performance Measures	PY 2022 Actual Level	PY 2022 Negotiated Level
Employment (2 <sup>nd</sup> qtr. after exit)	61.8%	52.7%
Employment (4 <sup>th</sup> qtr. after exit)	56%	50.2%
Median Earnings (2 <sup>nd</sup> qtr. after exit)	\$3,599	\$2,900
Credential Attainment Rate	34%	35%
Measurable Skill Gains	49.8%	44%

**explaining discrepancies levels of performance:**

***Employment Rate – 2nd Quarter After Exit:*** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit).

- The negotiated level agreed upon between RSA and South Dakota for PY 2022 was 52.7%.
- South Dakota’s actual level of performance was 61.8%, exceeding the negotiated level.

***Employment Rate – 4th Quarter After Exit:*** The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit).

- The negotiated level agreed upon between RSA and South Dakota for PY 2022 was 50.2%.
- South Dakota’s actual level of performance was 56%, exceeding the negotiated level.

***Median Earnings – 2nd Quarter After Exit:*** The median earnings of participants who were in unsubsidized employment during the second quarter after exit from the program.

- The negotiated level agreed upon between RSA and South Dakota for PY 2022 was \$2,900.
- South Dakota’s actual level of performance was \$3,599, exceeding the negotiated level.

***Credential Attainment:*** The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program.

- The negotiated level agreed upon between RSA and South Dakota for PY 2022 was 35%.
- South Dakota's actual level of performance was 34%, one percentage point below the negotiated level.
- While we have seen improvement in this area, South Dakota is making ongoing efforts to train staff for better understanding of credential attainment and obtaining documentation of participant progress. It is expected that this percentage will continue to increase with improved data collection.

***Measurable Skill Gains:*** The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment.

- The negotiated level agreed upon between RSA and South Dakota for PY 2022 was 44%.
- South Dakota's actual level of performance was 49.8%, exceeding the negotiated level.

***Effectiveness in Serving Employers:*** addresses the program's efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time.

- Not Applicable as the Departments have not issued the final rules defining Effectiveness in Serving Employers.

(2) The use of funds reserved for innovation and expansion activities (sections 101(a)(18) and 101(a)(23) of the Rehabilitation Act) (e.g., SRC, SILC).

**The Rehabilitation Act requires that a portion of funds be reserved for innovation and expansion activities. The Division of SBVI works with the Board to prioritize these activities. The Board of SBVI utilizes the Division senior secretary for support of Board activities due to the limited resources available for personnel. Activities supported by the Board of SBVI were as follows:**

1. Costs associated with Board Member attendance at quarterly meetings;
2. Public Meeting promotion and facilitation (to gather input on the need to expand services, especially for individuals with the most significant disabilities);
3. Client Satisfaction Surveys;
4. Joint activities with the Board of Vocational Rehabilitation and the Statewide Independent Living Council;
5. National Disability Employment Awareness Month activities;
6. Workshop registration and travel expenses for Board Members attendance at agency training, and client conventions;
7. Education and outreach to promote the capabilities of citizens with vision loss and services offered by SBVI;
8. Workshop registration and travel expenses for clients' attendance at state conventions of client organizations;

**9. Comprehensive Statewide Needs Assessment consultant services;**

**10. Governors Awards recognizing employment of people with disabilities;**

**11. Other activities approved by the Board of SBVI to address agency goals and strategies.**

**Board members participate in prioritizing innovation and expansion activities impacting citizens who are blind or visually impaired. Innovation and expansion funds are used in accordance with priorities in the Rehabilitation Act as amended.**

**(e) Supported Employment Services, Distribution of Title VI Funds, and Arrangements and Cooperative Agreements for the Provision of Supported Employment Services.**

(1) Acceptance of title VI funds:

(A) VR agency requests to receive title VI funds.

(B)  VR agency does NOT elect to receive title VI funds and understands that supported employment services must still be provided under title I.

(2) If the VR agency has elected to receive title VI funds, Section 606(b)(3) of the Rehabilitation Act requires VR agencies to include specific goals and priorities with respect to the distribution of title VI funds received under section 603 of the Rehabilitation Act for the provision of supported employment services. Describe the use of title VI funds and how they will be used in meeting the goals and priorities of the Supported Employment program.

**N/A as South Dakota Blind does not receive Supported Employment funds.**

(3) Supported employment services may be provided with title 1 or title VI funds following placement of individuals with the most significant disabilities in employment. In accordance with section 101(a)(22) and section 606(b)(3) of the Rehabilitation Act, describe the quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities, including youth with the most significant disabilities; and the timing of transition to extended services.

**The Department of Human Services Divisions of Service to the Blind and Visually Impaired, Division of Rehabilitation Services and Division of Developmental Disabilities revised our Memorandum of Understanding (MOU) on 7/1/2022 to describe the quality, scope, and extent of supported employment services. This MOU improved the transition of extended services between our agencies. The vocational rehabilitation agencies added a new fee rate when the transition to extended services occurs with the long-term support agency.**

(4) Sections 101(a)(22) and 606(b)(4) of the Rehabilitation Act require the VR agency to describe efforts to identify and arrange, including entering into cooperative agreements, with other State agencies and other appropriate entities in order to provide supported employment services. The description must include extended services, as applicable, to individuals with the most significant disabilities, including the provision of extended services to youth with the most significant disabilities in accordance with 34 CFR 363.4(a) and 34 CFR 361.5(c)(19)(v).

**Extended services are available to individuals with the most significant disabilities, including youth with the most significant disabilities for up to four years, with other entities providing long term**

**supports after that time. With the addition of Customized Employment as an available service, this will better serve youth that may not have been well-served by more traditional services.**

**Medicaid waiver funds are available for extended services and expanded supported employment opportunities for youth with the most significant disabilities through the public-school system and Medicaid waiver services.**

**(f) Annual Estimates.** Sections 101(a)(15) and 101(a)(23) of the Rehabilitation Act require all VR agencies to annually conduct a full assessment of their resources and ability to serve all eligible individuals before the start of the Federal fiscal year. In accordance with 34 CFR § 361.29(b), annual estimates must include the following projections:

(2) Estimates for next Federal fiscal year— **FFY 2025**

(C) VR Program; and

Priority Category (if applicable)	No. of Individuals Eligible for Services	No. of Eligible Individuals Expected to Receive Services under VR Program	Costs of Services using Title I Funds	No. of Eligible Individuals Not Receiving Services (if applicable)
Priority Category I - Most Significantly Disabled	<b>280</b>	<b>280</b>	<b>\$840,521</b>	<b>0</b>
Priority Category II - Significantly Disabled	<b>17</b>	<b>17</b>	<b>\$36,473</b>	<b>0</b>
Priority Category III - Not Significantly Disabled	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

(D) Supported Employment Program.

Priority Category (if applicable)	No. of Individuals Eligible for Services	No. of Eligible Individuals Expected to Receive Services under Supported Employment Program	Costs of Services using Title I and Title VI Funds	No. of Eligible Individuals Not Receiving Services (if applicable)
Priority Category I - Most Significantly Disabled	<b>15</b>	<b>15</b>	<b>\$26,063</b>	<b>0</b>

**(g) Order of Selection.**

[X] The VR agency is **not** implementing an order of selection and all eligible individuals will be served.

The VR agency is implementing an order of selection with one or more categories closed.

\* VR agencies may maintain an order of selection policy and priority of eligible individuals without implementing or continuing to implement an order of selection.

Pursuant to section 101(a)(5) of the Rehabilitation Act, this description must be amended when the VR agency determines, based on the annual estimates described in description (f), that VR services cannot be provided to all eligible individuals with disabilities in the State who apply for and are determined eligible for services.

(1) For VR agencies that have defined priority categories describe—

(A) The justification for the order;

**No order of selection being implemented at this time.**

(B) The order (priority categories) to be followed in selecting eligible individuals to be provided VR services ensuring that individuals with the most significant disabilities are selected for services before all other individuals with disabilities; and

N/A

(C) The VR agency's goals for serving individuals in each priority category, including how the agency will assist eligible individuals assigned to closed priority categories with information and referral, the method in which the VR agency will manage waiting lists, and the projected timelines for opening priority categories. NOTE: Priority categories are considered open when all individuals in the priority category may be served.

N/A

(2) Has the VR agency elected to serve eligible individuals outside of the order of selection who require specific services or equipment to maintain employment?

[check box] Yes

[check box] **X** No

**(h) Waiver of Statewidness.** The State plan shall be in effect in all political subdivisions of the State, however, the Commissioner of the Rehabilitation Services Administration (Commissioner) may waive compliance with this requirement in accordance with section 101(a)(4) of the Rehabilitation Act and the implementing regulations in 34 CFR 361.26. If the VR agency is requesting a waiver of statewidness or has a previously approved waiver of statewidness, describe the types of services and the local entities providing such services under the waiver of statewidness and how the agency has complied with the requirements in 34 CFR 361.26. If the VR agency is not requesting or does not have an approved waiver of statewidness, please indicate "not applicable."

**Counselors provide services in all areas of the state. RSA suggested the request for waiver of state widness specifically since some school districts do not participate in Project Skills. The South Dakota Division of Service to the Blind and Visually Impaired (SBVI) provides work experiences for Vocational Rehabilitation (VR) transition age students through Project Skills in conjunction with the Division of Rehabilitation Services. Project Skills is a cooperative arrangement with the local school districts and the state VR agencies. SBVI makes this program**

available to all schools including 19 Tribal/Bureau of Indian Education schools, 149 public school districts, and 14 Educational Cooperatives. Approximately 145 South Dakota’s public, Tribal/Bureau of Indian Education school, and educational cooperatives are currently participating in the program. The program is available to the remaining school districts, but the remaining school districts have chosen not to complete a contract with the South Dakota VR agencies.

**Services Provided:** Many students with significant disabilities don’t have the opportunity to participate in gainful employment while in high school. Although willing, most employers cannot afford to provide the training and supports students frequently require on their first job. Project Skills assists students to build their work history while helping them to move into different and better jobs as they mature and are ready to take on new challenges. This program is a cooperative arrangement between the State VR Agencies and the local school systems. SBVI pays the wages, workers compensation, and FICA; the schools provide the job development, job coaching, and follow-along services for students at the job site.

**Written Assurances:** Each school enters into an agreement with SBVI for Project Skills. This agreement requires the school district to provide written assurance that they will use non- federal funds for their share of the Project Skills program as match for the federal funds allocated by SBVI, including funds contributed to the school by a private agency, organization, or individual. The Project Skills program is only available for students who are eligible for Vocational Rehabilitation services.

**(i) Comprehensive System of Personnel Development.** In accordance with the requirements in section 101(a)(7) of the Rehabilitation Act, the VR agency must develop and maintain annually a description (consistent with the purposes of the Rehabilitation Act) of the VR agency’s comprehensive system of personnel development, which shall include a description of the procedures and activities the VR agency will undertake to ensure it has an adequate supply of qualified State rehabilitation professionals and paraprofessionals that provides the following:

- (1) Analysis of current personnel and projected personnel needs including—
  - (A) The number and type of personnel that are employed by the VR agency in the provision of vocational rehabilitation services, including ratios of qualified vocational rehabilitation counselors to clients;
  - (B) The number of personnel currently needed by the VR agency to provide VR services, broken down by personnel category; and
  - (C) Projections of the number of personnel, broken down by personnel category, who will be needed by the VR agency to provide VR services in 5 years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.

Personnel Category	No. of Personnel Employed	No. of Personnel Currently Needed	Projected No. of Personnel Needed in 5 Years
<b>Administrative</b>	<b>5</b>	<b>5</b>	<b>2</b>
<b>VR Counselors</b>	<b>7</b>	<b>7</b>	<b>1</b>
<b>Rehab Center Teachers</b>	<b>6</b>	<b>6</b>	<b>3</b>

<b>Rehab Center Manager</b>	<b>1</b>	<b>1</b>	<b>0</b>
<b>Rehab Center Program Specialist</b>	<b>1</b>	<b>1</b>	<b>0</b>
<b>Rehab Center Clerical Support</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>Rehab Center Rehab Counselor</b>	<b>1</b>	<b>1</b>	<b>0</b>

D. Ratio of qualified VR counselors to clients:

**Currently, SBVI employs seven vocational rehabilitation counselors who serve citizens with vision loss statewide and one vocational rehabilitation counselor who works primarily at the Rehabilitation Center for the Blind. In PY 2022, SBVI served a total of 392 clients in the VR program. This averages out to a ratio of 1:56 per caseload for the year. As counselor vacancies occur, caseloads, territories, and customer service satisfaction are reviewed to determine the best utilization of existing staff to meet the needs of the individuals receiving vocational rehabilitation services.**

E. Projected number of individuals to be served in 5 years:

**Changes in the caseload size were impacted by Covid, starting in 2020, as well as changes in the economy and unemployment rates. It is the goal of the Division of Service to the Blind and Visually Impaired to remain under the ratio of 1:60 active clients per counselor at any given time with a projected number of 420 individuals served. The Division evaluates the need for a position in a specific location before replacing an employee when a vacancy occurs. Counselors who serve sparsely populated areas travel large territories and serve fewer clients due to demographics of a large sparsely populated state. Those with larger caseloads work in urban areas with higher population which results in less travel to deliver services.**

(2) Data and information on personnel preparation and development, recruitment and retention, and staff development, including the following:

(A) A list of the institutions of higher education in the State that are preparing VR professionals, by type of program; the number of students enrolled at each of those institutions, broken down by type of program; and the number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.

Institute of Higher Education	Type of Program	No. of Students Enrolled	No. of Prior Year Graduates
<b>South Dakota State University</b>	<b>Masters in Rehabilitation and Mental Health Counseling</b>	<b>8</b>	<b>2</b>

(B) The VR agency's plan for recruitment, preparation, and retention of qualified personnel, which addresses the current and projected needs for qualified personnel; and the coordination and facilitation of efforts between the VR agency and institutions of higher education and professional associations to

recruit, prepare, and retain personnel who are qualified, including personnel from minority backgrounds and personnel who are individuals with disabilities.

**Recruitment of qualified staff, including individuals with minority backgrounds and individuals with disabilities, is accomplished through promoting vacancies at universities with master level programs. South Dakota State University has been utilized due to quality of the program, proximity, and established relationships with the Masters in Rehabilitation and Mental Health Counseling program. South Dakota has three state public universities with programs offering master's degrees in counseling. Master's level graduates are hired and trained to prepare for the CRCC to meet the highest qualifications in the state for rehabilitation counselors.**

**Positions are posted on the Commission on Rehabilitation Counselor Certification website to encourage certified rehabilitation counselors to apply for Senior Rehabilitation Counselor positions in South Dakota. Due to limited applicants with master's degrees, it is common for SBVI to hire individuals who have obtained a bachelor's degree in counseling or a human service-related field as an entry level counselor. SBVI reaches out to university "job boards" and has utilized "Handshake" through the [www.joinhandshake.com](http://www.joinhandshake.com) website to find other universities that offer relevant education to post job announcements.**

**The announcements for all state positions including the Vocational Rehabilitation Counselor positions are posted on the State web page. The Division also utilizes the Dept of Human Services Facebook page, LinkedIn, Indeed, and Google Ads. During the next five years, it is projected that one counselor will need to be hired due to retirement or turnover.**

**To address retention and advancement, all entry-level vocational rehabilitation counselors are offered the opportunity to participate in a master's level vocational rehabilitation education program through the Rehabilitation Services Administration grant. Once they complete the master's program and pass the CRC exam, they meet the requirements for "Senior Counselor". This allows promotion to a higher paygrade and ability to manage caseloads on a more independent basis. Senior counselors are also expected to take on more of a leadership role within their local offices, providing mentoring to entry level counselors. For succession planning purposes, leadership and management training and assignments with senior level management teams assist senior counselors to prepare for supervisory and administrative positions. Senior rehabilitation counselors are encouraged to apply for management and administrative positions when vacancies occur. Opportunities for promotion are available through announcements of supervisory and management positions provided those candidates meet the qualifications for the position.**

**To address the priority of recruiting individuals with disabilities, the SD Bureau of Human Resources has an Administrative Rule that requires individuals with disabilities to be automatically certified applicants for interviews. In addition, any eligible applicant for employment who has been certified severely disabled by a rehabilitation counselor will be eligible to interview regardless of the ranking the applicant receives compared to other applicants. This ensures individuals with disabilities have opportunity to interview and compete for openings in state government.**

- (C) Description of staff development policies, procedures, and activities that ensure all personnel employed by the VR agency receive appropriate and adequate training and continuing education for professionals and paraprofessionals:

- i. Particularly with respect to assessment, vocational counseling, job placement, and rehabilitation technology, including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998; and
- ii. Procedures for the acquisition and dissemination of significant knowledge from research and other sources to VR agency professionals and paraprofessionals and for providing training regarding the amendments to the Rehabilitation Act made by the Workforce Innovation and Opportunity Act.

**SBVI has established liaison relationships and cooperative agreements with the other partner agencies that are included in the Workforce Innovation and Opportunities Act and the Combined State Plan. SBVI works in cooperation with the General VR program to plan joint training initiatives in the areas of comprehensive assessment, counseling techniques, job placement services and information and referral of comparable benefits and services. SBVI also offers annual training specific to blindness and low vision focused on assistive technology, diabetes impact on vision, counseling individuals with recent vision loss and assessing vision exam results. SBVI works very closely with DakotaLink, the state's Assistive Technology Act program, referring individuals for assessment and training of the most updated assistive technology devices for individuals with vision loss.**

**Training needs of the state's Native American Vocational Rehabilitation Services Programs, Centers for Independent Living, the Client Assistance Program and Community Based Rehabilitation Programs are considered in planning annual training activities. Training needs are addressed through a variety of resources including workshops, conferences and seminars hosted by other organizations such as Office of Special Education, Department of Labor and Regulation, SD Parent Connection, Bureau of Human Resources training, client organizations (SD Association of the Blind, National Federation of the Blind of SD, Community Support Providers of South Dakota, SD National Alliance of Mental Illness and the SD Association of the Deaf), and distance learning are examples of sponsors of training activities in which staff participate.**

**The Division distributes research information to the Vocational Rehabilitation staff when it becomes available.**

(3) Description of VR agency policies and procedures for the establishment and maintenance of personnel standards consistent with section 101(a)(7)(B) to ensure that VR agency professional and paraprofessional personnel are adequately trained and prepared, including—

- (A) Standards that are consistent with any national or State-approved or -recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which such personnel are providing VR services; and

**The Rehabilitation Act as amended, and the Vocational Rehabilitation regulations refer to personnel as "Qualified Personnel" and "Qualified Vocational Rehabilitation Counselors". The Division has defined these positions as follows:**

**Qualified Vocational Rehabilitation Counselor:**

- a. meets the standards for Senior Vocational Rehabilitation Counselor;

b. meets the standards for Senior Vocational Rehabilitation Counselor except is not CRC certified; or

c. meets the standards for Vocational Rehabilitation Counselor, has been employed by the Division as a VR Counselor for a minimum of six months, and has an approved individualized development plan to pursue CRC certification by the Commission on Rehabilitation Counselor Certification within eight years. This employee does receive oversight and monitoring of the non-delegated functions of the VR process. The approved individualized development plan must be signed by the supervisor, who is CRC certified. For counselors pursuing master's degrees, their plan will include at a minimum one course each semester, beginning approximately one year from date of hire, unless the individual can present extenuating circumstances that are approved by the State Office. As of 10/01/2023, one VR Counselor is in a plan to complete their master's degree within one year to prepare to take the CRC examination, and three new counselors are learning basics of the counseling position before applying for the master's program but will likely begin in fall 2024. There are currently three Senior VR Counselors that have their CRC.

(B) The establishment and maintenance of education and experience requirements, in accordance with section 101(a)(7)(B)(ii) of the Rehabilitation Act, to ensure that the personnel have a 21st century understanding of the evolving labor force and the needs of individuals with disabilities.

### **Qualified Personnel:**

The Division is committed to assisting vocational rehabilitation counselors to obtain the necessary academic training and professional experience to meet the standards of a Senior Vocational Rehabilitation Counselor. In school year 2022-2023, two Division employees were pursuing their Vocational Rehabilitation master's degree program through South Dakota State University. One individual graduated during the past year with a master's degree in vocational rehabilitation and passed the CRC exam.

Each employee's current level of education and training, as well as short term and long-term training needs are tracked by their supervisor, who evaluates methods for addressing these needs annually through their quarterly check in sessions and year end appraisal, due to be completed by December 31 of each year. Individual training needs are assessed to evaluate current levels of education, understanding of fundamentals of vocational rehabilitation, disability-related issues, professional development, and related topics. Self-evaluation, supervisor input and recommendations are identified in the goal setting section of the check-in. SBVI also outlines the strategies developed to meet the professional or paraprofessional training needs of staff that includes specific training related to assessment, vocational counseling, job placement, and rehabilitation technology in the department's strategic plan. Training is delivered through workshops, conferences, video conferencing, one-on-one mentoring, and webinars. The Division also utilizes e-mail and web links to disseminate information on research, studies and other relevant information related to disabilities and vocational rehabilitation.

The quarterly check-ins and year end appraisal allow for ongoing feedback between employee and supervisor by addressing areas of strength, areas that could be improved, and opportunity to identify goals. Training is tracked in the case management system which includes fields for the date the training is scheduled. The training officer works with agency supervisor to identify resources for obtaining training in areas related to vocational rehabilitation (including the Rehabilitation Act Amendments, Workforce Innovation and Opportunity Act and RSA regulations), including serving individuals with the most significant disabilities and those from minority backgrounds. Training

**needs are also identified through input from clients responding to satisfaction surveys and input from the State Rehabilitation Council.**

- (4) Method(s) the VR agency uses to ensure that personnel are able to communicate in appropriate modes of communication with or in the native language of applicants or eligible individuals who have limited English speaking ability.

**SBVI utilizes an ASL interpreter who is available for all training sessions to clients who are deaf/blind. If additional interpreters are needed, SBVI can purchase these services. Braille, materials in electronic format, and enlarged print are provided to all staff or clients who request alternative formats. The Division has developed fee schedules to pay for interpreters of foreign languages and Native American interpreters. The Division also purchases foreign language interpreting services such as Linguistica and Interpretalk for interpreting services via phone.**

- (5) As appropriate, describe the procedures and activities to coordinate the designated State unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

**SBVI works with the School for the Blind and Visually Impaired to address needs of transition-age students with vision loss on a statewide basis. This is managed through an interagency agreement between SBVI and the School for the Blind, providing a Vision Transition Specialist to work as a liaison between the Vision Outreach Consultants that provide services to students with vision loss at local school districts, and VR counselors who can provide pre-employment transition services to students who are potentially eligible, as well as students who are VR clients. Training on IDEA and transition services for students with disabilities is coordinated with the Division of Special Education, Transition Services Liaison Project, and the SD School for the Blind. The annual Youth Leadership Forum is planned in collaboration with the Special Education Program, Rehabilitation Services, Service to the Blind and Visually Impaired, Statewide Independent Living Council, and the Transition Services Liaison Project. The annual Fall Conferences are a combined effort with the Department of Education, Special Education Program, Department of Labor and Regulation and other entities to offer training on transition, independent living, and pre-employment transition service options.**

#### **COOPERATION, COLLABORATION, AND COORDINATION (Section 101(a)(11) of the Rehabilitation Act)**

**(j) Coordination with Education Officials.** In accordance with the requirements in section 101(a)(11)(D) of the Rehabilitation Act—

- (1) Describe plans, policies, and procedures for coordination between the designated State agency and education officials responsible for the public education of students with disabilities, that are designed to facilitate the transition of the students with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services, including pre-employment transition services.

**South Dakota has a cooperative agreement concerning transition services for students with disabilities which was revised in October 2022. This agreement includes the following South Dakota entities: Office of Special Education, Division of Workforce and Technical Education, Division of Developmental Disabilities, Division of Rehabilitation Services, Division of Service to the Blind and**

**Visually Impaired, Department of Labor & Regulation, Division of Behavioral Health, and Division of Child Protection Services. The agreement was created to operationalize South Dakota's transition process, Local Educational Agencies and Adult Services Agencies who are part of this agreement, will coordinate transition services for students and youth with disabilities. Coordination maximizes existing resources and funding responsibilities, thus avoiding duplication, and promoting continuity of service provision. This coordination is important as it assures compliance with providing required services as well as compliance with federal and state laws. The cooperating agencies will also encourage staff to take part in training sponsored by the other cooperating agencies to ensure that services are provided by qualified and appropriately certified staff.**

**The agreement identifies each agency's roles and responsibilities according to the students' ages for the following services:**

- a. Consultation and technical assistance to assist in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;**
- b. Transition planning by personnel of the SBVI and school district personnel;**
- c. Roles and responsibilities of each agency including State lead agencies and qualified personnel responsible for transition services;**
- d. Financial responsibilities; and**
- e. Procedures for outreach and identification of students with disabilities who need transition services.**

(2) Describe the current status and scope of the formal interagency agreement between the VR agency and the State educational agency. Consistent with the requirements of the formal interagency agreement pursuant to 34 CFR 361.22(b), provide, at a minimum, the following information about the agreement:

- (A) Consultation and technical assistance, which may be provided using alternative means for meeting participation (such as video conferences and conference calls), to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including pre-employment transition services and other vocational rehabilitation services;

**The Transition Cooperative Agreement and conceptual framework will be implemented throughout the state, and continuing evaluation of its effectiveness will provide further direction to the participating state agencies. Based on feedback, the collaborating state agencies will revisit the agreement on an annual basis. They will also provide coordination, technical assistance, and training necessary for implementation.**

**South Dakota School for the Blind and Visually Impaired (SDSBVI) Interagency Agreement: This agreement was implemented to coordinate efforts to ensure that students who are blind or visually impaired receive effective, seamless services as they make the transition from school to adult life and employment. The agreement specifies roles and responsibilities including:**

- Consultation and technical assistance to assist educational agencies in planning for transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;**
- The role for transition planning by personnel of SBVI and SDSBVI and local school districts that facilitate the development and completion of individualized education programs and individual plans for employment;**
- Roles and responsibilities including financial responsibilities of each agency and determination of state lead agencies and qualified personnel responsible for transition**

services; and

- Procedures for outreach to students who are blind or visually impaired who need transition services.

The cooperative agreement stipulates that SBVI and the SDSBVI will provide a full-time staff person who is committed to working with students who are blind or visually impaired on a statewide basis. This staff person provides technical assistance to educational agencies as the students move from school settings to postsecondary or other settings.

Students served by SDSBVI reside both at the residential school in Aberdeen, as well as, in school districts on a statewide basis. Outreach Consultants employed by SDSBVI work with students who are blind or visually impaired in the public-school system.

SBVI and SDSBVI share information with students, parents, and local school districts about the importance of the skills of blindness to the success of students in the world of work. SBVI is an active participant in the transition planning process and counselors become involved with students as early as age 14. For those students enrolled at SDSBVI, SBVI Counselors will attend pre-staffing meetings when appropriate. SBVI helps to determine appropriate vocational direction by providing work experiences and vocational counseling and guidance along with pre-employment transition services.

SDSBVI has responsibility for all South Dakota students with visual impairments under the age of twenty-one. For students of "transition age" between 14 and 21, that responsibility is shared with SBVI. Blind or visually impaired students residing in school districts that are unwilling to participate in project skills agreements are sometimes served through the SDSBVI transition specialist to participate in paid work experiences.

Both SBVI and SDSBVI personnel are involved in transition services and regularly discuss mutual efforts and plan appropriate activities to benefit students and family members. Sharing of information takes place due to coordinated efforts between the Board of SBVI and the SD School for the Blind Advisory Council. Summer programs are coordinated to allow students to benefit from both SBVI and SDSBVI activities, and students are encouraged to participate in the Youth Leadership Forum, which is a week-long seminar to prepare high school age youth to be community leaders and self-advocates. All entities have been involved in planning the program, interviewing students, interviewing project staff and funding program activities.

- (B) Transition planning by personnel of the designated State agency and educational agency personnel for students with disabilities that facilitates the development and implementation of their individualized education programs (IEPs) under section 614(d) of the Individuals with Disabilities Education Act;

The cooperating agencies agree that a transition plan, as a component of the Individual Education Program (IEP), will be initiated for every student with a disability age 16 and older or at a younger age as determined by the Local Education Agency. To the extent possible, the IEP will be integrated into the planning documents of all coordinating agencies, and where possible, eliminates duplication of such plans and services. The IEP will outline all transition services necessary to successfully transition to the next environment or service delivery system and have access to appropriate independent living options in integrated community-based settings.

The following activities are implemented by mutual involvement of SBVI and educational

agencies as part of student's IEPs and IPEs:

- **Project Skills:** Project Skills is a paid work-based learning experience program for high school students with disabilities in South Dakota. The program is a cooperative arrangement between the state vocational rehabilitation agencies and local school districts which provides students the opportunity to learn different skills in a variety of job placements, with the assistance of a job coach. Project Skills helps to build the student's work history and references and assists them with experiencing different career fields as they mature and take on new challenges.
- **Project SEARCH:** Project Search is a business led program. This means that students learn relevant, marketable skills while immersed in the business and those businesses are active partners, participating without subsidies. Project SEARCH is a national model partnering with a large employer, local school district and the State Vocational Rehabilitation Programs. South Dakota currently has four Project Search sites.
- **Youth Leadership Forum (YLF):** YLF is a unique career and leadership training program for high school juniors and seniors to learn more about self-advocacy skills and disability awareness. Students with disabilities cultivate leadership, citizenship, and social skills as a result of participating in this annual five-day event that takes place on a college campus.
- **Catch the Wave:** A one day conference designed specifically for high school students who have a disability and are considering postsecondary education (either college or technical institutes). Students learn about preparing for college life, securing appropriate accommodations, and developing self-advocacy and communication skills.
- **Regional Transition Forums:** These forums are informal, interactive meetings for providers of services, transition age students with disabilities, as well as educators and family members.
- **Postsecondary Disability Coordinators Forum:** This forum is held annually, with the most recent meeting held in Mitchell, SD on May 10, 2023, with Disability Coordinators from South Dakota postsecondary programs invited to attend. The forum has been a very successful initiative for promoting transition services for students with disabilities and improving collaboration and referrals between the vocational rehabilitation programs and post-secondary institutions in South Dakota.
- **Summer Institute:** The Summer Institute is an annual statewide training opportunity for Special Education teachers who are assisting students in the transition process. It was held July 11-12, 2023, in Chamberlain, SD and offers training that addresses IDEA, Vocational Rehabilitation and introduces self-determination curriculum and other assessment materials, along with IEP planning for transition service provision. Teachers receive graduate credit for the class and gain knowledge from Disability Services Coordinators from postsecondary schools, vocational rehabilitation counselors, Transition Liaisons, community mental health agencies and independent living services staff.
- **SD Rehabilitation Center for the Blind (SDRC) Transition Week:** SDRC hosted Transition Week June 11-15, 2023, for high school juniors and seniors who are blind or visually impaired from around the state. Students participate in skills training in the traditional SDRC training areas. Students are also offered the opportunity to job shadow

at a variety of job sites, based on their individual interests. A person-centered approach assists them to experience self-exploration and self-advocacy skills. They also experience dorm life while staying at a university dormitory. Tours and presentations from university staff help give them a better understanding of what to expect from postsecondary education after high school.

- (C) The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services and pre-employment transition services;

**Cooperative Agreement: Transition Services for Youth with Disabilities** South Dakota's human service agencies and education system have forged a strong coalition to implement several pre-employment transition activities and transition services to prepare students with disabilities for post school activities that lead to successful employment outcomes. The South Dakota Cooperative Agreement Concerning Transition Services for Youth with Disabilities was revised effective October 2022. The following South Dakota entities are included in the cooperative agreement:

- Special Education programs and Division of Career & Technical Education within the Department of Education;
- Division of Workforce and Career Preparation within the Department of Labor and Regulation;
- Divisions of Behavioral Health and Child Protection Services within the Department of Social Services; and
- Divisions of Developmental Disabilities, Rehabilitation Services, and Service to the Blind and Visually Impaired within the Department of Human Services.

The agreement identifies each agency's roles and responsibilities including: Consultation and technical assistance to assist in planning for the transition of students with disabilities from school to post school activities, including vocation rehabilitation services; transition planning by Division of Service to the Blind and Visually Impaired counselors and school district personnel; roles and responsibilities of each agency including state lead agencies and qualified personnel responsible for transition services; financial responsibilities; and procedures for outreach and identification of students with disabilities who need pre-employment transition services and transition services.

The agreement presents guiding principles and conceptual framework for addressing interagency transition planning at the local level, thus ensuring that youth with disabilities have access to the services and resources needed to enter adult life (and employment) successfully. Cooperating agencies will benefit from maximum coordination of services, more efficient utilization of agency resources, increased service options, and improved interagency communication. The collaborating agencies promote and enhance the following principles:

- 1) A transition plan, as a component of the Individual Education Program (IEP), is initiated for every student with a disability age 16 and older or at a younger age as determined by the Local Education Agency (LEA) IEP team. To the extent possible, the IEP will be integrated into the planning documents of all coordinating agencies, and where possible, eliminates duplication of such plans. The IEP will outline all transition services necessary to successfully transition to the next environment or service delivery system and have access to appropriate independent living options in integrated community-based settings.
- 2) All students with disabilities have access to a life skills curriculum and independent living services designed to prepare them to live and function in domestic, recreational, social, community, and vocational environments.

- 3) All students with disabilities have access to a self-determination curriculum and training to develop self-awareness and prepare them to fully participate in transition planning and to make informed choices on the continuation of community services and supports.
- 4) All work and learning opportunities offered will be designed to meet the unique needs of the student commensurate with the individual's level of ability, interest, and informed choice and should be expected to change over time (i.e., career ladder opportunities).
- 5) All students with disabilities will be prepared for and offered "integrated" work settings for "competitive" wages or prepared to enter and succeed in post-secondary education or training with access to necessary support services. Additionally, all work opportunities will be geared to employer/industry needs.

**The agreement will be reviewed by all agencies annually to ensure alignment with WIOA.**

- 6) Procedures for outreach to and identification of students with disabilities who need transition services and pre-employment transition services. Outreach to these students should occur as early as possible during the transition planning process and must include, at a minimum, a description of the purpose of the vocational rehabilitation program, eligibility requirements, application procedures, and scope of services that may be provided to eligible individuals;

**SBVI has a brochure to promote transition services and pre-employment transition services for students with vision loss to school personnel, students, parents, and other entities. Vocational Rehabilitation Counselors distribute the brochure to all schools in their territories on an annual basis and meet with school personnel to discuss transition services for students with vision loss.**

**Interagency agreement between SBVI and the SD School for the Blind and Visually Impaired (SDSBVI): This agreement was implemented to coordinate efforts to ensure that students who are blind or visually impaired receive effective, seamless services as they make the transition from school to adult life and employment. The agreement specifies roles and responsibilities including:**

- Outreach by SDSBVI and SBVI personnel to identify students with vision loss who can benefit from transition services;
- Consultation and technical assistance to assist educational agencies to plan for transition of students with disabilities from school to post school activities, including vocational rehabilitation services;
- The role for transition planning by personnel of SBVI and SDSBVI and local school districts that facilitate the development and completion of individualized education programs;
- Roles and responsibilities including financial responsibilities of each agency and determination of state lead agencies and qualified personnel responsible for transition services; and
- Procedures for outreach to and identification of students who are blind or visually impaired who need transition services.

**SBVI and SDSBVI share information with students, parents, and local school districts about the importance of the skills of blindness to the success of students in the world of work. SBVI is an active participant in the transition planning process and counselors become involved with students as early as age 14. For those students enrolled at SDSBVI, SBVI representatives will also attend pre-staffing meetings when appropriate. SBVI helps to determine appropriate vocational direction by providing work experiences and vocational counseling and guidance along with pre-employment transition services. The agreement clearly stipulates that SBVI will attempt to have an IPE in place for every eligible student prior to graduation.**

**SDSBVI has a responsibility to all South Dakota students with visual impairments under the age of twenty-one. For students of "transition age" between 14 and 21, that responsibility is shared with SBVI. SDSBVI employs a transition specialist through a cooperative agreement with SBVI and has outreach consultants that work with students, families, schools, and SBVI staff on a statewide basis.**

**SBVI also participates in an agreement for the Transition Services Liaison Project (TSLP) which provides additional technical assistance and training to students with disabilities, families, local education agencies and adult service agencies. The agreement also includes the Office of Special Education and the Division of Rehabilitation Services. The TSLP liaisons are trained professionals who collaborate to perform transition planning and provide the consultation necessary to promote a smooth transition for students from the educational setting to enter or prepare for employment.**

- 7) Coordination necessary to satisfy documentation requirements set forth in 34 CFR part 397 regarding students and youth with disabilities who are seeking subminimum wage employment; and

**Per the Transition Cooperative Agreement, South Dakota VR, in consultation with the Local Education Agencies (LEA), will continue utilizing the process of documentation of this process consistent with the confidentiality requirements of the Family Education Rights and Privacy Act (20 USC 11232g(b) and 34 CFR§99.30 and 99.31) and 34 CFR 300.622) pursuant to section 511(d) of the Act and §397.10. This documentation must contain, at a minimum (§397.10(a)(1)):**

- Youth's name;
- Determination made, including a summary of the reason for the determination or a description of the activity or service completed;
- Name of individual making the determination or the provider of the service/activity;
- Date determination was made, or the required service or activity completed;
- Applicable signatures and dates by the South Dakota VR Agency or LEA making determination or completion of the required services or activity;
- Signature of the South Dakota VR Agency personnel transmitting documentation to the youth with a disability;
- Date and method by which the document was transmitted to the youth; and
- South Dakota VR Agency and LEA must retain copies of the documentation in a manner consistent with the requirements of 2 CFR 200.333.

- 8) Assurance that, in accordance with 34 CFR 397.31, neither the SEA nor the local educational agency will enter into a contract or other arrangement with an entity, as defined in 34 CFR 397.5(d), for the purpose of operating a program under which youth with a disability is engaged in work compensated at a subminimum wage.

**Per the Transition Cooperative Agreement, language is included that prohibits schools from contracting or arranging employment opportunities with subminimum wage providers. The transition agreement also details the necessary steps individuals with disabilities who are 24 years of age or younger must complete including participating in Pre-ETS under the Rehabilitation Act and transition services under IDEA, are found eligible for VR services with an approved IPE while receiving career counseling and information about available services to programs that could assist with competitive, integrated employment.**

**(k) Coordination with Employers.** In accordance with the requirements in section 101(a)(11)(E) of the Rehabilitation Act, describe how the VR agency will work with employers to identify competitive integrated employment and career exploration opportunities in order to facilitate the provision of VR services; and

transition services for youth and students with disabilities, including pre-employment transition services for students with disabilities.

**Outreach:** SBVI conducts outreach to employers through a variety of approaches. A fact sheet has been developed as a quick reference regarding SBVI services. Staff initiate contacts with businesses to promote hiring people with vision loss and serve as resources on accommodations. Staff participate in Chamber of Commerce activities and present at service clubs (Lion's, Kiwanis, Rotary, etc.) and other organizations which are key to making connections in rural communities. The SBVI Employment Specialist conducts outreach to serve as a resource to employers who are interested in filling vacancies.

**Business Led non-profits:** There are two business led non-profit entities in South Dakota that offer supports to the business community. Employment Disability Resources (EDR) in Sioux Falls and the Workforce Diversity Network of the Black Hills in Rapid City provide education, consulting, and technical assistance to businesses on the hiring, accommodations, supports and retention when employing people with disabilities. The manager of the SD Rehabilitation Center for the Blind (in the Division of SBVI) is on the governing board for the EDR. The Workforce Development Council representative on the Board of SBVI brings the employer/business perspective to strategic planning and Board activities.

**Business Organization Involvement:** The Division supports memberships and regular involvement of staff to connect with employers. Some examples of the organizations include: local Chambers of Commerce, Society of Human Resource Managers (SHRM), and the South Dakota Retailers Association. These opportunities support connecting with businesses to learn more about their workforce needs and technical assistance and training opportunities.

**Business Enterprise Program (BEP):** The SBVI Business Enterprise Program supports snack shop, cafeterias and vending opportunities for citizens who are blind. In addition to federal sites, the BEP operates in all state office buildings in the state capitol of Pierre. The BEP is partially supported by income from interstate vending through an agreement with the South Dakota Department of Transportation. Blind vendors and the SBVI BEP manager interact with businesses and employers to promote program expansion and to sustain existing operations.

#### **Transition Services/Pre-employment Transition Services for Students and Youth with Disabilities**

The Division of Service to the Blind Partners with the Division of Rehabilitation Services on a number of initiatives that support partnerships with employers for the provision of transition services and pre-employment transition for youth and students with disabilities including:

**Project Skills:** Project Skills is a paid work experience program for high school students with disabilities in South Dakota. The program is a cooperative arrangement between the state vocational rehabilitation agencies, employers, and local school districts which provides students the opportunity to learn different skills in a variety of job settings, with the assistance of a job coach. Project Skills helps build the student's work history, references, and assists them to experience a variety of career fields based on their interests. Vocational rehabilitation counselors and school staff identify employment sites to match the areas in which students have expressed an interest in working.

**Project Search:** Project SEARCH is a unique business-led transition program for students with disabilities. Students who want to work have the chance to explore careers and develop

transferable job skills. The goal of the Project SEARCH program is competitive employment for each intern experience. Designed as an internship program, Project SEARCH affords students the opportunity to put employability skills into practice. South Dakota currently has 5 Project SEARCH initiatives in Aberdeen, Brookings, Sioux Falls (Teachwell Education Cooperative), Sioux Falls School District, and Rapid City/Sturgis. Another Project SEARCH initiative is scheduled to start in Yankton at the beginning of 2024.

**Summer Pre-ETS Initiatives:** In cooperation with DRS, SBVI offers funding to entities during the summertime for training opportunities that address Pre-ETS for students with disabilities. Activities that are funded focus primarily on the following Pre-ETS areas: Job exploration activities; workplace readiness training to develop social skills and independent living; instruction in self-advocacy; post-secondary training/college exploration, preparation, and planning services; and information about vocational rehabilitation services and other programs available to assist individuals with disabilities.

**Let's Talk Work Events:** This is a one-day conference that gives students with disabilities a chance to prepare for their next phase of life after high school. More specifically, the events focus on employment soft skills and supports available for best chances of success. Events are held throughout the states, which include insights from employers who participate on panels and presentations to students who attend.

**Transition Week at the Rehabilitation Center for the Blind:** Students with vision loss attend transition week at the Rehab. Center to learn skills and explore options for life after high school. Job exploration activities include tours of businesses in the student's areas of interest, employer panels, and other career exploration opportunities based on the student's interests.

**(I) Interagency Cooperation with Other Agencies.** In accordance with the requirements in section 101(a)(11)(C) and (K), describe interagency cooperation with and utilization of the services and facilities of agencies and programs that are **not** carrying out activities through the statewide workforce development system to develop opportunities for community-based employment in integrated settings, to the greatest extent practicable for the following:

(1) State programs (designate lead agency(ies) and implementing entity(ies)) carried out under section 4 of the Assistive Technology Act of 1998;

**The Division of Service to the Blind and Visually Impaired has an agreement in place with Western River Foundation/Dakota Link for the implementation of assistive technology services in South Dakota. Services are provided on a fee for service basis; assistive technology services and devices are consistently one of the top case service expenditures for SBVI.**

(2) Programs carried out by the Under Secretary for Rural Development of the Department of Agriculture;

**The South Dakota Rural Development State Office is in Huron, SD, with other offices in seven communities around the state (website is: <https://www.rd.usda.gov/sd>). We provide information about their services of loans, development grants, and housing to VR clients who may benefit from their programs/services.**

(3) Non-educational agencies serving out-of-school youth;

**The Division of Service to the Blind and Visually Impaired has no agreements with non-educational agencies to serve out-of-school youth.**

(4) State use contracting programs;

**South Dakota does not have any State Use laws or contracts.**

(5) State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

**The Department of Social Services (DSS) is the state’s Medicaid Agency. DHS has the following agreements with the DSS Medicaid Agency.**

- **Abuse, Neglect and Exploitation as well as Guardianship and Conservatorship:** An agreement is in place assure each agency’s response to meet the needs of persons who are at risk for abuse, neglect and exploitation or in need of guardianship and/or conservatorship services.
- **Money Follows the Person:** This agreement was implemented for the Money Follows the Person initiative involving persons eligible for waiver services.
- **Medicaid Fraud Control:** This agreement was implemented for the purpose of defining mutual responsibilities in the Medicaid Program to ensure maximum efficiency and benefit to the State and to minimize duplication of effort.
- **Title XIX Medicaid Funding Memorandum of Understanding:** This agreement was implemented for the purpose of defining administrative and fiscal accountability responsibilities.
- **Protected Health Information Memorandum of Understanding:** This agreement implemented policy on restrictions of disclosing protected health information.

(6) State agency responsible for providing services for individuals with developmental disabilities;

**The Department of Human Services/Division of Developmental Disabilities is the state agency responsible for providing services to individuals with developmental disabilities. This agency is in the same department as the State Vocational Rehabilitation Programs allowing regular communication and collaboration between programs.**

**The Division of Developmental Disabilities updated the Policy Memorandum on July 1, 2022, with the Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired. This Policy Memorandum defines how each agency’s funding sources are coordinated in regard to the time limited and on-going support services. This policy agreement has had a significant impact in changing how services are provided to individuals with the most significant impediments to obtain and maintain their employment.**

(7) State agency responsible for providing mental health services;

**The Department of Social Services/Division of Behavioral Health Services is the state agency responsible for providing services to individuals with mental illness. A Memorandum of Understanding is in place to address coordination of services and funding between the Divisions of Behavioral Health, Rehabilitation Services, and Service to the Blind & Visually Impaired. This document serves as a policy directive for the Community Mental Health Centers and the local Vocational Rehabilitation Offices. It provides guidance in three areas relative to providing vocational services for individuals with severe and persistent mental illness:**

- **What services can and should be provided by the Community Mental Health Center,**
- **What services are available from Vocational Rehabilitation, and**
- **Which agency pays for the different services.**

(8) Other Federal, State, and local agencies and programs outside the workforce development system;

**The Vocational Rehabilitation Counselors work with a large variety of local and state agencies in their local communities, including Chamber of Commerce organizations and Human Resource organizations at the local and state levels.**

**Other interagency cooperation with and utilization of the services and facilities of agencies and programs that are not carrying out activities through the statewide workforce development system consist of:**

#### **Project Skills**

**These are cooperative agreements with local school districts throughout South Dakota for the provision of transition services. This program provides paid work experiences in student's career areas to help them prepare for adulthood and the world of work.**

#### **Project SEARCH**

**These are cooperative agreements with local Project SEARCH sites in Brookings, Sioux Falls, Rapid City, and Sturgis locations, with an additional site scheduled to start in Yankton in Fall 2024. This agreement lays out each party's responsibility for the Project SEARCH activities.**

#### **School for the Blind and Visually Impaired**

**SBVI has an agreement in place with the South Dakota School for the Blind and Visually Impaired for a Vision Transition Specialist. This position serves as a liaison between the educational and vocational rehabilitation systems. Services include assisting with the development of transition plans, coordination of transition services for students with vision loss, technical assistance and consultation and training to youth who are blind or visually impaired.**

**The Division of SBVI has agreements in place with federal facilities for vendors who operate under the Business Enterprise Program (BEP). In addition, there is an agreement in place with the South Dakota Department of Transportation for proceeds from interstate vending in South Dakota used to support the BEP.**

(9) Other private nonprofit organizations.

**SBVI works extensively with the community service providers, community mental health centers, and centers for independent living in South Dakota. The Divisions of SBVI and DRS continually work on improving the capacity and quality of services from CRPs. A variety of education and training options are developed to offer the opportunity for CRP staff to become Certified Employment Support Professionals. SBVI provides blindness specific training to employment support professionals to improve the quality-of-service provision for citizens with vision loss.**

# VOCATIONAL REHABILITATION CERTIFICATIONS AND ASSURANCES

## CERTIFICATIONS

<b>States must provide written and signed certifications that:</b>	
1.	The (enter the name of designated State agency or designated State unit, as appropriate,) is authorized to submit the VR services portion of the Unified or Combined State Plan under title I of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended by title IV of WIOA, <sup>4</sup> and its State Plan supplement under title VI of the Rehabilitation Act;
2.	In the event the designated State agency is not primarily concerned with vocational and other rehabilitation of individuals with disabilities, the designated State agency must include a designated State unit for the VR program (Section 101(a)(2)(B)(ii) of the Rehabilitation Act). As a condition for the receipt of Federal funds under title I of the Rehabilitation Act for the provision of VR services, the (enter the name of designated State agency or the designated State unit when the designated State agency has a designated State unit) <sup>5</sup> agrees to operate and is responsible for the administration of the State VR Services Program in accordance with the VR services portion of the Unified or Combined State Plan <sup>6</sup> , the Rehabilitation Act, 34 CFR 361.13(b) and (c), and all applicable regulations <sup>7</sup> , policies, and procedures established by the Secretary of Education. Funds made available to States under section 111(a) of the Rehabilitation Act are used solely for the provision of VR services and the administration of the VR services portion of the Unified or Combined State Plan;
3.	As a condition for the receipt of Federal funds under title VI of the Rehabilitation Act for supported employment services, the designated State agency or the designated State unit when the designated State agency has a designated State unit, agrees to operate and is responsible for the administration of the State Supported Employment Services Program in accordance with the supplement to the VR services portion of the Unified or Combined State Plan <sup>8</sup> , the Rehabilitation Act, and all applicable regulations <sup>9</sup> , policies, and procedures established by the Secretary of Education. Funds made available under title VI are used solely for the provision of supported employment services and the administration of the supplement to the VR services portion of the Unified or Combined State Plan;

<sup>1</sup> Public Law 113-128.

<sup>2</sup> All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

<sup>3</sup> No funds under title I of the Rehabilitation Act may be awarded without an approved VR services portion of the Unified or Combined State Plan in accordance with section 101(a) of the Rehabilitation Act.

<sup>4</sup> Applicable regulations, in part, include the Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 76, 77, 79, 81, and 82; 2 CFR part 200 as adopted by 2 CFR part 3474; and the State VR Services program regulations at 34 CFR part 361.

<sup>5</sup> No funds under title VI of the Rehabilitation Act may be awarded without an approved supported employment supplement to the VR services portion of the Unified or Combined State Plan in accordance with section 606(a) of the Rehabilitation Act.

<sup>6</sup> Applicable regulations, in part, include the citations in footnote 4, as well as Supported Employment program regulations at 34 CFR part 363.

<b>States must provide written and signed certifications that:</b>	
4.	The designated State unit, or if not applicable, the designated State agency has the authority under State law to perform the functions of the State regarding the VR services portion of the Unified or Combined State Plan and its supplement, and is responsible for the administration of the VR program in accordance with 34 CFR 361.13(b) and (c);
5.	The State legally may carry out each provision of the VR services portion of the Unified or Combined State Plan and its supplement.
6.	All provisions of the VR services portion of the Unified or Combined State Plan and its supplement are consistent with State law.
7.	The (enter title of State officer below) has the authority under State law to receive, hold, and disburse Federal funds made available under the VR services portion of the Unified or Combined State Plan and its supplement;
8.	The (enter title of State officer below) has the authority to submit the VR services portion of the Unified or Combined State Plan and the supplement for Supported Employment services;
9.	The agency that submits the VR services portion of the Unified or Combined State Plan and its supplement has adopted or otherwise formally approved the plan and its supplement.

## ASSURANCES

The designated State agency or designated State unit, as appropriate and identified in the State certifications included with this VR services portion of the Unified or Combined State Plan and its supplement, through signature of the authorized individual, assures the Commissioner, that it will comply with all of the requirements of the VR services portion of the Unified or Combined State Plan and its supplement, as set forth in sections 101(a) and 606 of the Rehabilitation Act. The individual authorized to submit the VR services portion of the Unified or Combined State Plan and its supplement makes the following assurances:

<b>The State Plan must provide assurances that:</b>	
1.	<b>Public Comment on Policies and Procedures:</b> The designated State agency assures it will comply with all statutory and regulatory requirements for public participation in the VR Services Portion of the Unified or Combined State Plan, as required by section 101(a)(16)(A) of the Rehabilitation Act.
2.	<b>Submission of the VR services portion of the Unified or Combined State Plan and Its Supplement:</b> The designated State unit assures it will comply with all requirements pertaining to the submission and revisions of the VR services portion of the Unified or Combined State Plan and its supplement for the State Supported Employment Services program, as required by sections 101(a)(1), (22), (23), and 606(a) of the Rehabilitation Act; section 102 of WIOA in the case of the submission of a Unified State plan; section 103 of WIOA in the case of a submission of a Combined State Plan; 34 C.F.R. 76.140.

**The State Plan must provide assurances that:**

3. **Administration of the VR services portion of the Unified or Combined State Plan:** The designated State agency or designated State unit, as appropriate, assures it will comply with the requirements related to:
- (a) the establishment of the designated State agency and designated State unit, as required by section 101(a)(2) of the Rehabilitation Act.
  - (b) either a State independent commission or State Rehabilitation Council, as required by section 101(a)(21) of the Rehabilitation Act.
  - (c) consultations regarding the administration of the VR services portion of the Unified or Combined State Plan, in accordance with section 101(a)(16)(B) of the Rehabilitation Act.
  - (d) the financial participation by the State, or if the State so elects, by the State and local agencies, to provide the amount of the non-Federal share of the cost of carrying out the VR program in accordance with section 101(a)(3).
  - (e) as applicable, the local administration of the VR services portion of the Unified or Combined State Plan, in accordance with section 101(a)(2)(A) of the Rehabilitation Act.
  - (f) as applicable, the shared funding and administration of joint programs, in accordance with section 101(a)(2)(A)(ii) of the Rehabilitation Act.
  - (g) statewideness and waivers of statewideness requirements, as set forth in section 101(a)(4) of the Rehabilitation Act.
  - (h) the requirements for cooperation, collaboration, and coordination, as required by sections 101(a)(11) and (24)(B); and 606(b) of the Rehabilitation Act.
  - (i) all required methods of administration, as required by section 101(a)(6) of the Rehabilitation Act.
  - (j) the requirements for the comprehensive system of personnel development, as set forth in section 101(a)(7) of the Rehabilitation Act.
  - (k) the compilation and submission to the Commissioner of statewide assessments, estimates, State goals and priorities, strategies, and progress reports, as appropriate, and as required by sections 101(a)(15), 105(c)(2), and 606(b)(8) of the Rehabilitation Act.
  - (l) the reservation and use of a portion of the funds allotted to the State under section 110 of the Rehabilitation Act for the development and implementation of innovative approaches to expand and improve the provision of VR services to individuals with disabilities, particularly individuals with the most significant disabilities as set forth in section 101(a)(18)(A).
  - (m) the submission of reports as required by section 101(a)(10) of the Rehabilitation Act.

4. **Administration of the Provision of VR Services:** The designated State agency, or designated State unit, as appropriate, assures that it will:
- (a) comply with all requirements regarding information and referral services in accordance with sections 101(a)(5)(E) and (20) of the Rehabilitation Act.
  - (b) impose no duration of residence requirement as part of determining an individual's eligibility for VR services or that excludes from services under the plan any individual who is present in the State in accordance with section 101(a)(12) of the Rehabilitation Act.
  - (c) provide the full range of services listed in section 103(a) of the Rehabilitation Act, as appropriate, to all eligible individuals with disabilities in the State who apply for services or, if implementing an order of selection, in accordance with criteria established by the State for the order of selection as set out in section 101(a)(5) of the Rehabilitation Act.
  - (d) determine whether comparable services and benefits are available to the individual in accordance with section 101(a)(8) of the Rehabilitation Act.

**The State Plan must provide assurances that:**

- (e) comply with the requirements for the development of an individualized plan for employment in accordance with section 102(b) of the Rehabilitation Act.
- (f) comply with requirements regarding the provisions of informed choice for all applicants and eligible individuals in accordance with section 102(d) of the Rehabilitation Act.
- (g) provide vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State, in accordance with section 101(a)(13) of the Rehabilitation Act.
- (h) comply with the requirements for the conduct of semiannual or annual reviews, as appropriate, for individuals employed either in an extended employment setting in a community rehabilitation program or any other employment under section 14(c) of the Fair Labor Standards Act of 1938, as required by sections 101(a)(14) and 511 of the Rehabilitation Act.
- (i) meet the requirements in sections 101(a)(17) and 103(b)(2) of the Rehabilitation Act if the State elects to construct, under special circumstances, facilities for community rehabilitation programs.
- (j) with respect to students with disabilities, the State:
  - (i) has developed and will implement,
    - (A) strategies to address the needs identified in the assessments; and
    - (B) strategies to achieve the goals and priorities identified by the State, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis; and
  - (ii) has developed and will implement strategies to provide pre-employment transition services (sections 101(a)(15), 101(a)(25), and 113).
  - (iii) shall reserve not less than 15 percent of the allocated funds for the provision of pre-employment transition services; such funds shall not be used to pay for the administrative costs of providing pre-employment transition services.

**5. Program Administration for the Supported Employment Title VI Supplement to the State plan:**

- (a) The designated State unit assures that it will include in the VR services portion of the Unified or Combined State Plan all information required by section 606 of the Rehabilitation Act.
- (b) The designated State agency assures that it will submit reports in such form and in accordance with such procedures as the Commissioner may require and collects the information required by section 101(a)(10) of the Rehabilitation Act separately for individuals receiving supported employment services under title I and individuals receiving supported employment services under title VI of the Rehabilitation Act.

**6. Financial Administration of the Supported Employment Program (Title VI):**

- (a) The designated State agency assures that it will expend no more than 2.5 percent of the State's allotment under title VI for administrative costs of carrying out this program; and, the designated State agency or agencies will provide, directly or indirectly through public or private entities, non-Federal contributions in an amount that is not less than 10 percent of the costs of carrying out supported employment services provided to youth with the most significant disabilities with the funds reserved for such purpose under section 603(d) of the Rehabilitation Act, in accordance with section 606(b)(7)(H) and (I) of the Rehabilitation Act.
- (b) The designated State agency assures that it will use funds made available under title VI of the Rehabilitation Act only to provide supported employment services to individuals with the most

<b>The State Plan must provide assurances that:</b>	
	<p>significant disabilities, including extended services to youth with the most significant disabilities, who are eligible to receive such services; and, that such funds are used only to supplement and not supplant the funds provided under Title I of the Rehabilitation Act, when providing supported employment services specified in the individualized plan for employment, in accordance with section 606(b)(7)(A) and (D), of the Rehabilitation Act.</p>
7.	<p><b>Provision of Supported Employment Services:</b></p> <p>(a) The designated State agency assures that it will provide supported employment services as defined in section 7(39) of the Rehabilitation Act.</p> <p>(b) The designated State agency assures that the comprehensive assessment of individuals with significant disabilities conducted under section 102(b)(1) of the Rehabilitation Act and funded under title I of the Rehabilitation Act includes consideration of supported employment as an appropriate employment outcome, in accordance with the requirements of section 606(b)(7)(B) of the Rehabilitation Act an individualized plan for employment that meets the requirements of section 102(b) of the Rehabilitation Act , which is developed and updated with title I funds, in accordance with sections 102(b)(3)(F) and 606(b)(7)(C) and (E) of the Rehabilitation Act.</p>

## VII. PROGRAM-SPECIFIC REQUIREMENTS FOR COMBINED STATE PLAN PARTNER PROGRAM

### Jobs for Veterans State Grants

(OMB Control Number: 1293-0017)

*The Jobs for Veterans' State Grants (JVSG) are mandatory, formula-based staffing grants to States (including DC, PR, VI and Guam). The JVSG is funded annually in accordance with a funding formula defined in the statute (38 U.S.C. 4102A (c) (2) (B) and regulation and operates on a fiscal year (not program year) basis, however, performance metrics are collected and reported quarterly on a Program Year basis (as with the ETA-9002 Series). Currently, VETS JVSG operates on a multi-year grant approval cycle modified and funded annually.*

*In accordance with 38 U.S.C. § 4102A(b)(5) and § 4102A(c), the Assistant Secretary for Veterans' Employment and Training (ASVET) makes grant funds available for use in each State to support Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) staff. As a condition to receive funding, 38 U.S.C. § 4102A(c)(2) requires States to submit an application for a grant that contains a State Plan narrative, which includes:*

**(a) How the state intends to provide employment, training, and job placement services to veterans and eligible persons under the JVSG program (i.e., virtually and in-person).**

- (1) **A walkthrough of how eligible participants access American Job Center (AJC) services, are triaged and referred for Disabled Veterans' Outreach Program (DVOP) services, and receive individualized career services through a case management framework.**

Participants seeking DLR JVSG services may initiate the process through various methods, including in-person, virtual, telephone, and DVOP outreach.

To ensure the delivery of employment services for eligible veterans and individuals, a non-JVSG staff member conducts a Veterans' Initial Assessment (Triage Form) to assess self-attestation eligibility for DVOP services. The Triage Form can be completed in person, virtually, or over the phone. If the participant qualifies for DVOP services and expresses interest in working with a DVOP, they are referred to a JVSG Disabled Veterans' Outreach Program (DVOP) specialist (or a Consolidated Position (CP) specialist with DVOP capabilities) for employment services. When a DVOP is unavailable, non-JVSG staff members will offer services to the eligible veteran or individual. The DVOP will promptly contact the veteran to initiate individualized career services.

The DVOP assists the eligible participant by utilizing the Objective Assessment process based on the 'Whole Person' concept to identify employment barriers. This assessment gives the participant and DVOP the opportunity to look at all potential barriers to employment and allow for communication. An agreement will be made between the participant and DVOP to identify which barriers inhibit employment and which barriers do not inhibit employment. Employment barriers that inhibit employment will be included in the employment plan.

The Employment Plan is designed to implement individualized career services in a case management process for the participant in which both the participant and DVOP agree upon the employment plan. Individualized career services can be different for each employment barrier. For example, individualized career services for a barrier such as homelessness would require more individualized career services and assistance to overcome this barrier than an employment barrier such as a service-connected veteran who desires employment with an employer that would require a minor job accommodation. Short-term and long-term goals and steps to complete the goals in a beneficial manner will be drawn up and the participant will have assigned tasks in the employment plan with expected completion time frames. The end goal is gainful employment, but the process can be short or long depending upon the needs of the participant. Assisting the veteran through various methods, including in-person, virtual, telephone meetings and email if needed. In-person meetings are best practice, when possible, in cases when there are numerous employment barriers that require extensive services to assist the participant.

In addition to the Objective Assessment and the Employment Plan, the DVOP or CP can also provide counseling

specifically designed to address veteran employment concerns, or in cases where unique employment barriers are presented, the DVOP or CP can partner with other supportive services such as Veterans' Affairs, VET Centers and other certified counselors. Also identified as an additional Individualized Career Service is Veteran Pre-employment Counseling where additional assessments and pre-employment training can be made part of the employment plan. And, since the Employment Plan is a living document in time, adjustments and additions can be made to the employment plan as needed.

Another very important part of the DVOP case management process involves the use of consistent contact to ensure the veteran is making progress in assigned employment plan tasks and that the DVOP can use consistent contact in helping the veteran stay on task and assist the veteran if there are problems or concerns. Consistent contact will be agreed upon by the veteran and DVOP and the DVOP will use the consistent contact policy throughout the entire case management process including after the veteran has obtained gainful employment.

(2) **How the DVOP works with AJC staff and partners to connect veterans and other eligible participants to training and employment opportunities.**

As mentioned in 1(a) above the DVOP will use various methods in providing services to JVSG eligible veterans.

- In-person, either at the Job Service Office the DVOP is assigned to, or the DVOP may travel to a location that is more convenient for the veteran. Some factors that may impact this as a necessary step could be for the following:
  - The veteran does not have transportation.
  - Lives in a remote location with limited or no access to the internet.
  - Veteran has limited resources and/or family support.
  - Veteran is skeptical of getting any assistance.
  - Places to meet in-person could include:
    - Public Library
    - County Courthouse
    - Church
    - Preferable location with access to wi-fi and internet.
    - Veteran's residence or location if not able to travel.
- Virtual, with this type of providing services veterans and the DVOP can communicate with visual resources to provide vital services and supportive services information.
- Email, this type of communication is very often utilized for quick updates and consistent contact to monitor progress on their employment plan.
- Texting, this type of communication is more dependent upon service plans of the veteran and possible costs associated with texting.
- Written letter to try and maintain contact if no other options are working.

The following is a list of job placement services that can be provided by DLR to aid the veteran or eligible person obtain or retain gainful employment:

- WIOA training programs that can be offered to an employer in a high demand field to promote the hiring of the veteran or eligible person. This can be accomplished by business outreach employer visits or use of virtual or other electronic means. The eligible veteran or person should also promote themselves to employers and provide DLR contact information for potential OJT and Apprenticeship Training.
- Work Opportunity Tax Credit.
- Remain in consistent contact with veteran or eligible person to ensure no additional barriers to seeking, accepting, or continuing employment has arisen and needs to be addressed.
- Stay in contact with all members of an Integrated Resource Team (IRT) for a DVOP case managed individual. IRT members can be other DLR programs WIOA, Registered Apprenticeship, Re-employment Assistance (unemployment insurance program) etc. Also included in the IRT could be

non-DLR agencies providing services such as such as homeless programs, food insecurity programs, assistance with counseling for specific barriers, etc.

- Referrals to supportive service agencies that offer needed assistance.
- Offering employers an opportunity to use DLR facilities to conduct interviews of veteran for employment.
- DVOP staff can directly contact employers and promote a veteran who has successfully completed their employment plan, or in cases where the veteran has not completed their employment plan and could use some additional assistance, the DVOP can discuss a Job Shadow or Work Experience opportunity with the employer.

(3) **How the Local Veterans' Employment Representatives (LVER) connect in the local employer community to promote job opportunities for veterans.**

JVSG Local Veterans Employment Representative (LVER) staff (or Consolidated Position (CP) staff who are also able to do LVER duties) can assist JVSG eligible veterans in different ways. Some examples include:

- LVER staff can assist the DVOP in placing a Job Ready veteran with an employer who meets the skill set of the employer and the preference of the veteran for type of employment.
- LVER staff know the employment needs of the geographical areas and can best promote that Job Ready JVSG eligible veteran to employers who are seeking skilled and job ready workers.
- LVER staff can coordinate with both DVOP staff and employers to sponsor AJC on-site Job Fairs for JVSG eligible veterans and Job Search outreach for employers to host open houses and interview opportunities for these veterans.
- LVER staff can also bridge the gap between JVSG eligible job ready veterans and employers as it pertains to understanding and utilizing the unique skills veterans have to offer their businesses.
  - This might also include assisting these employers with understanding the culture and work habits veterans possess as well as encouraging veteran mentoring programs.
- Most of the above examples would be of an in-person nature, however, there is always a possibility that an opportunity for virtual employment for an eligible veteran performing remote work could be presented to an employer and could involve both in-person and virtual communication between all parties to this process.

(b) **List the populations to be served by DVOP specialists and consolidated DVOP/LVER staff, including the eligibility criteria for referral to DVOP services.**

- (1) **All populations served by DVOPs must meet eligibility requirements in accordance with Veterans' Employment and Training Service guidance. Please refer to the following Veterans' Program Letters (VPL), or most current guidance to identify eligible populations to be served by this grant: VPL 03-14, VPL 03-14 Change 1, VPL 03-14 Change 2, VPL 03-19 and VPL 07-14.**

***Special Disabled Veteran***

A veteran who is entitled to compensation (or who, but for receipt of military retired pay, would be entitled to compensation) under laws administered by the Department of Veterans Affairs for a disability rated at 30 percent or more.

- A person who was discharged or released from active duty because of a service-connected disability.

***Disabled Veteran***

- A veteran who is entitled to compensation (or who, but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Department of Veterans Affairs.
- A person who was discharged or released from active duty because of a service-connected disability.
- A veteran who self-attests to a service-connected disability and has submitted a pending claim for compensation to the Veterans Administration.

***Recently Separated Veteran***

- An individual who has been separated from active duty within the last 36 months and has been

unemployed for at least 27 weeks in the past 12 months during this recently separated time period.

**Homeless Veteran** as defined by VPL 03-14 Change 2 or most recent guidance.

- An individual who served in the active military, naval, or air services, and who was discharged or released from such service under conditions other than dishonorable, and lacks a fixed, regular, and adequate nighttime residence. This definition includes any individual who has a primary nighttime residence that is publicly or privately-operated shelter for temporary accommodation, an institution providing temporary residence for individuals intended to be institutionalized; or a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings. Included in this homeless definition would be any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources to support networks to obtain other permanent housing. This definition does not include an individual imprisoned or detained under an Act of Congress or State law.

**Offender** as defined by WIOA Section 3 (38)

- An individual who is currently incarcerated or has been incarcerated.

**Education**

- A veteran who lacks a High School Diploma or equivalent certificate.

**Low Income** as defined by WIOA Section 3 (36)

The following are the current **Additional Populations** eligible to be served by DVOP specialists as Authorized by the U.S. Department of Labor Secretary:

**Young Veterans** as defined by VPL 03-19 or most current guidance.

- A veteran between the ages of 18-24.

**Vietnam-era Veterans** as defined by VPL 03-19 or most current guidance.

- Pursuant to 38 U.S.C. 4211, the term "Veteran of the Vietnam Era" is an eligible veteran any part of whose active military, naval, or air service was during the Vietnam era. 38 U.S.C. 101(29) defines "Vietnam-era" to mean the period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and the period beginning August 5, 1964, and ending on May 7, 1975, in all other cases.

**Transitioning Service Member** as defined by VPL 07-14 or most current guidance and meets one of the following:

- Transitioning Service Members who have been identified as in need of Individualized Career Services because they were assessed as not meeting Career Readiness Standards by the base commander.
- Transitioning Service Members who are between the ages of 18-24 years of age.
- Active duty service members being involuntarily separated through a service reduction.

**Wounded, ill, or injured** as defined by VPL 03-19 or most current guidance.

- Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units.
- The spouses or family care givers of such wounded, ill, or injured members.
  - **Note:** For purposes of the authority in the Consolidated Appropriations Act, caregivers support members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military units, rather than veterans.

(2) **Veterans' Affairs Vocational Readiness and Employment Chapter 31 Job Ready Referral for DVOP employment services:**

Chapter 31 veteran who has completed VA Vocational Readiness and Employment (VR&E) training and has been referred to DLR for DVOP gainful employment services. **Note:** Because VR&E uses different criteria in assisting service-connected disabled veterans the DLR Triage process is used to ensure this veteran meets the eligible status for JVSG DVOP assistance with employment services.

(3) **Homeless Veterans' Reintegration Program (HVRP):**

HVRP is a VETS grant program that the current grantees (Volunteers of America – Dakota in Sioux Falls, and Volunteers of America Northern Rockies, located in Rapid City) have a partnership with DLR to have their homeless veterans co-enrolled with services through DLR. **Note:** Because HVRP uses different criteria in assisting homeless veterans, the DLR Triage process is used to ensure these homeless veteran referrals from HVRP meet JVSG eligibility for DVOP services.

**(c) Describe the roles and responsibilities of DVOP specialists, LVER staff, and consolidated DVOP/LVER positions by the state. These must be consistent with 38 U.S.C. § 4103A and 4104.**

(1) **The duties of DVOP specialists are listed below:**

- Provision of Career Readiness (Individualized Career Services) services to eligible veterans and eligible persons using a case management process including the Objective Assessment, documented plan of action to include an Employment Plan and Consistent Contact. Individualized Career Services (ICS) could include counseling and career/vocational guidance, referral of veterans to job focused and outcome-driven training or certification, job development, and other duties that may apply.
- Facilitate placements to meet the employment needs of veterans, prioritizing services to categories of eligible veterans and eligible persons in accordance with priorities determined by the U.S. Secretary of Labor.
- Review all open case files of current participants with a SBE or other authorized priority category and perform case management duties.
- Conduct relationship building, outreach and recruitment activities with other service providers in the local area, to enroll eligible veterans and eligible spouses, with a SBE and other authorized category populations in the local office. Some examples of outreach include:
  - County Veterans Service Officers
  - Tribal Veterans Service Officers
  - WIOA partners
  - County Detention Centers
  - Vet Centers
  - Veteran Stand Downs
  - Yellow Ribbon events
  - Salvation Army, Goodwill, Red Cross, Volunteers of America
  - Parole and Probation Officers
  - Homeless Shelters
  - Food Pantries
  - Churches
  - Veterans Service organizations
  - Native American Reservations
- Host wrap-around service events to help connect customers to service providers.
- Host Integrated Resource Team (IRT) meetings with relevant partner agencies who can assist the JVSG customer.
- Coordinate with other service providers the JVSG eligible participant with, including unemployment insurance, Vocational Rehabilitation, training providers, etc.
- Hold individual or group employment workshops for JVSG eligible customers, identify and assist in

obtaining accommodation needs for success.

- Develop employment opportunities for JVSG eligible customers by connecting with employers on behalf of a *specific* veteran and working with the LVER and Business staff who already have relationships with employers.
- Make referrals to partner agencies when appropriate to assist JVSG eligible customers in overcoming employment barriers.
- Build relationships with JVSG participants and conduct consistent contact with them to ensure needs are being met. The DVOP should not simply serve eligible veterans as they walk in the door. Rather, provide case management services for hard to serve individuals who need consistent contact and encouragement to stay focused on their goals.
- Utilize assessment results to develop short-term and long-term goals helping a JVSG eligible customer overcome barriers, improve skill sets, and obtain gainful employment.
- Complete SDWORKS data entry, including services provided, fiscal entry, forms uploaded and documented case notes.
- Provide a Wagner-Peyser Title III Initial Assessment (not a JVSG eligibility assessment Triage form) WIOA Title I Objective Assessment, and/or RES Eligible and Available to Work assessment.
- A DLR DVOP specialist will support and maintain a broad knowledge of all DLR workforce programs that can benefit eligible customers, this includes receiving training and learn internal policies and procedures as it relates to other programs that their eligible customer may benefit from.
- Provide information on the Job Service Office Quarterly Veterans' Services Report to their supervisor who forwards it to the JVSG Program Coordinator.
- DLR has established the following guidance pertaining to Consistent Contact for DVOP staff:
  - During the active case management process of the employment plan, the DVOP and veterans should have in place a process of consistent contact communication to measure the progress of overcoming employment barriers. Consistent contact can be any method which the veteran and DVOP both agree is suitable. However, periodic in-person meeting with the veteran would be a best practice, especially if the veteran is having difficulty in overcoming an employment barrier.
  - Frequency of consistent contact and communication with the case managed individual will depend on their circumstances and barriers. For example, a DVOP will need to follow-up more frequently with a homeless veteran to ensure the basic needs of the individual are met.
  - Maintain contact with the veteran at least every other week while in active case management, or more if necessary. Consistent contacts will be documented, and the next contact appointment will be placed on the scheduler such as SDWORKS or Outlook Calendar. Progress will be noted in a consistent contact case note as well as indicating the next scheduled contact. Also note if any changes have been made or will be made to the employment plan.
  - Failure to deviate or delay consistent contact with the veteran in an ongoing, positive, and agreed upon progression could put the veteran and the employment plan at greater risk of failure.
  - Keep track of important dates of the employment plan and check with the veteran to ensure that veteran is on track to complete the steps necessary for addressing each employment barrier of the plan.
  - Once the veteran has successfully completed all employment barriers and has obtained gainful employment, the DVOP will continue to do consistent contacts once a month for two (2) months to ensure that the employment is progressing in a positive manner. If any concerns arise during these consistent contacts the DVOP has an opportunity to reach out to the veteran and employer to discuss a proper course of action and resources that can be incorporated to result in a positive direction for both the veteran and employer.

**Note:** If the DVOP is not able to make contact with the veteran during the active case management period, the DVOP will need to document bi-weekly contact attempts within the course of two months. It is very important that the DVOP document the method of contact attempts and the results of the contact. The DVOP will also

notify their supervisor of this situation. If unable to make contact with the veteran after the above described time period, the DVOP can discontinue these outreach contact attempts. If the DVOP is contacted by the veteran again later, the DVOP will need to ensure that the veteran is still eligible for DVOP services before continuing to provide additional services.

(2) **The duties of the LVER staff are listed below:**

- Advocate for all veterans served by the AJC with business, industry, and other community-based organizations by participating in appropriate activities.
- Build the capacity of AJC staff to more effectively serve veteran customers.
- Provide information to JVSG staff on veterans' employment, training and placement services and updates AJC staff on initiatives.
- Participate in AJC staff meetings or cross-training opportunities.
- Conduct outreach to employers including seminars for employers and by working with employers, will conduct job search job search workshops and establish job search groups.
- Will plan and participate in job and career fairs.
- Coordinate with unions, apprenticeship programs and businesses or business organizations to promote and secure employment and training programs for veterans, as well as coordinate and participate with other business outreach efforts.
- Inform federal contractors of the process to recruit qualified veterans.
- Promote credentialing and licensing opportunities for veterans.
- Facilitate employment, training and placement services within the state's employment service delivery system, ensuring easier access to the appropriate employment and training services for job seeking veterans.
- Be part of the business outreach team.
- Educate local office partner staff with current initiatives and programs for veterans.
- Provide information on the Job Service Office Quarterly Veterans' Services Report to their supervisor who forwards it to the JVSG Program Coordinator.
- Promote the advantages of hiring veterans to employers, employer associations, and business groups.
- Educate Businesses on:
  - Veteran's workforce needs. Help them become more veteran friendly and veteran ready by understanding the culture and language of veterans.
  - Recruiting, hiring, and retaining veteran's strategies and initiatives.
- Assist DLR staff with:
  - Finding all veterans job placement opportunities by working in tandem with any Employment Specialist. LVER duties allow for the opportunity to assist in the placement of any veteran, not just SBE veterans. Work with DVOP specialists in helping promote and place job ready veterans.
- Assist Employers with:
  - Building the capacity for hiring veterans, such as reviewing application forms, implementing veteran's priority, or providing accommodations.
  - Creating and implementing initiatives to be eligible for the HIRE Vets Medallion Award program and assisting eligible employers with applying for this award program.

(3) **The duties of the Consolidated Position (CP) are adhered to in accordance with current guidance.**

- A Consolidated Position is a full-time JVSG position for a single person to perform both DVOP and LVER duties. CP duties are listed above in 1(c) and 2(c).
- Unlike a stand-alone DVOP or LVER position as mentioned above, the CP **is not** restricted to having to their CP duties evenly performed such as reporting 50% to each portion of the CP job duties. The CP uses their ability to perform their job duties in the areas which best assist veterans and employers to the greatest extent.

- **Note:** As of this writing DLR does not have any stand-alone DVOP or LVER staff. DLR currently has four (CP) full-time staff. There is one (1) full-time CP in Aberdeen, one (1) full-time CP in Sioux Falls, and there are two (2) full-time CP staff in Rapid City.

**(d) Demonstrate the manner in which DVOP, LVER, and consolidated DVOP/LVER staff are integrated into the state’s employment service delivery system, i.e., AJCs. This demonstration should show active engagement between JVSG and other AJC staff, such as through participation in staff meetings and cross-training opportunities.**

- (1) LVERs and business service teams collaborating to reach out to employers to present information on all programs to avoid duplicative visits.

Since South Dakota DLR only has Consolidated Positions the DVOP portion of how the CP is integrated into the state’s employment delivery system will be discussed in section 1(d).

- The DVOP duties of the CP are integrated within the DLR local offices (AJC’s) where applicable and these assigned duties do not interfere with the assigned responsibilities of non-JVSG staff.
- CP staff are expected to learn about the various services and programs non-JVSG staff work with so that the best services available and co-enrollment into one or more DLR programs can be completed. Conversely, non-JVSG staff are provided information on how the DVOP assists eligible veterans or eligible persons and how these services are conducted. This makes for the possibility of an Integrated Resource Team (IRT) in assisting a JVSG eligible veteran or person.
- The CP utilizing the DVOP function of their position can integrate more fully into the DLR Job Service by providing the following assistance to their co-workers:
  - Answering questions that coworker staff have about the Triage Form when they are assessing a veteran for DVOP referral status.
  - Providing coworkers with additional veteran resources even if the veteran is not eligible for DVOP services.
  - Attend training of other DLR services that will allow the CP to expand their resource list of additional services for eligible veterans and eligible persons. Examples of this would be:
    - DVOP duties include being trained in WIOA to provide greater services to the veterans they are working with. This has been met with great success. Assisting veterans with co-enrolling into WIOA.
    - Being crossed trained in Re-employment assistance (unemployment insurance) to better assist and coordinate services for the veterans they are working with.
  - Provide information to DLR coworkers at staff meetings and answer questions on DVOP services and how to coordinate other DLR programs through an IRT process among co-enrollment programs. Examples of this would include:
    - Assisting non-JVSG staff with information on how best to understand veterans, their military culture and background, how to promote their program to veterans that are co-enrolled in other DLR supportive service programs or training programs.
    - Allow for the CP to maintain close IRT contact with a DLR co-worker having a difficult time in getting a JVSG eligible veteran to open-up or buy-in to the services which they are promoting to this co-enrolled veteran in another DLR program.
  - As part of a JVSG Territory Coverage Area, Job Service Offices that do not have in-office JVSG staff can reach out to the CP of the coverage area and have DVOP services provided to an eligible veteran or eligible person who is requesting DVOP services. A best practice in these types of cases is for both the Job Service Office staff and the CP provide services to give the participant the best possible outcome. This is a very favorable IRT situation.
  - To foster the best communication and assistance to eligible veterans, the CP needs to find time to visit all the Job Service Offices within their total coverage area. In-person visits would be best but because of tighter budgets and distances involved, virtual meetings will also be viable.

(2) **LVERs working with Workforce Innovation and Opportunity Act (WIOA) case managers to create job opportunities for veterans being case managed and trained through other WIOA one-stop partner programs.**

Since South Dakota DLR only has Consolidated Positions, the LVER portion of how the CP is integrated into the state's employment delivery system will be discussed in Section 2(d).

- The LVER duties for the CP are integrated into the DLR Job Service Offices (AJC's) where applicable. All CP staff have assigned territories to ensure there is coverage for the entire state. Job Service Offices without CP staff can reach out to the CP assigned to their area. Examples of what the CP can provide to the AJC's is defined below:
  - Since the LVER focuses on the business side of hiring veterans, the CP is part of the local office business outreach team and assists the AJC's in promoting and hiring of veterans. Unlike the DVOP duties of the CP, the LVER duties allow for the CP to promote the hiring of all veterans, regardless of whether the veterans are JVSG eligible.
  - CP staff are also part of the Business Employment Services Team (BEST) that has business outreach representative members from DLR Job Service Offices and keeps in contact with all members for information and best practices. Arrangements were made to have The Dallas VETS Regional Office provide training to all BEST members on the promoting and hiring of veterans to employers.
  - The CP will speak to employers as part of a business team group of DLR staff where many important services and programs are presented to the employer. The CP will help ensure that no duplicative contact with the employer will happen as the CP will arrange with the business services team a plan that provides the employer/business with the best possible services and coordination of contact.
  - Because the CP is very closely involved with the WIOA process of the Job Service Offices, information on training programs and other WIOA services are given additional exposure to businesses seeking to hire veterans.
  - The LVER portion of the CP also provides training on veteran services and veteran tendencies to the Job Service Office staff and assists in providing DLR staff with new or updated veteran hiring initiatives.
  - The LVER can assist all non-JVSG staff by promoting the veterans they are assisting to employers
  - The CP also helps in planning and participating in veteran job fairs, non-veteran local office sponsored job fairs to promote the hiring of veterans and offering the use of DLR Job Service Office facilities for businesses in seeking and interviewing veterans for employment.

**Note:** CP staff are encouraged to use all manner of communication with their non-JVSG co-workers in the exchange of information and initiatives regarding veterans and employers. DLR has recognized the significance of having all Job Service Office staff learn some background on the different programs offered by DLR. Because no one will become an expert in all programs offered through DLR, having open communication and information available between JVSG staff and their co-workers will foster a greater opportunity for success as it relates to those seeking DLR services. This cross training and exchange of information has involved:

- VETS
- Staff meetings
- Workforce Memos on updates to training and guidance
- Teams meetings and Teams training sessions
- In-person meetings with DLR staff at different Job Service Offices within the CP coverage area
- One on one training as needed

(e) **Describe the state's performance incentive award program to encourage individuals and employment services to improve and/or achieve excellence in the provision of services to veterans, including:**

(1) **The nomination and selection process for all performance incentive awards to individuals and employment service offices:**

**Incentive Eligibility:** Individuals eligible for the incentive award include DLR staff members who provide direct employment, training, and placement services to veterans through the Wagner-Peyser, WIOA Title 1, and JVSG programs.

- Through the incentive award, DLR hopes to increase DLR staff on creative, innovative, and exemplary efforts to assist veterans with their employment and goals.
  - **Note:** Labor Program Specialists, including the JVSG State Program Coordinator, Job Service Office Managers, and Directors are not eligible recipients of this award.

***Nominating a DLR individual for an incentive award:***

- Any DLR staff member in the following divisions can nominate an individual(s) for an incentive award: Field Operations, Administrative Services, Policy and Public Affairs, Technology Development, and Workforce Development.
- DLR staff members who nominate an individual(s) for an incentive award will use a separate nomination form for each individual nominated. The nomination form will be available on an internal DLR Field Operations SharePoint page.
- A nomination should include a description and examples of one or more of the selection criteria for the most recently completed program year.
  - **Note:** The JVSG Program Coordinator may nominate a staff member(s) if there are insufficient amounts of nominations received prior to the deadline for submitting nominations to the Selection Committee.

**Note:** The time deadline for DLR staff to submit nominations for the incentive award begins July 15<sup>th</sup> and ends August 15<sup>th</sup> of each year.

***Selection Criteria for an incentive award includes:***

SDDLDR will select individuals by utilizing the following criteria based on performance and activities during the most recently completed program year (July 1 through June 30 for which the award is given).

- A DLR staff member who provides outstanding and supportive case management techniques, creative and engaging service delivery; and/or
- A DLR staff member who provides coordination and collaboration in the development of strong partnerships to benefit veterans; and/or
- A DLR staff member who has demonstrated positive engagement with the business community to increase and develop employment opportunities for veterans; and/or
- A DLR staff member who strongly promotes the HIRE Vets Medallion Program.

All nominated individuals for incentive award consideration are submitted for consideration to the selection committee.

**Note:** Nominations for the incentive award will be reviewed August 16th through August 31st by the Selection Committee.

**Note:** JVSG staff will only be allowed to perform the appropriate statutorily defined roles and responsibilities as outlined in current VETS guidance.

***Selection Committee:***

The selection committee is comprised of the South Dakota Secretary of Labor and Regulation, Workforce Development Director (JVSG Administrator), and Field Operations Director. The Workforce Development Director and Field Operations Director will make a recommendation to the DLR Cabinet Secretary who will have final approval.

**Note:** The South Dakota Secretary of Labor and Regulation retains total discretion both to the fact of an award and as to the amount and/or nature of an award, if any, is determined by the Secretary without prior promise or agreement. The individual nominated for an incentive award has no contract right, expressed or implied, to any award; (and) The award is not paid pursuant to any prior contract, agreement, or promise.

**Note:** Incentive awards approved by the Selection Committee must be obligated by September 30<sup>th</sup> each year. For this reason, incentive awards will be announced prior to September 23<sup>rd</sup> pay period ending each year.

(2) **The approximate number and value of cash awards using the one-percent incentive award allocation:**

- DLR does not provide non-cash awards and administers the disbursement of funds.
- Based on the JVSG funding award total, DLR will administer the incentive award funds and disperse approximately \$5,000 in cash awards with four levels of awards.

Award Level	Award Amount	Number of Awards
Platinum	\$1,200	one (1) award
Gold	\$800	two (2) awards
Silver	\$500	three (3) awards
Bronze	No less than \$150 (not to exceed \$300)	Provided to remainder of award recipients based on remaining funding.

(3) **The general nature and approximate value of non-cash performance incentive awards to be charged to the base allocation; and**

DLR will not be using non-cash performance incentive awards.

(4) **Any challenges the state may anticipate in carrying out a performance incentive award program as mandated by 38 U.S.C. § 4102A(c). This should include any state’s laws or policies that prohibit such awards, if applicable. Describe the state’s efforts in overcoming those challenges.**

DLR is allowed to utilize the cash award payments of the incentive award program.

**(f) List the performance targets for direct services to veterans provided by JVSG staff, as measured by participants’:**

- Employment Rate 2<sup>nd</sup> Quarter After Exit                      59%
- Employment Rate 4<sup>th</sup> Quarter After Exit                      51%
- Median Earnings 2<sup>nd</sup> Quarter After Exit                      \$6,400

## Senior Community Service Employment Program

(OMB Control No. 1205-0040)

### (a) Economic Projections and Impact

- (1) **Discuss long-term projections for jobs in industries and occupations in the State that may provide employment opportunities for older workers.** (20 CFR 641.302(d))(May alternatively be discussed in the economic analysis section of strategic plan.)

Economic projections are included in the economic analysis section of this strategic plan.

- (2) **Discuss how the long-term job projections discussed in the economic analysis section of strategic plan relate to the types of unsubsidized jobs for which SCSEP participants will be trained and the types of skill training to be provided.** (20 CFR 641.302(d))

Based on the goals of SCSEP—to foster individual economic self-sufficiency and promote useful opportunities in community service activities—and given demographics, desires, and barriers faced by the eligible population one must carefully determine what best meets the individuals’ needs. Sometimes a part-time position to supplement retirement/social security income is all that is desired/needed to foster individual economic self-sufficiency.

Currently, office work, customer service, and retail are the most common types of SCSEP training opportunities. South Dakota SCSEP will work towards aligning the training with the top job openings in the state as referenced in the economic analysis section of this plan.

- (3) **Discuss current and projected employment opportunities in the State** (such as by providing information available under §15 of the Wagner-Peyser Act (29 U.S.C. 491-2) by occupation), and the types of skills possessed by eligible individuals. (20 CFR641.325(c))

The current and projected employment opportunities in South Dakota are discussed in further detail in the economic analysis section of the strategic plan portion of the South Dakota Combined State Plan.

The table below features the 10 occupations projected to grow the fastest. Fastest growing occupations are defined as occupations with the highest percent change of employment between 2018 and 2028. It should be noted that “fastest-growing” does not necessarily mean the newest jobs. Projected annual demand is a more complete indicator of the future outlook for occupations since it also includes demand created by the need to replace workers who will switch to other occupations or leave the labor force entirely.

South Dakota Occupations with Greatest Projected Annual Demand 2020 to 2030				
Occupational Title	2020 Employment	2030 Employment	Change 2020 to	Annual Demand
<b>Total, All Occupations</b>	<b>483,893</b>	<b>525,014</b>	<b>41,121</b>	<b>59,880</b>
Fast Food and Counter Workers	12,000	13,531	1,531	2,741
Retail Salespersons	13,369	14,297	928	2,009
Cashiers	10,920	11,083	163	2,005
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	9,068	10,071	1,003	1,368
Stockers and Order Fillers	7,682	8,663	981	1,360
Waiters and Waitresses	5,727	6,568	841	1,269
Bookkeeping, Accounting, and Auditing Clerks	10,877	11,026	149	1,216
Customer Service Representatives	8,715	8,921	206	1,128
Heavy and Tractor-Trailer Truck Drivers	7,700	8,392	692	945
Registered Nurses	13,436	15,046	1,610	899

Source: Labor Market Information Center, South Dakota Department of Labor and Regulation, August 2023.

## (b) Service Delivery and Coordination

(1) **A description of actions to coordinate SCSEP with other programs.** *This may alternatively be discussed in the State strategies section of the strategic plan, but regardless of placement in document, must include:*

(A) **Planned actions to coordinate activities of SCSEP grantees with WIOA title I programs, including plans for using the WIOA one-stop delivery system and its partners to serve individuals aged 55 and older.** (20 CFR 641.302(g), 641.325(e))

DLR administers SCSEP, Wagner-Peyser Title III, and the Workforce Innovation and Opportunity Act (WIOA) Title I grants in job service offices located across the state. These programs are co-located in each office and share similar beliefs and overall mission of leading job seekers to sustainable employment.

Since December 2018, it has become a requirement that all individuals, whether deemed eligible or ineligible for SCSEP, must also be co-enrolled into both Title I and III upon applying for SCSEP. To assist in this coordination, SCSEP participants are registered for the SDWORKS management information system allowing them access to job openings as they search for unsubsidized employment. Enrollment in WIOA Title I also expands access to additional support services or skills training.

Coordination with WIOA Title IV, or Vocational Rehabilitation, is made easier by having the South Dakota Department of Human Service (DHS) offices co-located in most of the DLR job service offices. In South Dakota, Title IV is not administered by DLR but by DHS, a partnership between the agencies allows the grantee to ensure the most-in-need participants are being served effectively and remain sensitive to possible disabilities. Vocational Rehabilitation makes referrals and guides possible applicants to DLR. If the applicant is eligible for the program, DLR and DHS staff work together for effective case management (determination of need, possible employment opportunities, possible objectives for the employment plan).

One-Stop Career Center partners are instrumental in SCSEP recruitment efforts for both participants, possible employers, and host agencies. Each staff member understands the purpose and eligibility requirements of SCSEP, watches for potential applicants, and distributes a SCSEP application packet to all interested individuals. Employer rack cards are available to potential host agencies and organizations and flyers are used to recruit participants. Additionally, DLR staff speak with rural organizations about SCSEP services to garner potential host agencies.

(B) **Planned actions to coordinate activities of SCSEP grantees with the activities being carried out in the State under the other titles of the Older Americans Act (OAA).** (20 CFR 641.302(h))

SCSEP is represented in the state's American Job Center Memorandum of Understanding, which represents all workforce programs of the One-Stop System in South Dakota. Coordination with all partners takes place at both the local level with partner meetings that take place at least quarterly, with informal communication taking place as needed. At the state level, partner meetings occur at least annually starting in 2022. With the enrollment of SCSEP participants in WIOA Title III, the Wagner-Peyser program provides basic career services. These basic services increase the participant's confidence and give them guidance in finding a job. Examples of such services are basic computer classes, employment search techniques, resume development, job referrals, job search assistance, and access to the job order database. In addition, the WIOA Title I Adult program offers mock interviews, support services, and training services. SCSEP participants are referred to WIOA Title IV Vocational Rehabilitation based on needs identified through the assessment and case management process.

The South Dakota SCSEP grantee will continue its partnership with the following list of organizations and state agencies under the Older Americans Act (OAA) to help older workers:

- **Long Term Services and Supports** – This division is the equivalent of Adult Services and Aging (includes Title III of the OAA Amendments).
- **Information and referrals** to Adult Protective Services, Senior Health Information and Insurance Education (SHIINE), Crime Victims Compensation, Domestic Abuse Program, Assistive Devices, RX Access, and Adult Foster Care, Lutheran Social Services, HUD, domestic abuse, mental health counseling, and consumer credit counseling

- **Community Action Programs** – HUD, USDA Rural Housing, elder nutrition programs, public transit program, Corporation for National and Community Service, AmeriCorps, Learn and Serve America, National Senior Service Corps (NSSC), Foster Grandparent Program (FGP), Senior Companion Program, Retired & Senior Volunteer Program (RSVP) Transportation Advisory Councils Ticket to Work, National SCSEP Grantee, Center for Active Generations, Meals on Wheels, Adult Day Services, etc.

*(C) Planned actions to coordinate SCSEP with other private and public entities and programs that provide services to older Americans, such as community and faith-based organizations, transportation programs, and programs for those with special needs or disabilities. (20 CFR 641.302(i))*

SCSEP service providers will continue to work with host agencies and employers to develop reasonable accommodations for those with disabilities and/or special needs to work and be successful in the SCSEP training assignment or unsubsidized job placement following training. DLR staff are trained to educate and encourage employers to access untapped labor pools for recruitment needs and will also provide technical assistance to employers about ADA (Americans with Disabilities Act) requirements and available tax credits through the Work Opportunity Tax Credit (WOTC) program. There have been many years of coordination between the DHS, State Services for the Blind (SBVI), and veteran services for referrals and service provision to help older South Dakotans succeed in the job market. Continued referrals between DLR and these respective organizations will continue. The Ticket-to-Work program is a possible avenue for disabled participants to receive job search help through Vocational Rehabilitation. This program has not been widely utilized for SCSEP participants on Social Security Disability Insurance (SSDI) previously. DLR will work to train staff about this possible opportunity within Vocational Rehabilitation. A possible avenue for further program coordination is with WIOA Title II Adult Education and Literacy (AEL) would be referrals of adults over the age of 55 years who are pursuing their GED and who do experience a disability. If eligibility and a benefit from a Work Experience are determined, AEL could refer these clients during the period of GED prep work or after the GED was obtained. SCSEP receives referrals from the VA Black Hills Health Care System. These referrals are typically veterans living in the homeless shelter who have disabilities. More coordination will be done for homeless shelters around the state, like the current relationship that is fostered with the VA Health Care System. Financial planning and assistance coordination will be done with Salvation Army and senior centers. The SCSEP providers will coordinate low-income housing, nutritional assistance, and medical care service programs alongside the Adult Services and Aging program throughout the state.

*(D) Planned actions to coordinate SCSEP with other labor market and job training initiatives. (20 CFR 641.302(j))*

SCSEP performance measures are determined by unsubsidized employment placement and retention, DLR will remain current on state employment and training opportunities determined by the LMIC. The state grantee SCSEP program coordinator will continue to research national and state industry trends by reaching out to LMIC and attending any Bureau of Labor Statistics webinars focusing on employment projection topics. To place SCSEP participants into employment, program administrators must stay prepared for the changing workforce requirements and trends to identify targeted training needs related to available jobs. For the state grantee, the SCSEP Coordinator is also able to work with the Title I program coordinator about training approaches that work specifically for older workers. One example is the Family First Initiative, which focuses on developing the family, work, and life balance to support efforts to engage individuals in the workforce. Under this initiative, DLR receives money to pay for participant attendance at “Bring Your ‘A’ Game” (BYAG) courses, which focus on soft skills needed to succeed in a work environment and keep your employer satisfied with job performance. Other courses offered include financial literacy and digital safety. All of these courses are available to SCSEP participants.

*(E) Actions to ensure that SCSEP is an active partner in the one-stop delivery system and the steps the State will take to encourage and improve coordination with the one-stop delivery system. (20 CFR 641.335)*

The South Dakota Department of Labor and Regulation administers the SCSEP grant while also overseeing the Workforce Innovation and Opportunity Act (WIOA) Title III and Title I programs. One-Stop partnerships continue to remain instrumental in recruitment efforts; every staff member within a One-Stop Center is aware of SCSEP’s presence and understands basic program knowledge to relay to interested clients. Also, state grantee employees work with WIOA programs and have access to employers who have participated with WIOA programs to use as host agency sites. On a business outreach visit, specialists in the One-Stop Center speak to employers about SCSEP as a possible program outlet

for training and recruitment. Even in a county where the state grantee does not manage the SCSEP program, specialists know to refer SCSEP applicants to the national grantees, NICOA. DLR Labor Program Specialists oversee the majority of the programs offered through the One-Stop Delivery System. These team members make up the DLR’s Workforce Development Division. Coordination of programs occurs regularly and is supported through policy memos, which include guidance, to the Job Service Offices. In addition, One Stop Partner collaboration occurs at least quarterly at the local level. At the state level, coordination between required program leaders happens frequently. In 2022, all partners are being invited to the first WIOA Partner Symposium. Every SCSEP applicant the state grantee receives is enrolled into both Wagner-Peyser Title III and the WIOA Title I Adult program. Once an applicant receives an eligibility determination and a host agency placement for their work experience, the SCSEP participant continues to receive WIOA services while training at their worksite. SCSEP Policy and a SCSEP guide were released in November 2021, streamlining the co-enrollment process for better alignment for both Title I and SCSEP requirements; this will be a continuous project that requires ongoing staff training.

**(F) Efforts to work with local economic development offices in rural locations.**

As a rural state, South Dakota’s workforce system is designed to succeed in rural locations. In partnership with DLR’s Business Services Team, the grantee will continue to prioritize partnership development with rural economic development offices to promote the hiring of older workers as one piece to the workforce challenges they face.

**(2) The State’s long-term strategy for engaging employers to develop and promote opportunities for the placement of SCSEP participants in unsubsidized employment. (20 CFR 641.302(e)) (May alternatively be discussed in the State strategies section of strategic plan.)**

Local offices make every effort to establish rapport with employers who offer reliable career pathways and are willing to develop and maintain a working partnership. One of the current DLR priorities is to focus on business engagement strategies and service delivery to the state’s businesses. Training that focuses on approaching business needs in a needs assessment and consultative approach is in current development and will be delivered to specialists in One-Stop Centers, including SCSEP specialists.

Once an employer’s needs are determined, staff promote the skills and competencies of SCSEP participants as viable workers who will add value to the business. To assist employers in rethinking their hiring strategies employers are presented information on the value of hiring workers who are 50 years old and older. The data demonstrates older workers have higher levels of engagement, commitment, stability, productivity, experience, and problem-solving skills. Older workers are also a critical component of a multigenerational workforce often becoming mentors to younger generations.

South Dakota employers are accustomed to employing older workers. The labor force participation rate for those 65 and older in South Dakota is 25.2%, considerably higher than nationwide where the rate is 19.2%.

<b>2022 Annual Average Labor Force Participation Rates by Age</b>							
	Total	16-24	25-34	35-44	45-54	55-64	65+
United States	62.2	55.6	83.1	83.0	81.1	65.2	19.2
South Dakota	68.2	68.4	88.9	88.4	90.5	77.4	25.2
<i>Source: U.S Bureau of Labor Statistics, Current Population Survey</i>							

**(3) The State’s long-term strategy for serving minority older individuals under SCSEP. (20CFR 641.302 (c))**

According to the 2020 US Census Bureau, South Dakota’s population is 886,667 people. Out of 886,667 people; White alone 61.6%; Black alone 12.4%; Hispanic 18.7%; Asian alone 6%; American Indian and Alaska Native alone 1.1%; Native Hawaiian and Other Pacific Islander alone 0.2%; Some Other Race alone 8.4%; Two or More Races 10.2%. South Dakota

has slots located in the following reservation counties: Oglala Lakota, Charles Mix, Roberts, Bennett, and Lyman County. Given this information, SCSEP Employment Specialists travel to and conduct additional participant and host site outreach in these counties. Recurring office hours are held in locations elders may already be visiting, such as the Department of Social Services and the Senior Centers. The State has concurrent efforts to increase broadband access and digital literacy. Increased connectivity in these remote and under-resourced areas will improve virtual service access for interested and current SCSEP participants, while decreasing travel time and costs.

- (4) **A list of community services that are needed and the places where these services are most needed.** *Specifically, the plan must address the needs and location of those individuals most in need of community services and the groups working to meet their needs. (20 CFR 641.330)*

SCSEP specialists provide direct linkage to service providers to assist their participants facing various challenges. Through the network of One-Stop Centers in the state, the SCSEP specialists have access to a wide range of community resources available throughout South Dakota. Community service needs addressed through SCSEP includes educational activities, transportation services, environmental quality, health care, housing, cultural and recreational services, as well as senior services such as nutrition sites, outreach, and referral.

- (5) **The State's long-term strategy to improve SCSEP services,** *including planned long-term changes to the design of the program within the State, and planned changes in the use of SCSEP grantees and program operators to better achieve the goals of the program. This may include recommendations to the Department as appropriate. (20 CFR 641.302(k))*

This year SCSEP adjusted its service and staffing strategy. Instead of having a team of six Employment Specialists spend a fraction of their time dedicated to SCSEP, DLR implemented a regional model where two Employment Specialists focus on serving and recruiting SCSEP participants and developing partnerships with community service organizations and nonprofits. This adjustment has contributed to a 50% increase in SCSEP enrollments from PY21. Program improvement over the next four years will increasingly focus on strategic public-private partnership development, increasing enrollments, and streamlining internal processes.

- (6) **The State's strategy for continuous improvement in the level of performance for SCSEP participants' entry into unsubsidized employment,** *and to achieve, at a minimum, the levels specified in OAA Section 513(a)(2)(E)(ii). (20 CFR 641.302(f))*

The State will work towards continuous improvement in the following ways:

1. Strengthen assessments of participant skills, knowledge, interests, and aptitudes and define career objectives that are relevant for the participant's interests and abilities and local business needs.
2. Identify employers that have successfully hired participants, are seeking older workers based on input from the Workforce Development Council and business organizations and are identified in labor market information.
3. Publicize the success stories of former participants during the National Employ Older Worker Week.
4. Remind participants and host agencies during orientations and throughout the training that SCSEP is a temporary training program and not an employment program.
5. Coordinate with other programs such as the Work Opportunity Tax Credit and to help participant employment rate by highlighting the benefits of hiring a SCSEP participant.
6. Practice diligence in data entry to ensure accurate outcomes are reported.

### **(c) Location and Population Served, including Equitable Distribution**

- (1) **A description of the localities and populations for which projects of the type authorized by Title V are most needed.** *(20 CFR 641.325 (d))*

The US DOL/ETA ensures that the provision of SCSEP services is equitable within South Dakota through an equitable distribution plan. In accordance with the Older Americans Act (OAA), USDOL/ETA uses census data by county and annual program appropriations to calculate the allocation of authorized positions for each county in the State. The number of authorized positions is proportional to the number of eligible people in the county compared to the eligible state population. Reservation counties and the state's rural counties are most in need of SCSEP services. See below for a table of all related counties and the largest cities located within the respective county.

- (2) **List the cities and counties where the project will be conducted.** Include the number of SCSEP authorized positions and indicate where the positions changed from the prior year.

<b>County</b>	<b>Authorized Positions</b>	<b>Modified Positions</b>	<b>Allocation Changes</b>
Bennett	1	1	No change.
Brookings	2	1	No change.
Brown	2	1	No change.
Butte	2	1	No change.
Charles Mix	4	3	No change.
Codington	2	1	No change.
Davison	1	1	No change.
Day	1	1	No change.
Edmunds	1	1	No change.
Fall River	1	1	No change.
Grant	1	1	No change.
Gregory	1	1	No change.
Hand	2	1	No change.
Hughes	1	1	No change.
Hutchinson	1	1	No change.
Kingsbury	1	1	No change.
Lake	2	1	No change.
Lawrence	2	1	No change.
Lincoln	2	1	No change.
Lyman	1	1	No change.
Meade	2	1	No change.
Minnehaha	2	1	No change.
Oglala Lakota County	8	5	No change.
Pennington	6	4	No change.
Roberts	2	1	No change.
Spink	2	1	No change.
Tripp	2	1	No change.
Turner	2	1	No change.

- (3) **Describe current slot imbalances and proposed steps to correct inequities to achieve equitable distribution.**

The slot imbalances can be explained by the low population rate of counties covered by the state grantee and isolated rural areas. In South Dakota, all but two counties are classified as rural. For the past several years, the state grantee has struggled with filling all slots. In addition, the rural nature of the state requires considerable travel. It is a continuous balance to keep administrative and travel costs low while meeting program goals.

- (4) **The State's long-term strategy for achieving an equitable distribution of SCSEP positions within the State that:**  
 (A) *Moves positions from over-served to underserved locations within the State in compliance with 20 CFR 641.365.*

The Equitable Distribution (ED) Report provides a basis for determining a fair allocation of program positions with the State. This report is useful for determining where to prioritize outreach and partnership development, fill vacant positions, or advocate for reallocation as necessary.

**(B) Equitably serves rural and urban areas.**

All but two counties in South Dakota are classified as rural. The majority of the grantees authorized positions are located in rural counties.

**(C) Serves individuals afforded priority for service under 20 CFR 641.520. (20CFR 641.302(a), 641.365, 641.520)**

When deciding between multiple, eligible SCSEP candidates for an open slot in a county, the following priorities are used in selecting an individual for participation in SCSEP:

- Are 65 years of age or older
- Have a disability
- Have limited English proficiency or low literacy skills
- Reside in a rural area
- Are Veterans or the spouse of a Veteran
- Have low employment prospects
- Have failed to find employment after using services provided through WIOA
- Are homeless or at risk for homelessness
- Formerly incarcerated or on supervision from release from prison or jail within five years of the date of initial eligibility determination.

The Employment Specialist applies the priorities from above in the following order:

- Persons who qualify as a veteran or qualified spouse of a veteran and possess any other of the priority characteristics
- Persons who qualify as a veteran or qualified spouse of a veteran and does not possess any other priority characteristics
- Persons who do not qualify as a veteran or qualified spouse of a veteran and possesses at least one of the other Most-in-Need characteristics

**(5) The ratio of eligible individuals in each service area to the total eligible population in the State. (20 CFR 641.325(a))**

See 6(A) below.

**(6) The relative distribution of eligible individuals who:**

**(A) *Reside in urban and rural areas within the State***

According to the USDA, Sioux Falls and Rapid City are the only two cities that exist in South Dakota that classify as “urban” as defined by Census Places: Out of the current ED for the service area, the state grantee serves 7 authorized positions residing in urban areas (2 positions in Minnehaha County, 5 in Pennington County) and the remaining 50 authorized positions are in rural counties. This is equivalent to the ratio of eligible individuals regarding the entire population of the state.

**(B) *Have the greatest economic need***

Elders in South Dakota need to work to pay for the necessities of life: food, housing, transportation, and medical care. Social Security benefits alone cannot cover all critical expenses to live an independent life and older individuals in the state must subsidize this with employment. The SCSEP grantees have found that many participants are working to pay for prescriptions, cover the cost of health insurance, and pay for housing expenses. The counties that demonstrate the greatest economic need are Oglala Lakota and Bennett County. SCSEP participants who live in these two counties are living in areas with the highest poverty rates in the nation. It should be noted that these counties coincide with Native American reservations. Currently, Oglala Lakota has a 43.5% rate of poverty and Bennett has a 31.0% rate of poverty. Out of the current ED for the state grantee, Oglala Lakota holds 8 authorized positions and Bennett holds 1 position. The

remaining positions are held in areas that do not demonstrate the same level of economic need as individuals from the reservation counties.

**(C) Are minorities**

In South Dakota, nonwhite minorities make up 26% of the population. In the most recent minority report, 33.3% of SCSEP participants identify as nonwhite minority.

**(D) Are limited English proficient.**

The state grantee reported serving 0% of participants with limited English proficiency.

**(E) Have the greatest social need. (20 CFR 641.325(b))**

In PY22 and PY23, 23 of the state grantee's SCSEP participants, over 50% of the modified positions available, have met the definition of greatest social need.

- (7) **A description of the steps taken to avoid disruptions to the greatest extent possible, when positions are redistributed, as provided in 20 CFR 641.365; when new Census or other reliable data become available; or when there is over-enrollment for any other reason. (20 CFR 641.325(i), 641.302(b))**

Specific program actions to minimize disruptions to current participants include the following:

- Monitor and adjust service levels, when appropriate
- Effectively manage budgets and expenditures
- Provide extra training (including job search skills and computer training) to expedite job placements
- Provide needed supportive services and make referrals to appropriate service providers
- Co-enroll in Title III and Title I

# APPENDIX 1

## Performance Goals for the Core Programs

Each state submitting a Unified or Combined State Plan is required to identify expected levels of performance for each of the primary indicators of performance for the first two years covered by the plan. The state is required to reach agreement with the Secretary of Labor, in conjunction with the Secretary of Education, on state-negotiated levels of performance for the indicators for each of the first two years of the plan.

Include the state's expected levels of performance relating to the performance accountability indicators based on primary indicators of performance described in section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (WIOA).

	Title I – Adult Program			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit)	70%		70%	
Employment (Fourth Quarter after Exit)	69%		69%	
Median Earnings (Second Quarter after Exit)	\$5,900		\$5,900	
Credential Attainment Rate	65%		65%	
Measurable Skill Gains	57%		57%	

	Title I – Dislocated Worker Program			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit)	71.0%		71.0%	
Employment (Fourth Quarter after Exit)	70.0%		70.0%	
Median Earnings (Second Quarter after Exit)	\$8,000.00		\$8,000.00	
Credential Attainment Rate	68.0%		68.0%	
Measurable Skill Gains	65.0%		65.0%	

	Title I – Youth Program			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit) <sup>10</sup>	70%		70%	
Employment (Fourth Quarter after Exit) <sup>11</sup>	73%		73%	
Median Earnings (Second Quarter after Exit)	\$3,600		\$3,600	
Credential Attainment Rate	50%		50%	
Measurable Skill Gains	50%		50%	

<sup>15</sup> For Title I Youth programs, employment, education or training.

<sup>16</sup> For Title I Youth programs, employment, education or training.

	Title II – Adult Education and Family Literacy Act Program			
	Program Year: 2024		Program Year: 2025	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit)	50%		51%	
Employment (Fourth Quarter after Exit)	50%		51%	
Median Earnings (Second Quarter after Exit)	\$6,500		\$6,600	
Credential Attainment Rate	40%		41%	
Measurable Skill Gains	35%		36%	

	Wagner-Peyser Act Employment Service Program			
	Program Year:		Program Year:	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit)	68%		68%	
Employment (Fourth Quarter after Exit)	66%		66%	
Median Earnings (Second Quarter after Exit)	\$5800		\$5800	
Credential Attainment Rate	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Measurable Skill Gains	Not Applicable	Not Applicable	Not Applicable	Not Applicable

	Vocational Rehabilitation Program			
	Program Year: 2024		Program Year: 2025	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Employment (Second Quarter after Exit) <sup>22</sup>	54.2%		54.7%	
Employment (Fourth Quarter after Exit) <sup>22</sup>	51.7%		52.2%	
Median Earnings (Second Quarter after Exit) <sup>12</sup>	\$3,100		\$3,200	
Credential Attainment Rate	34%		34.5%	
Measurable Skill Gains	45.5%		46%	

	All WIOA Core Programs			
	Program Year: 2024		Program Year: 2025	
	Expected Level	Negotiated Level	Expected Level	Negotiated Level
Effectiveness in Serving Employers	Not Applicable 1	Not Applicable 1	Not Applicable 1	Not Applicable 1

## APPENDIX 2

### Memorandum of Understanding South Dakota One-Stop Career Center System

# Memorandum of Understanding South Dakota One-Stop Career Center System

July 1, 2020

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Changing labor markets and advances in technology have revolutionized employee recruitment and job seeking. Social media, online talent platforms, and professional networking sites are evolving rapidly, perpetuating shifts in labor market dynamics. Rising consumer expectations and global competition have transformed how business is conducted in most industries. Employers must move faster and more efficiently to compete for talent. It is imperative for public workforce systems to continuously adapt and reframe strategies and policies designed to support employers and job seekers.

The South Dakota Workforce Development Council (WDC), South Dakota's Local Board, provides oversight of workforce programming for South Dakota. The WDC seeks to establish a system to contrast the traditional transaction-based model, whereby each agency operates its own workforce services functions and participants physically visit multiple locations seeking services. Instead, integrated locations, a unified structure, and a process of proactive, transparent, and effective job seeker and business services is created. This goal is orchestrated by a seamless collaboration of talent development and support agencies.

The purpose of this MOU is to define the parameters for One-Stop partners in education, workforce, economic development, programs, and entities to create a seamless, customer-focused statewide One-Stop service delivery to enhance access to program services. One-Stop partners build community-benefiting bridges, rather than silos of programmatic isolation. These partnerships will reduce administrative burden and costs and increase customer access and performance outcomes.

This MOU is executed between the WDC and the One-Stop partners, collectively referred to as the "Parties" to this MOU. This MOU is developed to confirm the understanding of the Parties regarding the operation and management of the 12 One-Stop Career Centers in the WDC service area of South Dakota.

## VISION

The vision of the State of South Dakota is to collaborate amongst Government, education, business, and community to make develop a skilled workforce which will allow employers in South Dakota to expand business when the opportunity arises

## LEGAL AUTHORITY

The Workforce Innovation and Opportunity Act (WIOA) §121(c)(1) requires the Local Board, with the agreement of the Chief Elected Official (CEO), to develop and enter into a Memorandum of Understanding (MOU) between the Local Board and the One-Stop Partners, consistent with WIOA §121(c)(2), concerning the operation of the One-Stop System in a local area. This requirement is further described in WIOA, Joint Rule for Unified and Combined State Plans, Performance Accountability, the American Job Center Network Joint Provisions: Final Rule at 20 CFR 678.500, 34 CFR 361.500, and 34 CFR 463.500, and in federal guidance.

Additionally, the sharing and allocation of infrastructure costs among One-Stop Partners is governed by WIOA §121(h), its implementing regulations, and the Federal Cost Principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) at 2 CFR 200.

## SYSTEM STRUCTURE

### ONE-STOP CAREER CENTER

#### ***Comprehensive One-Stop Center***

A Comprehensive One-Stop Career Center is a physical location where job seeker and employer customers can access the programs, services, and activities of all required One-Stop Partners. It must have at least one Title I staff person physically present. In South Dakota, Comprehensive One-Stop Career Centers include those locations with the four WIOA core programs co-located in one building. Core programs include those listed in WIOA §3 (13).

#### ***Affiliate Site***

An Affiliated One-Stop Career Center is a site that makes available to job seeker and employer customers one or more of the One-Stop partners' programs, services, and activities. An affiliate site provides access to every required One-Stop partner program. Wagner-Peyser Act employment services cannot be a stand-alone affiliate site. In South Dakota, Affiliate One-Stop Career Centers include those locations that do not meet the Comprehensive One-Stop Career Center definition but have a combination of three or more WIOA core programs and WIOA required partners co-located in one building.

#### ***Specialized Center***

A Specialized Center addressed specific needs, including those of dislocated workers, youth, or key industry sectors, or clusters. It must be connected to the Comprehensive One-Stop Career Center and any appropriate Affiliated Site by having process in place to make referrals to these centers and the partner programs located in them. A Specialized Center must include other programs besides Wagner Peyser Act employment services, local veterans' employment representatives, disabled veteran's outreach program specialists, and Reemployment Assistance Benefits.

#### ***Access Sites***

Partner locations across South Dakota that do not meet the definition of Comprehensive Site or Affiliate Site yet provide access to one or more of the services of the One-Stop System, are considered Access Sites.

A directory of One-Stop Career Centers in South Dakota, referred to publicly as "job service offices," can be found at [dlr.sd.gov](http://dlr.sd.gov). All One-Stop Career Centers, comprehensive and affiliate, are available for services Monday through Friday from 8 a.m. – 5 p.m. One-Stop Career Centers must identify as a "proud partner of the American Job Center Network" through primary electronic resources, printed materials, and facility signage.

### ONE-STOP OPERATOR

The One-Stop Operator is the South Dakota Department of Labor and Regulation (DLR) Division of Field Operations Director. The WDC selected the One-Stop Operator through a competitive process in accordance with the Uniform Guidance<sup>1</sup>, WIOA regulations, and State procurement laws and regulations. The One-Stop Operator selection process must be completed at least once every four years. The next competition and selection done by July 2022.

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<sup>1</sup> Federal Cost Principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR part 200 (Uniform Guidance), including the Office of Management and Budget's (OMB) approved exceptions for the U.S. DOL at 2 CFR part 2900.

## SERVICES

Services identified in *Appendix A* will be made available at the One-Stop comprehensive and affiliate sites through direct linkage. Direct linkage is a direct connection at the One-Stop Career Center to a staff member who can provide program information or services to the customer within a reasonable time, by phone or through real-time web-based communication. This linkage cannot exclusively be provision of a phone number, website, information, or materials for access at a later date or time.

Services of all parties, *Appendix B*, will be shared with customers entering the One-Stop Career Center.

### **Referrals**

A referral system is necessary to provide integrated and seamless delivery of services to workers, job seekers, and employers. In order to facilitate such a system, comprehensive and affiliate One-Stop Career Centers agree to coordinate referrals through direct linkage. One-Stop partners agree to:

- Be familiar with the basic eligibility, participation requirements, and available services and benefits offered for each of the partner programs represented in the One-Stop System;
- Develop materials summarizing their program requirements and make available for partners and customers;
- Work towards common intake and registration forms, eligibility determination, and assessments;
- Provide substantive referrals to customers who are eligible for supplemental and complementary services and benefits under partner programs;
- Evaluate ways to improve the referral process, including the use of customer satisfaction surveys;
- Robust and ongoing communication required for an effective referral process; and
- Actively follow up on referrals and ensure partner resources are being leveraged at an optimal level.

## OPERATING BUDGET

The Infrastructure Funding Agreement (IFA) is a component of the overall operating budget for the One-Stop comprehensive and affiliate locations and contains the infrastructure costs budget. The IFA is part of the One-Stop Career Center System MOU and operates in conjunction with agreements entered into with other state and federal agencies, including agreements between DLR and the South Dakota Department of Social Services (DSS), negotiated annually to fund programs.

Infrastructure costs of One-Stop Career Center locations are defined as non-personnel costs, including physical location costs and virtual network costs, necessary for the general operation. For South Dakota, the infrastructure costs are:

### **Physical Location Costs**

- Rent
- Janitorial
- Electrical utility
- Garbage/sewer
- Water utility
- Natural gas
- Other facility costs, including but not limited to landscaping, snow removal, or facility equipment

#### ***Virtual Network Costs***

- Computer services
- Telecommunications

### **PARTNERS**

DLR represents and administers the following required partner programs:

- WIOA Title I
- Adult Education and Family Literacy (AEFL) Title II
- Wagner-Peyser Title III
- Senior Community Service Employment Program (SCSEP)
- Trade Adjustment Assistance (TAA)
- Reemployment Assistance (RA) Benefits
- Jobs for Veterans State Grants
- Temporary Assistance for Needy Families (TANF) Career Services (in agreement with DSS)

Other partners co-located in One-Stop Career Centers are the South Dakota Department of Human Services (DHS) Division of Rehabilitation Services (VR), DHS Division of Service to the Blind and Visually Impaired (SBVI), and the National Farmworker Jobs Program (NFJP) administered by the Black Hills Special Services Cooperative.

Other partners not located in a One-Stop Career Center include Job Corps Center (administered by the U.S. Forest Service), Career and Technical Education program (administered by the SD Department of Education), SCSEP (administered by The National Indian Council on Aging, Inc), SCSEP Experience Works, and Native American Programs administered by the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Sisseton-Whapeton Sioux Tribe, United Sioux Tribes, and Yankton Sioux Tribes.

### **INFRASTRUCTURE BUDGET**

See *Appendix A*. The budget is established by Fiscal Year, July 1 to June 30, and based on historical costs from previous Fiscal Year expenditures. The budget will be adjusted within the first 60 days of each Fiscal Year.

### **COST ALLOCATION METHODOLOGY**

#### ***Physical Location Costs***

Physical location costs are based on square footage utilization of the partner by each location, respectively. Costs are further allocated to various DLR programs based on the indirect cost agreement entered into with the U.S. DOL, Office of Cost Determination.

#### ***Virtual Network Costs***

Costs for computer services and telecommunications services are allocated directly to the co-located partner whom the account is established. Costs are then allocated to the non-located partners based on the cost per direct linkage as defined in the Services section on Page 3.

Direct linkage is the identified benefit to the non-located One-Stop Partners and is tracked as a Coordinated Referral Service in SDWORKS, South Dakota's data management information system. In November and May each year, DLR will assess the non-located partners and send invoices for benefits received based on the number of coordinated service referrals recorded in SDWORKS. Partners will have 30 days to pay the invoice to DLR.

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South Dakota One-Stop Career Center Memorandum of Understanding

The cost per direct linkage is calculated by determining the cost per minute of a DLR employee's telephone and computer costs, then adding the per-minute cost of making a phone call, then multiplying by 15 minutes, which is the anticipated average length of a direct linkage conversation between a participant and the non-located partner.

**Formula:**  $[(0.017256 \text{ DLR cost} + .08 \text{ phone charge/minute}) \times 15 \text{ minutes} = \$1.46 \text{ per referral}]$

The cost per minute for DLR is calculated by adding the four monthly South Dakota Bureau of Information and Telecommunications (BIT) charges related to virtual costs (user fee, access fee, information management fee, and telephone line), multiplying by the number of months in the year, then dividing by the number of work minutes for a DLR employee (less holidays). BIT rates can be viewed on the Rate Sheet at [bit.sd.gov/finance](http://bit.sd.gov/finance).

**Formula:**  $(74.25+24.00+55.00+20.00) \times 12 / (2088 \text{ hours} \times 60 \text{ minutes} - 10 \text{ days} \times 8 \text{ hours} \times 60 \text{ minutes}) = 0.017256$

Each partner not located in a One-Stop Center will receive a quarterly bill from DLR for virtual network costs which will include a \$9.71 processing fee. This processing fee is comprised of the accounting transactions, revenue documents, and voucher audit fees charged by DLR for the processing of vouchers.

## **NATIVE AMERICAN PROGRAMS**

The Native American programs administered by the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Sisseton-Whapeton Sioux Tribe, United Sioux Tribes, and Yankton Sioux Tribes are not contributing to the infrastructure costs of the One-Stop Career Centers according to WIOA § 121(h)(2)(D)(iv).

## **COST RECONCILIATION AND MODIFICATION PROCESS**

Actual costs will be reviewed and reconciled with the budget in November and May each year. The budget will be revised as necessary. Affected One-Stop partners will be notified of any budget modifications in excess of 15%. If a partner wants to modify the IFA, the partner will submit a notice to all affected partners 60 days prior to intended implementation of the modification. All partners involved must negotiate the modification and reach agreement prior to the modification taking effect. Only partners who are affected by the substantive budget modifications need to sign for changes made to the budget. Non-substantive changes (less than 15%) made to the budget do not require renewal of the MOU or updated signatures.

### ***Effective Period***

This IFA is in effect at the same period of time as the MOU. *Appendix C* includes the details for the One-Stop System Infrastructure agreement.

## **DATA SHARING**

Data share agreements amongst partners will be developed as necessary, but not be a part of this MOU.

## **CONFIDENTIALITY**

All Parties expressly agree to abide by all applicable federal, state, and local laws and regulations regarding confidential information, including Personal Identifiable Information (PII) from educational records such as, but

not limited to, 20 CFR 603, 45 CFR 205.50, 20 U.S. Code §1232g, 34 CFR 99, 34 CFR 361.38, and any applicable state and local laws and regulations. In addition, in carrying out their respective responsibilities, Parties shall respect and abide by the confidentiality policies and legal requirements of all of the other Parties.

Parties will ensure the collection and use of any information, systems, or records containing PII and other personal or confidential information will be to support the programs and activities described in this MOU and will comply with applicable laws.

Parties will ensure access to software systems and files containing PII or other personal or confidential information under its control will be limited to authorized staff members assigned responsibilities in support of the services and activities described herein, and will comply with applicable laws. Parties expressly agree to take measures to ensure PII or other personal or confidential information is inaccessible by unauthorized individuals.

Appropriate data sharing agreements will be created for confidential, private, or otherwise protected information which needs to be shared amongst the Parties for the obligations under this MOU, and to the extent that such sharing is permitted by applicable laws. Required confidentiality and ethical certifications will be signed by authorized individuals. With respect to confidential RA benefits information, any such data sharing must comply with all of the requirements in 20 CFR 603, including but not limited to requirements for an agreement consistent with 20 CFR 603.10, payments of costs, and permissible disclosures. With respect to the use and disclosure of customer education records protected by the Family Educational Rights and Privacy Act (FERPA) and the PII contained therein, any such data sharing agreement must comply with all of the requirements set forth in 20 U.S. Code §1232g and 34 CFR 99. With respect to the use and disclosure of personal information contained in VR records, any such data sharing agreement must comply with all of the requirements set forth in 34 CFR 361.38.

## ACCESSIBILITY

Accessibility to the services provided by the One-Stop Career Centers and all partner agencies is essential to meet the requirements and goals of the One-Stop System. Job seekers and businesses must be able to access all relevant information by visiting physical locations and connecting through virtual spaces. This includes communication and programmatic accessibility regardless of gender, age, race, religion, national origin, disability, veteran's status, or on the basis of any other classification protected under state or federal law.

### ***Physical Accessibility***

One-Stop Career Centers will maintain a culture of inclusiveness and the physical characteristics of the facility, both indoor and outdoor, will comply with the Americans with Disabilities Act (ADA). Services will be available in a convenient, high traffic, and accessible location, taking into account reasonable distance from public transportation and adequate parking (including parking clearly marked for individuals with disabilities). Indoor space will be designed in an "equal and meaningful" manner providing access for individuals with disabilities.

### ***Virtual Accessibility***

Partners should strive to offer as many services as possible. Virtual services must meet accessibility standards. Information must be clearly marked and compliant with Section 508 of the U.S. Department of Health and Human Services code. Partners will comply with the Plain Writing Act of 2010, requiring federal agencies use "clear Government communication that the public can understand and use" and all information kept virtually will be updated regularly to ensure dissemination of correct information.

### ***Communication Accessibility***

Individuals with sensory disabilities must be able to communicate (and be communicated with) on an equal

footing with those who do not have such disabilities. All Parties agree to provide accommodations for individuals who have communication challenges, including but not limited to, individuals who are deaf and hard of hearing, individuals with vision impairments, and individuals with speech-language impairments.

#### ***Programmatic Accessibility***

All Parties agree to not discriminate in their employment practices or services on the basis of gender, gender identity and/or expression, age, race, religion, national origin, disability, veteran's status, or on the basis of any other classification protected under state or federal law. Partners must ensure they have policies and procedures in place to address these issues, and such policies and procedures are disseminated to their employees and otherwise posted as required by law. Partners further assure they are currently in compliance with all applicable state and federal laws and regulations regarding these issues.

## **NON-DISCRIMINATION AND EQUAL OPPORTUNITY**

All Parties certify the prohibition of discrimination, and certify no person, otherwise qualified, is denied employment, services, or other benefits on the basis of: (i) political or religious opinion or affiliation, marital status, sexual orientation, gender, gender identification and/or expression, race, color, creed, or national origin; (ii) sex or age, except when age or sex constitutes a bona fide occupational qualification; or (iii) the physical or mental disability of a qualified individual with a disability. Parties must ensure policies and procedures are in place to address these issues, and such policies and procedures are disseminated to their employees and otherwise posted as required by law. Parties further assure they are currently in compliance with all applicable state and federal non-discrimination laws and regulations.

The Parties specifically agree to comply with WIOA §188, Nondiscrimination and Equal Opportunity Regulations (29 CFR 38; Final Rule December 2, 2016), the Americans with Disabilities Act (42 U.S. Code §12101 et seq.), the Non-traditional Employment for Women Act of 1991, Civil Rights of 1964 Title VI and Title VII, as amended, the Rehabilitation Act of 1973 §504, as amended, the Age Discrimination Act of 1967, as amended, the Education Amendments of 1972 Title IX, as amended, and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR 37 and 38.

## **INDEMNIFICATION**

All Parties agree to recognize the MOU partnership consists of various levels of government, non-profit, and for-profit entities. Each party is responsible for injury to persons or damage to property resulting from negligence on the part of itself, its employees, its agents, or its officers. No Partner assumes any responsibility for any other party, State or non-State, for the consequences of any act or omission of any third party. The Parties acknowledge the WDC and the One-Stop Operator have no responsibility and/or liability for any actions of the One-Stop Career Center employees, agents, and/or assignees. Likewise, the Parties have no responsibility and/or liability for any actions of the WDC or the One-Stop Operator

If any part of this MOU is found to be null and void or is otherwise stricken, the rest of this MOU shall remain in force.

## **GOVERNING LAW**

#### ***Dispute and Impasse Resolution***

All Parties will actively participate in good faith effort to reach agreement. Disputes between Parties will be attempted to be resolved informally. If a resolution is not found, the Parties will send a written letter to the

Executive Director of the WDC. The Executive Director will have 10 days to acknowledge receipt of the dispute and transmit the letter to the Council members. The WDC then has 30 business days to convene and hear testimony from all Parties involved in the dispute. After hearing testimony, WDC has an additional 30 business days to issue a formal resolution for the issue. The final resolution will be issued by the WDC Chair.

## **MODIFICATION PROCESS**

Any partner may request changes in this MOU. Non-substantive changes to the MOU, such as adjustments of less than 15 percent to the budget made during the reconciliation of the budget, do not require renewal of the MOU. Other changes, modifications, revisions or amendments to this MOU must be mutually agreed upon by between the Parties to this MOU and shall be incorporated by written instrument, executed and signed by all Parties to this MOU.

## **EFFECTIVE PERIOD**

This MOU is entered into on July 1, 2020. This MOU will become effective as of the date of signing by the final signatory below and will terminate on June 30, 2024. All Parties agree this MOU shall be reviewed and renewed not less than once every three years to ensure appropriate funding and delivery of services.

# APPENDIX

## South Dakota One-Stop Career Center Memorandum of Understanding

*Services | Business, Job Seeker, Youth*

*One-Stop Partner Programs and Services | WIOA Manual Section 10, Form 3*

*One-Stop System Infrastructure Funding Agreement*

**BUSINESS SERVICES**

Serve as a single point of contact for businesses, responding to all requests in a timely manner	Provide information related to Unemployment Insurance taxes and claims	Assist with disability and communication accommodations.
Conduct outreach regarding Local workforce system's services and products	Conduct on-site Rapid Response activities regarding closures and downsizings	Develop On-the-Job Training (OJT) contracts, incumbent worker contracts, or pay-for-performance contract strategies
Provide access to labor market information	Provide customized recruitment and job applicant screening, assessment and referral services	Provide employer and industry cluster-driven Occupational Skills Training through Individual Training Accounts with eligible training providers
Assist with the interpretation of labor market information	Conduct job fairs	Develop customized training opportunities to meet specific employer and/or industry cluster needs
Use of One-Stop Career Center facilities for recruiting and interviewing job applicants	Develop, convene, or implement industry or sector partnerships	Coordinate with employers to develop and implement layoff aversion strategies
Post job vacancies in the state labor exchange system and take and fill job orders	Provide information regarding disability awareness issues	Provide incumbent worker upgrade training through various modalities
Provide information regarding workforce development initiatives and programs	Provide information regarding assistive technology and communication accommodations	

**APPENDIX A**

## JOB SEEKER SERVICES

<b>BASIC CAREER SERVICES</b>	<b>INDIVIDUALIZED CAREER SERVICES</b>	<b>TRAINING</b>
Outreach, intake and orientation to the information, services, programs, tools and resources available through the Local workforce system	Comprehensive and specialized assessments of skills levels and service needs	Occupational skills training through Individual Training Accounts (ITAs)
Initial assessments of skill level(s), aptitudes, abilities and supportive service needs	Development of an individual employability development plan to identify employment goals, appropriate achievement objectives, and appropriate combination of services for the customer to achieve the employment goals	Adult education and literacy activities, including English language acquisition (ELA), provided in combination with the training services described above
In and out of area job search and placement assistance (including provision of information on in-demand industry sectors and occupations and non-traditional employment)	Referral to training services	On-the-Job Training (OJT)
Access to employment opportunity and labor market information	Group counseling	Incumbent Worker Training
Performance information and program costs for eligible providers of training, education, and workforce services	Literacy activities related to work readiness	Programs that combine workplace training with related instruction which may include cooperative education
Information on performance of the Local workforce system	Individual counseling and career planning	Training programs operated by the private sector
Information on the availability of supportive services and referral to such, as appropriate	Case management for customers seeking training services; individual in and out of area job search, referral and placement assistance	Skill upgrading and retraining
Information and meaningful assistance on Unemployment Insurance claim filing	Work experience, transitional jobs, registered apprenticeships, and internships	Entrepreneurial training
Determination of potential eligibility for workforce Partner services, programs, and referral(s)	Workforce preparation services (e.g., development of learning skills, punctuality, communication skills, interviewing skills, personal maintenance, literacy skills, financial literacy skills, and professional conduct) to prepare individuals for unsubsidized employment or training	Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training

## APPENDIX A

Information and assistance in applying for financial aid for training and education programs not provided under WIOA	Post-employment follow-up services and support ( <i>This is not an individualized career service, but listed here for completeness.</i> )	Other training services as determined by the workforce partner's governing rules
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## YOUTH SERVICES

Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential.	Alternative secondary school services, or dropout recovery services, as appropriate.
Paid and unpaid work experiences that have as a component academic and occupational education, which may include: Summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, internships and job shadowing, and on-the-job training opportunities.	Occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved.
Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.	Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate.
Supportive services.	Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months.
Follow-up services for not less than 12 months after the completion of participation, as appropriate.	Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate.
Financial literacy education.	Entrepreneurial skills training.
Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services.	Activities that help youth prepare for and transition to postsecondary education and training.

## APPENDIX A

## ONE-STOP PARTNER PROGRAMS AND SERVICES

### SERVICES AVAILABLE TO ALL JOB SEEKERS:

### PARTICIPANT BENEFITS:

<input type="checkbox"/>	<b>Orientation to the One Stop system</b>	Learn of the services available to you
<input type="checkbox"/>	<b>WorkKeys Curriculum</b>	Workplace Documents, Applied Math, and Graphic Literacy Skill Development
<input type="checkbox"/>	<b>Career Insite / My Next Move</b>	Career Interest Assessment to fit interests and goals
<input type="checkbox"/>	<b>Tap Dance Typing Test</b>	Great to add to a resume or job application
<input type="checkbox"/>	<b>Reality Check</b>	Get realistic about your financial lifestyle
<input type="checkbox"/>	<b>Job Applications</b>	Obtain details, discuss appropriate answers, determine references, & review
<input type="checkbox"/>	<b>Resume writing assistance</b>	Receive guidance in developing a resume
<input type="checkbox"/>	<b>Job Search</b>	Access to over 15,000 job openings
<input type="checkbox"/>	<b>Job Development</b>	Get connected to employer through an interview
<input type="checkbox"/>	<b>Job Referrals</b>	Let hiring managers know your skills and that you are looking for employment
<input type="checkbox"/>	<b>Job Search Assistance Program (JSAP)</b>	Learn topics to improve their job search
<input type="checkbox"/>	<b>Job Club</b>	Receive assistance with your job search while learning strategies to increase your success
<input type="checkbox"/>	<b>Resource Room Booklets</b>	Gain knowledge in various life skills
<input type="checkbox"/>	<b>Tax Certification (WOTC)</b>	Determine Eligibility for The Work Opportunity Tax Credit for Employers for Hiring Certain Groups
<input type="checkbox"/>	<b>Program Coordination</b>	Review needs to determine appropriate program referrals
<input type="checkbox"/>	<b>Business Connections</b>	The One Stop staff have valuable connections to businesses looking to hire
<input type="checkbox"/>	<b>Active Resource Coordination</b>	Direct linkage to partners in the One Stop System that may offer what you need

*Eligibility is required for the following services:*

<input type="checkbox"/>	<b>Teknimedia</b>	Self-paced training to improve computer skills
<input type="checkbox"/>	<b>Mavis Beacon</b>	Activity to improve keyboarding skills
<input type="checkbox"/>	<b>Labor Market Information Analysis</b>	Evaluate Labor Market Information of career interests
<input type="checkbox"/>	<b>Case Management</b>	One-on-one assistance in reaching your employment goals
<input type="checkbox"/>	<b>Employment Plan Development</b>	Receive career decision making assistance and plan the steps necessary to reach your goal.
<input type="checkbox"/>	<b>Structured Job Search</b>	Organized and accountable job search
<input type="checkbox"/>	<b>Support Services</b>	Employment & Training related assistance: transportation, housing, work attire, daycare, etc.
<input type="checkbox"/>	<b>Mock Interview</b>	Review common interview questions and improve interviewing skills
<input type="checkbox"/>	<b>Job Shadow / Informational Interview</b>	Learn more about your career interest by time on the job or through an employer interview
<input type="checkbox"/>	<b>On-the-Job Training</b>	Training related to a specific job provided by an approved employer
<input type="checkbox"/>	<b>Work Experience</b>	Planned, structured learning experience to take place in the work place
<input type="checkbox"/>	<b>Entrepreneurial Skills Training</b>	Learn what steps you need to complete to start your own business
<input type="checkbox"/>	<b>Financial Literacy</b>	Learn facts about the financial world while receiving guidance with your personal budget
<input type="checkbox"/>	<b>Integrated Resource Teams</b>	Meet with your service providers or potential service providers to reach your employment goal

## ONE-STOP PARTNER PROGRAMS AND SERVICES

<input type="checkbox"/>	<b>WorkKeys Assessments</b>	Earn a National Career Readiness Certificate
<input type="checkbox"/>	<b>Pre-Apprenticeship</b>	Program to prepare you for a Registered Apprenticeship program
<input type="checkbox"/>	<b>Registered Apprenticeship</b>	Learn a trade and improve your skills while making money on the job
<input type="checkbox"/>	<b>Internship</b>	Learn more about potential sites related to your career interest.
<input type="checkbox"/>	<b>Customized Training</b>	Classroom training specific to a job and provided by employer's request
<input type="checkbox"/>	<b>Tutoring</b>	This is done in coordination with an appropriate training provider or Adult Education and Literacy
<input type="checkbox"/>	<b>High school completion</b>	This is done in coordination with the school system or Adult Education and Literacy
<input type="checkbox"/>	<b>Soft Skills</b>	Learn about and develop the skills employers are looking for
<input type="checkbox"/>	<b>Post-Secondary Preparation</b>	Brush up on your math & reading skills! This is done in partnership with the Adult Education & Literacy Program.
<input type="checkbox"/>	<b>Free Application for Federal Student Aid (FAFSA)</b>	Assistance in Completing Financial Aid Forms and Post-Secondary Applications
<input type="checkbox"/>	<b>Employed worker skill upgrade through employer</b>	Increase your competitiveness and self-sufficiency through training while being employed
<input type="checkbox"/>	<b>Tuition Assistance/Occupational Skills Training</b>	Assistance in paying for training linked to employment.
<input type="checkbox"/>	<b>Counseling</b>	Referrals and support services for mental health, behavioral, alcohol, drug, etc. counseling
<input type="checkbox"/>	<b>Leadership Development (Youth)</b>	Activities in the community or amongst your peers to develop responsibility and other positive behaviors
<input type="checkbox"/>	<b>Mentoring (Youth)</b>	Receive assistance from an adult who can help guide you with life decisions
<input type="checkbox"/>	<b>Follow Up Services</b>	Additional assistance as you transition to post-secondary training or your new job.

### ADULT EDUCATION AND LITERACY SERVICES:

<input type="checkbox"/>	<b>Literacy and Numeracy</b>	Adults improve their ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.
<input type="checkbox"/>	<b>High School Equivalency (prep)</b>	Adult learners prepare for their equivalency exams in Math, Language Arts, Science, and Social Studies.
<input type="checkbox"/>	<b>Workforce Preparation</b>	Instruction, activities, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training, or employment.
<input type="checkbox"/>	<b>Integrated Education and Training</b>	A service approach that provides adult education activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.
<input type="checkbox"/>	<b>English Language Acquisition</b>	Adults who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language—as well as supporting the attainment of a secondary school diploma, a transition to postsecondary education and training, or employment.
<input type="checkbox"/>	<b>Integrated English Literacy and Civics</b>	Education services provided to adult English language learners that enable ELLs to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.
<input type="checkbox"/>	<b>Family Literacy</b>	Adults make sustainable improvements in the economic prospects for their families that better enable parents or family members to support their children's learning needs.

## ONE-STOP PARTNER PROGRAMS AND SERVICES

<input type="checkbox"/> <b>Basic Skills Assessments</b>	Tests of Adult Basic Education (TABE); BEST Plus (oral/aural exam for ELLs); BEST Literacy (reading/writing exam for ELLs); WorkKeys Curriculum Placement Quiz
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<b>VOCATIONAL REHABILITATION SERVICES:</b>	
<input type="checkbox"/> <b>Employment Situational Assessments</b>	A service to assess an individual's performance in a specific job. The individual performs the actual job tasks and the assessment addresses strengths and weaknesses to assist with vocational planning and training.
<input type="checkbox"/> <b>Vocational Rehabilitation Counseling</b>	Vocational Rehabilitation Counselors assist the individual to understand their disability and how their disability impacts employment. Vocational Rehabilitation Counselors provide job exploration counseling, post-secondary education counseling and other services to assist students with disabilities to prepare for and obtain employment.
<input type="checkbox"/> <b>Paid Work Experiences</b>	Vocational rehabilitation works with local school districts to provide up to 250 hours of paid work experience each school year giving youth an opportunity to gain career experiences. A similar program is available for adults with disabilities.
<input type="checkbox"/> <b>Vocational or other Post-Secondary Training Services</b>	Depending on the approved employment goal and financial need guidelines, financial assistance can be provided to individuals seeking specific vocational training or degrees.
<input type="checkbox"/> <b>Benefits Specialist Services</b>	Individuals who are Social Security Beneficiaries can receive an assessment of their SSA benefits and guidance on how their SSA benefits will be impacted by with employment earnings. Guidance is provided to individuals on how to utilize work incentives or other means to maximize their work earnings.
<input type="checkbox"/> <b>Assistive Technology</b>	Assessment to determine the appropriate technology to perform work tasks, provision of assistive technology devices and training on utilizing assistive technology to accomplish work tasks.
<input type="checkbox"/> <b>Transition Services</b>	An array of services to assist a students with a disabilities as they transition from school to adult services. Pre-employment transition services include self-determination training; work based learning experiences, workplace readiness training to develop social skills and independent living instruction in self-advocacy, career counseling, and leadership training.
<input type="checkbox"/> <b>Disability Specific Services</b>	A variety of services available to individuals such as interpreting services for an individual who is deaf or hard of hearing, personal attendant services for an individual with mobility impairments, blindness skills training and large print/braille documents for an individual who has visual impairments are some examples of disability specific services.
<input type="checkbox"/> <b>Job Placement Services</b>	This service is provided by the Vocational Rehabilitation Counselor or an approved Employment Specialist to assist an individual to prepare for or obtain employment.
<input type="checkbox"/> <b>Job Coaching Services</b>	Employment Specialists provide one-on-one training on the job site to assist with learning job tasks when individuals with disabilities obtain employment.
<input type="checkbox"/> <b>Supported Employment Services</b>	Supported Employment Services consist of intensive job placement and job coaching for individuals with the most significant disabilities who need ongoing supports to maintain employment. Services are coordinated with an approved service provider to continue ongoing supports to maintain employment.
<input type="checkbox"/> <b>Post-Employment Services</b>	This service option is available for individuals who previously obtained success with their Vocational Rehabilitation Program but are now experiencing some difficulty in maintaining their employment. The Vocational Rehabilitation Counselor can assist with additional employment services to help the individual maintain their job.

## ONE-STOP PARTNER PROGRAMS AND SERVICES

### HOUSING AND URBAN DEVELOPMENT SERVICES:

<input type="checkbox"/> All subsidized housing	Household pays 30% of adjusted gross income for rent, remainder of rent is subsidized by one of the below HUD programs the family is participating in.
<input type="checkbox"/> Public Housing	The low-rent housing units under this program are owned and managed by a local Public Housing Agency (PHA). Individuals/families need to contact a local PHA to apply.
<input type="checkbox"/> Housing Choice Voucher (formerly referred to as Section 8 Vouchers)	Many PHAs provide Vouchers. Applicants must apply at the PHA office. When qualified, an applicant will be issued a voucher. It will be the applicants' responsibility to find a suitable rental unit that meets their needs. Many PHA's have long waiting lists for this type of assistance.
<input type="checkbox"/> Project Based Assistance	This type of rental assistance is tied to the project. A family must apply directly at the project that has assistance.
<input type="checkbox"/> Looking for Housing Assistance	Contact the HUD office at (605) 330-4223 or <a href="http://www.hud.gov/southdakota">www.hud.gov/southdakota</a> or <a href="mailto:sdwebmanager@hud.gov">sdwebmanager@hud.gov</a>

### JOB CORPS SERVICES:

<input type="checkbox"/> Career Assessment	Application includes a career assessment; student works with career counseling to select career training that fits his/her career goals and interest.
<input type="checkbox"/> Literacy and Numeracy (Reading and Math)	Students improve their understanding of basic reading and math necessary to succeed in today's workforce.
<input type="checkbox"/> Education	Students who need it will be enrolled in GED programs, additionally; the Box Elder Job Corps operates a high diploma program as part of the Lead/Deadwood school district allowing students up to the age of 24 the opportunity to earn their diploma.
<input type="checkbox"/> Career and Technical Training	Core component of Job Corps and offered in several growing industry sectors including construction/manufacturing, carpentry, electrical, welding, hospitality, culinary arts, medical, Certified Nursing Assistant.
<input type="checkbox"/> Career success standards	Counseling and discussion of the following success standards occur throughout enrollment in the program and contribute to lasting success in the workplace...workplace relationships, ethics, communications, personal growth and development, interpersonal skills, information management, multi-cultural awareness, career and personal planning, independent living, continuous learning, problem solving and critical thinking.
<input type="checkbox"/> English Language learning program	ELL provides youth needing to increase English proficiency the opportunity to learn the language and be better able to communicate.
<input type="checkbox"/> Work-based learning	As part of Career and Technical training, students participate in On-the-job training with partnerships with department on centers and employers.
<input type="checkbox"/> Career transition Services	Before graduation students learn how to write a resume, search for jobs, apply for jobs and interview. Graduates are assigned a career transition specialist in the area they relocate to who will continue these services for a year following his or her placement in to the job, college or the military.

## ONE-STOP PARTNER PROGRAMS AND SERVICES

<b>CAREER AND TECHNICAL EDUCATION SERVICES:</b>	
<input type="checkbox"/> <b>Technical skills training programs</b>	Certificates, Diplomas and Associate of Applied Science degrees designed to train individuals for high demand occupations
<input type="checkbox"/> <b>Tutoring to enrolled students</b>	
<input type="checkbox"/> <b>Time management and study skills training</b>	
<input type="checkbox"/> <b>Success coaching</b>	Access to success coaches to assist you throughout your program of study or training program
<input type="checkbox"/> <b>Connect students with community resources</b>	Connect post-secondary students to community resources to assist in completion of training program.
<input type="checkbox"/> <b>Americans with Disabilities Act accommodations</b>	Accommodations are available to assist in completion of training program.
<input type="checkbox"/> <b>Credit by Exam opportunities</b>	Opportunities for students to shorten training program
<input type="checkbox"/> <b>Testing and Certification Center</b>	Certification testing available to enhance student employability
<input type="checkbox"/> <b>Administers the Veterans' Textbook Assistance Program and the NAHA funds.</b>	Assists students with getting resources they need to be successful
<input type="checkbox"/> <b>Job Fairs</b>	Job Fairs are held on each of the technical institute campuses as well as in communities to assist in connecting students and job seekers to employers.
<input type="checkbox"/> <b>Career counseling/job search assistance</b>	One-on-one or group career counseling designed to assist students with career decision-making and job searching. Resume writing, interview coaching
<input type="checkbox"/> <b>Scholarships</b>	Qualifying students may receive assistance in paying for training programs linked to employment.
<input type="checkbox"/> <b>Advanced technical training through corporate education</b>	Advanced technical training programs such as CDL and short-term training programs are available through each technical institute's corporate education center. Testing services and short courses on technology, test preparation, and other personal enrichment are also offered.
<input type="checkbox"/> <b>Workforce Recruitment Program</b>	This program matches interested and qualifying students with sponsoring companies who pay part or all of the student's tuition and fees. The student agrees to an agreed-upon commitment to work for the company following graduation.
<input type="checkbox"/> <b>Ed2Go</b>	Over 200 six week long online courses in the following areas: technology, certification prep, writing, personal enrichment, entrepreneurship/business, languages, test prep, legal, and medical.

## ONE-STOP PARTNER PROGRAMS AND SERVICES

OTHER ONE-STOP PARTNER PROGRAMS:	DESCRIPTION:
<b>Trade Adjustment Assistance Services</b>	Assist individuals who have lost their jobs due to foreign competition. The business must be federally certified for individuals to be eligible for TAA.
<b>Dakota Roots</b>	Dakota Roots matches out-of-state job seekers with Job Advisors in the One Stop to assist individuals in the job-seeking process. Job Advisors will notify job seekers of openings available to meet their career interests.
<b>Senior Community Service Employment Program</b>	DLR develops partnerships with non-profits and government agencies to provide individuals, age 55 or older, the opportunity for part-time work experiences and other training activities to become self-sufficient.
<b>National Farmworker Jobs Program</b>	Assisting individuals who have worked on a farm or ranch and are seeking education, training and employment opportunities in agriculture or non-agriculture career fields. Financial assistance may include tuition, gas, groceries and/or rent.
<b>Supplemental Nutrition Assistance Program Employment &amp; Training</b>	Helps low-income individuals buy the food they need to stay healthy while they work to regain financial independence.
<b>Temporary Assistance for Needy Families</b>	Designed to provide temporary assistance and economic self-sufficiency for children and families
<b>Native American Programs</b>	The programs are designed to support employment and training activities in order to develop more fully the academic, occupational and literacy skills; make individuals more competitive in the workforce; and promote economic and social development in accordance with the goals and values of such communities. These programs are administered in a way that not only meet regulatory requirements, but also in ways that are consistent with the traditional cultural values and beliefs of the people they are designed to serve.
<b>Reemployment Assistance (RA)</b>	The Reemployment Assistance (RA) program provides benefits to individuals who have lost their job through no fault of their own, and meet other eligibility requirements. RA is not public assistance or an entitlement program. RA benefits are intended to provide temporary, partial wage replacement to individuals, until they find other employment. In order to be eligible for benefits individuals must have some attachment to the workforce. This is usually determined by the amount of wages an individual has earned, and whether they are able and available to work. The program is funded by employers through payroll taxes. Workers do not contribute to this program.
<b>Jobs for Veterans State Grants (JVSG)</b>	The JVSG program provides Career Readiness and other services to eligible veterans, eligible spouses, eligible transitioning service members, wounded, ill, and injured service members receiving treatment at a military treatment facility or wounded warrior unit. Caretakers would be included for JVSG services for those military service members receiving treatment as stated. The JVSG program also performs outreach to employers.

## ONE-STOP SYSTEM INFRASTRUCTURE FUNDING AGREEMENT

**INFRASTRUCTURE BUDGET | One-Stop Career Center**  
July 1, 2020 - June 30, 2021

One Stop Location:	Aberdeen				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	45,242		10,519		55,761
Computer Services	24,275		-		24,275
Telecommunications	3,168		-		3,168
Janitorial	3,980		924		4,904
Electrical	4,933		799		5,732
Garbage/Sewer	744		120		864
Water	135		22		157
Natural Gas	871		141		1,011
Other Facility Costs	5,814		941		6,755
<b>Total:</b>	<b>89,161</b>	<b>-</b>	<b>13,466</b>	<b>-</b>	<b>102,627</b>
Square Footage	3,629		844		4,473

Notes: DLR Field Operations pays 16.80% and AEL 2.72% of utility and janitorial costs of the building. Space is occupied by other tenants and DLR programs.

One Stop Location:	Brookings				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	43,482	1,356	8,752		53,590
Computer Services	14,160	4,046	-		18,206
Telecommunications	1,848	528	-		2,376
Janitorial	8,530	-	-		8,530
Electrical	6,464	123	-		6,586
Garbage/Sewer	-	-	-		-
Water	-	-	-		-
Natural Gas	-	-	-		-
Other Facility Costs	-	-	-		-
<b>Total:</b>	<b>74,485</b>	<b>6,052</b>	<b>8,752</b>	<b>-</b>	<b>89,289</b>
Square Footage	4,874	152	900		5,926

Notes: DLR pays 98.14% and VR 1.86% of utility and janitorial costs of the shared suite. AEFLA is a separately leased suite space which the landlord currently funds the utilities.

One Stop Location:	Huron				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	24,891	3,247			28,139
Computer Services	14,160	2,023			16,183
Telecommunications	1,848	264			2,112
Janitorial	6,780	885			7,665
Electrical	2,641	344			2,985
Garbage/Sewer	936	122			1,058
Water	206	27			233
Natural Gas	408	53			461
Other Facility Costs	-	-			-
<b>Total:</b>	<b>51,870</b>	<b>6,965</b>	<b>-</b>	<b>-</b>	<b>58,836</b>
Square Footage	2,400	313			2,713

Notes: DLR pays 88.46% and VR 11.52% of utility and janitorial costs of a shared space.

APPENDIX C

One Stop Location:	Madison				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	58,501				58,501
Computer Services	10,115				10,115
Telecommunications	1,320				1,320
Janitorial	11,078				11,078
Electrical	5,766				5,766
Garbage/Sewer	666				666
Water	331				331
Natural Gas	1,597				1,597
Other Facility Costs	3,206				3,206
Total:	92,579	-	-	-	92,579
Square Footage	5,319				5,319
<i>Notes: DLR pays 63.86% of the utilities and janitorial costs of the leased space. The remainder of space and utilities are paid by non-partner State agencies.</i>					
One Stop Location:	Mitchell				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	49,899	1,175	8,276		59,351
Computer Services	16,183	4,046			20,229
Telecommunications	2,112	528			2,640
Janitorial	9,672	228			9,900
Electrical	4,351	102			4,454
Garbage/Sewer	425	10			435
Water	498	12			510
Natural Gas	1,317	31			1,348
Other Facility Costs	-	-			-
Total:	84,459	6,131	8,276	-	98,866
Square Footage	4,582	108	667		5,357
<i>Notes: DLR pays 97.7% and VR 2.3% of utility and janitorial costs of a shared space. AEFLA leases its own space which includes the costs for utilities in the lease payment.</i>					
One Stop Location:	Pierre				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	53,642				53,642
Computer Services	16,183				16,183
Telecommunications	2,112				2,112
Janitorial	11,220				11,220
Electrical	4,077				4,077
Garbage/Sewer	891				891
Water	277				277
Natural Gas	805				805
Other Facility Costs	808				808
Total:	90,015	-	-	-	90,015
Square Footage	5,210				5,210
<i>Notes: DLR pays 100% of utility costs of a space which isn't currently shared with other agencies or entities.</i>					

APPENDIX C

One Stop Location:	Rapid City				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	222,842	41,422			264,265
Computer Services	65,744	30,344			96,088
Telecommunications	8,580	3,960			12,540
Janitorial	34,063	6,721			40,784
Electrical	15,603	3,287			18,890
Garbage/Sewer	900	190			1,090
Water	996	210			1,206
Natural Gas	4,589	967			5,556
Other Facility Costs	-	-			-
<b>Total:</b>	<b>353,318</b>	<b>87,100</b>	<b>-</b>	<b>-</b>	<b>440,418</b>
<b>Square Footage</b>	<b>17,817</b>	<b>3,754</b>			<b>21,571</b>
<i>Notes: VR has a separate lease with the landlord, but utility costs are on one bill which DLR receives. DLR pays 79.63% and VR pays 16.77% of utility costs. DLR &amp; VR have separate janitorial contracts. Remainder of utilities for other non-partner entities in space.</i>					
One Stop Location:	Sioux Falls				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	166,788	121,654		3,463	291,905
Computer Services	68,779	48,550		4,046	121,374
Telecommunications	8,976	6,336		528	15,840
Janitorial	9,822	7,164		204	17,189
Electrical	16,054	11,710		333	28,097
Garbage/Sewer	2,914	2,125		60	5,099
Water	612	446		13	1,071
Natural Gas	2,875	2,097		60	5,031
Other Facility Costs	4,205	3,067		87	7,359
<b>Total:</b>	<b>281,023</b>	<b>203,147</b>	<b>-</b>	<b>8,794</b>	<b>492,964</b>
<b>Square Footage</b>	<b>12,904</b>	<b>5,891</b>		<b>270</b>	<b>19,065</b>
<i>Notes: DLR pays 20.23%, VR 14.76%, and NFJP 0.42% of utility and janitorial costs. Remainder of building and costs are to other entities.</i>					
One Stop Location:	Spearfish				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	42,638	7,048			49,686
Computer Services	16,183	2,023			18,206
Telecommunications	2,112	264			2,376
Janitorial	7,239	1,197			8,435
Electrical	4,167	689			4,856
Garbage/Sewer	1,187	196			1,383
Water	373	62			434
Natural Gas	557	92			649
Other Facility Costs	1,476	244			1,721
<b>Total:</b>	<b>75,932</b>	<b>11,814</b>	<b>-</b>	<b>-</b>	<b>87,746</b>
<b>Square Footage</b>	<b>3,692</b>	<b>610</b>			<b>4,302</b>
<i>Notes: DLR pays 83.37% and VR 13.78% of utility and janitorial costs of shared space. The remainder of the space is for a non-partner entity.</i>					

APPENDIX C

One Stop Location:	Vermillion				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	30,940		5,732		36,672
Computer Services	12,137		-		12,137
Telecommunications	1,584		-		1,584
Janitorial	6,838		1,267		8,105
Electrical	1,922		356		2,278
Garbage/Sewer	297		55		352
Water	198		37		234
Natural Gas	718		133		850
Other Facility Costs	-		-		-
Total:	54,634	-	7,579	-	62,213
Square Footage	2,446		453		2,899
<i>Notes: DLR pays 84.37% and AEFLA 15.63% of utility and janitorial costs of shared space.</i>					
One Stop Location:	Watertown				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	44,064	6,215	6,873		57,151
Computer Services	18,206	8,092	-		26,298
Telecommunications	2,376	1,056	-		3,432
Janitorial	9,555	1,597	1,768		12,920
Electrical	1,488	242	268		1,998
Garbage/Sewer	366	59	74		500
Water	104	17	19		139
Natural Gas	239	39	43		321
Other Facility Costs	2,728	375	416		3,519
Total:	79,125	17,691	9,460	-	106,276
Square Footage	5,077	716	792		6,585
<i>Notes: DLR pays 24.61%, VR 4.00%, and AEFLA 4.43% of utility costs with the remainder paid by other non-partner entities. For janitorial costs, DLR pays 23.94%, VR 4.00%, and AEFLA 4.43% with the remainder paid by other entities. For snow removal and other entire complex costs, DLR pays 18.83%, VR 2.59%, and AEFLA 2.87%.</i>					
One Stop Location:	Yankton				Office
Infrastructure Cost	DLR	VR	AEFLA	NFJP	Total
Rent	29,066	22,369			51,435
Computer Services	14,160	12,873			27,033
Telecommunications	1,848	1,680			3,528
Janitorial	-				-
Electrical	-				-
Garbage/Sewer	-				-
Water	-				-
Natural Gas	-				-
Other Facility Costs	-				-
Total:	45,074	36,922	-	-	81,996
Square Footage	1,684	1,296			2,980
<i>Notes: The Kanner building is State-leased space. Estimated FY2021 rate is \$17.26 per square foot, but actual rate is dependent upon billing from the Bureau of Administration. Rate includes janitorial and utility costs.</i>					
<b>GRAND TOTAL:</b>	<b>1,371,675</b>	<b>375,823</b>	<b>47,534</b>	<b>8,794</b>	<b>1,803,826</b>

APPENDIX C

## APPENDIX 3

### Joint Powers Agreement between South Dakota Department of Human Services and South Dakota Department of Labor and Regulation

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JOINT POWERS AGREEMENT BETWEEN  
SOUTH DAKOTA DEPARTMENT OF HUMAN SERVICES  
AND  
SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION

#### I. PURPOSE AND JOINT POWERS

The purpose of this Agreement is to establish procedures and safeguards to facilitate confidential information sharing between the South Dakota Department of Labor and Regulation (DLR) and the South Dakota Department of Human Services (DHS). This exchange of confidential information on individuals receiving services is for the purpose of federal reporting requirements under the Workforce Innovation and Opportunity Act (WIOA).

This Agreement does not establish a separate legal entity as contemplated by SDCL 1-24-5. The cooperative undertaking described in this Agreement will be financed and conducted under the provisions of this Agreement by the DHS and the DLR. Each party has responsibilities under the terms of this Agreement and no joint board or administrator will be used. No real property will be purchased for use under this Agreement.

This Agreement will further development of participant services, interaction, and communications between agencies engaged in Workforce Innovations and Opportunity Act of 2014. The South Dakota Workforce Innovation and Opportunity Act Unified State Plan reflects strategies that advance the key WIOA principles, as outlined in the Employment and Training Administration's Training and Employment Guidance Letter (TEGL) 14-15;

- Increase access to and opportunities for employment, education, training, and support services that individuals, particularly those with barriers to employment, need to succeed in the labor market;
- Align workforce investment, education, economic development [management information] systems in support of comprehensive, accessible, accountable, and high-quality workforce development system;
- Promote improvement in the structure and delivery of services;
- Increase prosperity of workers and employers, the economic growth of communities, regions and States, and the global competitiveness of the United States;
- Provide innovative workforce investment activities, through integrated workforce development systems, that increase postsecondary credential attainment and, as a result, improve quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet skill requirements of employers, and enhance productivity and competitiveness of the nation; and
- Measure the effectiveness, improve transparency, and support informed consumer choice through performance reporting, evaluation, and data system that support these activities.

## II. DEPARTMENT OF LABOR AND REGULATION DATA

- A. DLR agrees to provide information collected through the Unemployment Insurance Program to DHS by allowing DHS to electronically access DLR automated data files located at an electronically secured site. The information will be accessed by DHS through the electronic matching of DHS vocational rehabilitation applicants/consumers with quarterly reports of employers. DLR will provide the following information:
  - 1. the amount of quarterly wages reported for each applicant/consumer by an employer;
  - 2. the quarter and year reported;
  - 3. the employee name;
  - 4. the employer name and address; and
  - 5. other data as deemed necessary for WIOA reporting.
- B. DLR data is displayed in the DHS Vocational Rehabilitation Fully Automated Computer Enhanced System (VRFACES) case management system. Only DHS staff with approved security to access the VR FACES and approved security levels will be able to view the DLR information.
- C. DLR agrees to provide information collected through its Management Information Systems (MIS) that collect and report data related to the three WIOA Titles DLR administers; Title I – Workforce Training, Title II – Adult Education and Literacy (AEL) and Title III – Wagner-Peyser Employment Services. The data provided between the two agencies is to be considered 'open-exchange' and be provided in relation to pertinent and required reporting requirements.

The information accessed by DHS shall hereinafter be referred to as "DLR data".

## III. DEPARTMENT OF HUMAN SERVICES DATA

- A. DHS agrees to provide information collected through the DHS VRFACES case management system to DLR by allowing DLR electronic access to DHS data located at an electronically secured site. The information will be accessed by DLR through the electronic matching of DHS vocational rehabilitation applicants/consumers.
- B. Only DLR staff with approved security will be able to view the DHS information.
- C. The information accessed by DLR shall hereinafter be referred to as "DHS data".
- D. DHS data and DLR data will be matched to identify common data elements. Data elements necessary for statistical and federal reporting requirements under WIOA law are to be considered 'open-exchange' between core WIOA Title partner-agencies to include DLR and its directly administered title programs and DHS WIOA Title IV. Partner agencies must adhere to all security, confidentiality, and safeguard requirements further outlined in this Agreement. The sharing of data between DHS and DLR will be done in a manner that is prescribed under applicable WIOA law and guidance. DLR and DHS will develop strategies and data extraction methodologies determined to meet the intent of the law for the necessary reporting and performance data needed by both agencies.

The information accessed by DLR shall hereinafter be referred to as "DHS data".

#### IV. DISPOSITION OF MATCHED ITEMS

Data sets will be maintained by DLR for comparative purposes. DLR will destroy all individually identifiable individual information once it is no longer needed for analysis.

All subsequent analysis performed will be in consultation with DLR and DHS.

#### V. SAFEGUARDS

DHS and DLR agree to the following safeguards for the disclosed information:

- A. Information shall not be disclosed or released in any manner to any person or entity other than with approved security in DLR and DHS.
- B. Information shall be used only for the specific purposes described in this Agreement.
- C. Information shall be stored in a place physically secure from access by unauthorized persons. Use of unsecured telecommunications, including Internet, to transmit information is prohibited.
- D. Precautions shall be taken to insure only authorized persons have access to the information stored in the computer systems. Information maintained in an electronic format, such as magnetic tapes or discs, must be stored and processed in such a way that unauthorized persons cannot obtain the information.
- E. DHS and DLR shall fully and promptly advise the other party of any violation of the terms of the Agreement including any failure of any personnel to adhere to confidentiality requirements and procedures.
- F. DHS and DLR shall dispose of the information in accordance with their record retentions policies.
- G. DHS may disclose the information in accordance with 34 CFR §361.38 Protection, use and release of personal information.
- H. DLR may disclose the information in accordance with 20 CFR 603.5(e) as a public official for use in the performance of official duties.
- I. To allow on-site inspections if requested by either Department to assure compliance with this Agreement and confidentiality provisions of state law.

In accordance with federal regulation, the confidential unemployment compensation information accessed and received by DHS shall be subject to the safeguard provisions contained in 20 CFR § 603.9(b), which requires DHS to:

- Use the confidential information only for authorized purposes set forth in Section I of the Agreement;
- Store the confidential information in a place physically secure from access by unauthorized persons;
- Store and process the confidential information maintained in electronic format, such as magnetic tapes or discs, in such a way that unauthorized persons cannot obtain the information by any means;
- Undertake precautions to ensure that only authorized analysts are given access to the confidential information stored in computer systems;

- Instruct authorized analysts having access to the confidential information about the requirements as set out in this Agreement, including that any actual or suspected breach of the security of the information accessed shall be reported immediately to DLR, and that the penalties for unauthorized use, disclosure, or destruction may include disciplinary action and/or criminal or civil action, if applicable;
- Dispose of confidential information and any copies thereof made authorized analysts of DHS when the purpose for which the confidential information is disclosed has been served except for information possessed by any court. Disposal shall be carried out by an approved method of destruction, which includes; shredding, burning, or certified or witnessed destruction. Confidential information shall never be disposed of by placing information in wastebaskets or recycle bins;
- Maintain a system sufficient to allow an audit of compliance with the security requirements;
- Agree that the confidential information shall not be redisclosed to any person without permission from DLR.

#### VI. PAYMENT OF COSTS

Any programming costs for the exchange of the WIOA Common Data Elements will be shared equally with the WIOA Partners accessing the data. Any programming costs specific for a WIOA partner will be their sole expense.

#### VII. TERMINATION PROVISION

This Agreement shall become effective as of October 1, 2022 and will terminate on September 30, 2027 unless sooner terminated pursuant to the provisions of this Agreement. This Agreement may be terminated by either party upon 30 days written notice.

#### VIII. ASSIGNMENT AND AMENDMENT PROVISION

This Agreement may not be assigned by either party. Each party may request review or modification of the Agreement at any time, but any amendment to the Agreement must be made in writing and signed by an authorized representative of each party.

#### IX. CONTROLLING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

X. NOTICE PROVISION

Any notice or other communication required under this Agreement shall be made in writing and be given by and to Pauline Heier on behalf of DLR, at the address of South Dakota Reemployment Assistance Division, PO Box 4730, Aberdeen, South Dakota, 57402-4730, and by and to Eric Weiss on behalf of DHS, at the address of Division of Rehabilitation Services, Hillsvew Properties Plaza, 3800 E. Hwy 34, c/o 500 East Capitol Avenue, Pierre, SD 57501, or such authorized designees as either party may from time to time designate in writing. Notice or communications to or between the parties shall be deemed to have been delivered when mailed by first class mail, provided that notice of default or termination shall be sent by registered or certified mail, or if personally delivered, when received by such party.

XI. FILING

DLR will file a copy of this Agreement with the Legislative Research Council and the Attorney General's Office within 14 days of execution as required by SDCL 1-24-6.1.

XII. ENTIRE AGREEMENT

This Agreement sets forth the entire understanding between the parties and both parties signify that they have read, understand and agree to the terms and conditions of this entire Agreement by signing the appropriate spaces below. Both parties further agree that the foregoing terms and language supersedes all prior agreements and negotiations, oral or written, relating to the subject matter of this Agreement.

In Witness Whereof, the parties signify their agreement effective upon signature by all parties.

Name: Marcia Hultman

Name: Shawnie Rechtenbaugh

Title: Cabinet Secretary

Title: Cabinet Secretary

Date: 7/24/2023

Date: 7/26/2023