

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NORTH DAKOTA WORKFORCE DEVELOPMENT COUNCIL
AND
JOB SERVICE NORTH DAKOTA

In accordance with the Workforce Innovation and Opportunity Act (WIOA) Section 123, this Memorandum of Understanding (MOU) is entered into by the North Dakota Workforce Development Council (WDC), which serves as the State Workforce Development Board and Local Workforce Development Board for the state of North Dakota as a single Workforce Development Area under WIOA and Job Service North Dakota (JSND) designated by the Governor as the WIOA Fiscal Agent, Grant Recipient, and State Administrative Entity.

This MOU becomes effective on July 1, 2021 and will remain in effect until June 30, 2025. However, this MOU may be terminated at any time by either of the parties upon providing 120 days written notice to the other party.

The activities included in this MOU are covered by Title I Youth funds received in the State and allocated based on the formula set out within WIOA and the State. The total amount will be based on the fiscal year federal allocation and any additional carry in WIOA funds unexpended from the prior biennium.

It is agreed and understood between the parties that the WDC shall:

1. Monitor and evaluate the performance of JSND as the WIOA Youth services provider. Areas of evaluation include but are not limited to:
 - A. The federally negotiated performance accountability measures established by the Department of Labor Employment and Training Administration (ETA);
 - B. Budget; and
 - C. Enrollment information.

It is agreed and understood between the parties that JSND shall:

1. Serve as the single WIOA Youth program provider for State-wide oversight of the following activities in coordination with program partners:
 - A. Facilitate activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;
 - B. Prepare youth for postsecondary educational and training opportunities;
 - C. Support strong linkages between academic and occupational education that lead to the attainment of recognized postsecondary credentials;
 - D. Prepare youth for unsubsidized employment opportunities, in appropriate cases; and

- E. Establish effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets.
2. Implement a plan for outreach and recruitment based on diverse target groups as it relates to the workforce system. Outreach and recruitment will be directed by WIOA requirements of 75 percent Out-of-School Youth expenditure levels and 20 percent requirement for paid and unpaid work experiences (see section 5C).
3. Provide an objective assessment to determine eligibility to include academic levels, skill levels, and service needs of each participant. The assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of each participant, for the purpose of identifying appropriate services and career pathways for participants.
4. Develop an employment plan to include service strategies for each participant that are directly linked to one or more of the indicators of performance and identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant.
5. To support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, JSND shall provide WIOA youth program elements consisting of:
 - A. Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies leading to the 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;
 - B. Alternative secondary school services, or dropout recovery services, as appropriate;
 - C. Paid and unpaid work experiences with academic and occupational education components, which may include, but are not limited to:
 - 1) Summer employment opportunities and other employment opportunities available throughout the school year;
 - 2) Pre-apprenticeship programs;
 - 3) Internships and job shadowing; or
 - 4) On-the-job training opportunities;
 - D. Occupational skills training to include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations;
 - E. Education offered concurrently with, and in the same context as, workforce preparation activities and training for a specific occupation or occupational cluster;

- F. Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
 - G. Supportive services;
 - H. Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
 - I. Follow-up services for not less than 12 months after the completion of participation, as appropriate;
 - J. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
 - K. Financial literacy education;
 - L. Entrepreneurial skills training;
 - M. 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; and
 - N. Activities that help youth prepare for and transition to postsecondary education and training.
6. Each participant shall receive information and/or referrals as described herein:
- A. Information on the full array of applicable or appropriate services that are available through the local board or other eligible providers or one-stop partners, including those providers or partners receiving funds under WIOA;
 - B. Referral to appropriate training and educational programs with the capacity to serve the participant either on a sequential or concurrent basis; and
 - C. Ensure that an eligible applicant who does not meet the enrollment requirements of the particular program or who cannot be served be referred for further assessment, as necessary, and referred to appropriate programs to meet the basic skills and training needs of the applicant.
7. Ensure that not less than 75 percent of the funds available will be used to provide workforce investment activities to Out-of-School Youth.
8. Ensure that not less than 20 percent of the funds allocated shall be used to provide In-School Youth and Out-of-School Youth with the activities listed in section 6. c. above.
9. Ensure that the 5 percent exception for individuals assisted who are not considered low-income is met.
10. Ensure that the 5 percent limitation for In-School Youth assisted may be a low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

11. Provide the WDC quarterly reports on program participants and program expenditures at a level of detail to track the level of service and priorities identified in the State Plan.

It is the intent of this MOU that JSND will comply with current ETA and WDC requirements, policies, and guidance. If there is any discrepancy between this MOU and current or future ETA and/or WDC policy, the current or new policy will supersede only the applicable sections of this MOU. All other sections will remain in force for the duration of this MOU.

David Farnsworth 3/30/21
David Farnsworth, Chairperson, North Dakota Workforce Development Council Date

Bryan Klipfel 4/6/2021
Bryan Klipfel, Executive Director, JSND North Dakota Date