

LOCAL WORKFORCE INVESTMENT AREA (LWIA) 23

CHIEF ELECTED OFFICIAL AND GRANT RECIPIENT/FISCAL AGENT AGREEMENT

This Agreement is entered into by the Chief Elected Officials (CEOs) of Local Workforce Investment Area (LWIA) 23 and Illinois Eastern Community Colleges (IECC). The CEOs designated IECC as the Grant Recipient/Fiscal Agent to act on their behalf pursuant to the Workforce Investment Act of 1998 (WIA).

While WIA permits the CEOs to designate an entity to serve on their behalf as grant recipient and fiscal agent, the CEOs understand that this designation does not relieve the CEOs of their financial liability for any misspent funds. Under WIA, the CEOs retain ultimate liability for the repayment of any WIA funds which have been misused or costs which have been disallowed.

The purpose of this Agreement is for CEOs to articulate their expectations of their designated Grant Recipient/Fiscal Agent and for the designated Grant Recipient/Fiscal Agent to acknowledge and accept these expectations.

A. DELEGATION OF CEO AUTHORITY AND RESPONSIBILITIES

1. The CEOs delegate to IECC the power and responsibility to enter into contracts, subcontracts, and other agreements, to receive, expend, and distribute funds, to develop and evaluate procedures for financial management, and to hire, organize, and train the staff needed to carry out their responsibilities.
2. IECC agrees to accept on behalf of the CEOs all grant funds associated with Title IB of WIA. This responsibility also includes funds available under the Trade Adjustment Act (TAA).
3. IECC agrees to disburse WIA funds for allowable workforce investment activities on behalf of the CEOs. As required by law, these disbursements will occur at the direction of the local workforce investment board of LWIA 23, provided that the purpose for the disbursement is allowable, authorized and documented.
4. The CEOs agree to reimburse IECC for necessary and reasonable administrative costs for performing the duties of grant recipient/fiscal agent as reflected in an operating budget which IECC shall submit to CEOs annually for approval.
5. IECC acknowledges that no provision for profit is allowed and that any excess of revenue over its costs must be counted as program income, and spent in compliance with WIA program income requirements. IECC also acknowledges that interest earned on funds received under WIA Title I must also be included in program income.

B. GENERAL CEO EXPECTATIONS FOR ADMINISTRATION

1. The CEOs expect the IECC to comply with Federal and State law, regulation and policy established for WIA programs.
2. The CEOs expect the IECC to comply with relevant circulars of the Office of Management and Budget. These include but are not limited to:
 - a. The uniform administrative requirements of OMB Circular A-110, including the standards for financial management systems.
 - b. Cost principles as defined in OMB Circular A-21.
3. The CEOs expect IECC to identify and acquire an accounting system that will meet all the fund accounting and reporting requirements for WIA grant programs.
4. The CEOs expect IECC to employ and train a sufficient number of qualified staff necessary to fulfill the duties of grant recipient/fiscal agent, subject to the limitations of an annual budget.
5. The CEOs expect IECC to identify and train an Illinois Workforce Development System (IWDS) administrator who will administer the participant data management and reporting system.
6. The CEOs expect IECC to continuously review operational policies and to make recommendations to CEOs to streamline or improve administration of WIA programs.
7. The CEOs expect IECC to establish and manage an appropriate system for the award and administration of grants and contracts, including monitoring of grants and contracts.
8. The CEOs expect IECC to enter into written grant agreements or contracts only as needed and when clear goals and obligations are established.
9. The CEOs expect IECC to monitor the implementation of all grants and contracts, and to fulfill the requirement on local areas to conduct program and financial monitoring not less frequently than annually.
10. The CEOs expect IECC to take prompt and appropriate corrective action upon becoming aware of any evidence of a violation of Federal or State WIA rules or policies.
11. The CEOs expect IECC to closely monitor the life of all grant funds to ensure they are used to the maximum amount allowed under WIA and to avoid any loss of funds allocated to the local workforce investment area.

C. PROCEDURAL EXPECTATIONS OF CEOs:

1. The CEOs expect IECC to develop all required procedures for program planning, evaluation, and quality improvement systems on behalf of the CEOs.

2. The CEOs expect IECC to develop a property control system that meets all Federal and State requirements and that provides for a full accounting of all property and equipment purchased with WIA funds.

D. SERVICE EXPECTATIONS OF CEOs:

1. The CEOs expect IECC to remain an honest broker for service planning and resource allocation. The CEOs expect IECC decisions to be transparent and based on the good of participants and the service delivery system within the local workforce investment area as a whole.
2. The CEOs expect IECC to assure continuity in participant services during the initial period of transition to its grant recipient/fiscal agent responsibilities. This need for continuity extends to planning and services development under the American Recovery and Reinvestment Act program, and especially for planning and enrollment in the summer youth employment program.
3. The CEOs expect that IECC shall not exclude any participant from program participation, deny any participant benefits, subject any participant to discrimination, or deny employment to any participant because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.
4. The CEOs expect IECC to organize and execute its grant recipient and fiscal agent responsibilities to assure the fair and equitable allocation of grant funds across all counties within the local workforce investment area. Planning and resource allocation decisions shall be based on current labor market information, the number unemployed, the population of the various counties, and number of plant closings and mass layoffs, and the unique needs of the communities within each county. IECC will make these determinations transparently and keep the CEOs informed about these planning and resource allocation decisions.

E. REPORTING EXPECTATIONS OF CEOs

1. The CEOs expect IECC to provide the following information monthly:
 - a. Reports and other documents that summarize the current financial conditions of all WIA grants awarded to LWIA 23, including income, expenditures, fund balances, comparison to approved budget and other financial metrics the CEOs may identify in conjunction with the execution of their responsibilities under this Agreement.
 - b. Reports and other documents that summarize current program performance in LWIA 23 against the negotiated performance standards required under WIA, including whether the local area is meeting, exceeding or failing to meet each performance standard.
 - c. Reports and documents that summarize known compliance issues or concerns along with an explanation of any out-of-compliance notices received for any program for which the CEOs retain ultimate responsibility.

2. The CEOs expect IECC to meet with the CEO Consortium on a regular basis to review reports and address CEO questions or concerns. These meetings shall be held not less frequently than bi-monthly.

F. SEPARATION OF DUTIES:

1. The CEOs expect IECC to provide for or arrange staff support to the local workforce investment board of area 23 under the "consortium" staffing model. Under this model, the responsibility for providing staff support to the local workforce investment board of LWIA 23 is shared among at least four of the required Illinois workNet partners.
2. The CEOs also expect IECC to assure adequate separation between its responsibilities as grant recipient/fiscal agent for LWIA 23 and its role as a certified training provider for LWIA 23.

G. CEO EXPECTATIONS ABOUT LIABILITY

1. The CEOs will hold IECC accountable for all expenditures or costs that violate WIA requirements. This includes disallowed costs resulting from IECC's failure to apply or properly interpret WIA requirements, negligence, IECC's failure to follow accepted standards of financial management or other failure to safeguard WIA funds on behalf of CEOs. CEOs agree that all agreements or contracts with service providers shall include provisions that require the service provider to be responsible for disallowed costs resulting from the service provider's known failure to apply or properly interpret WIA requirements, gross negligence, the service provider's failure to follow accepted standards of financial management or other failure to safeguard WIA funds on behalf of CEOs.
2. In the event costs are disallowed, the CEOs will seek reimbursement from IECC for all disallowed costs and expect IECC to repay these costs with non-Federal sources of funds. The CEOs understand that IECC may seek reimbursement from the service provider or other contractors for whom costs were disallowed. IECC shall assure that any such reimbursed costs will be paid from non-Federal sources of funds.

H. OTHER EXPECTATIONS OF CEOs


1. The expectations identified in this Agreement are not comprehensive nor intended to be. Instead, they establish a baseline set of expectations to guide IECC in its role as grant recipient and fiscal agent.
2. The CEOs expect to work in partnership with IECC to safeguard WIA funds and to assure that the funds available in LWIA 23 are used for the maximum benefit of citizens in the fourteen counties.
3. The CEOs will provide leadership and guidance to the local workforce investment board of LWIA 23 and expect the full cooperation of the local workforce investment board of LWIA 23 with the CEOs and IECC. If the local workforce investment board of LWIA

23 fails to cooperate or fails to act in a way beneficial to the successful operation of services or programs under the control of the CEOs, the CEOs will take appropriate action to require the cooperation of the local workforce investment board of LWIA 23, up to and including the appointment of new members to the local workforce investment board of LWIA 23.

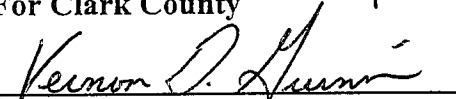
I. Effective Date

This agreement shall become effective on July 1, 2009 and continue from year-to-year unless either the CEOs or IECC initiate steps to terminate it. If either the CEOs or IECC plans to terminate this Agreement, a minimum of 60 days notice shall be given to the other as to this intent.

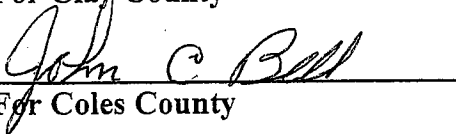
J. SIGNATURES



For Clark County



For Clay County



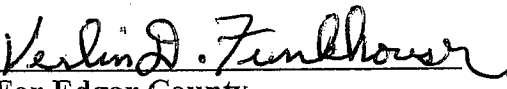
For Coles County

For Crawford County

For Cumberland County



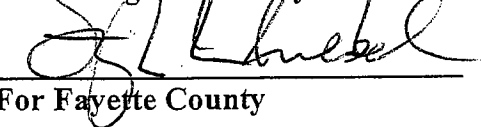
For Douglas County



For Edgar County



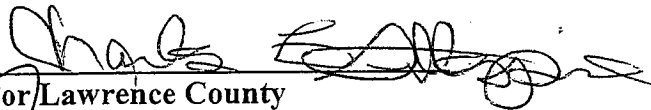
For Effingham County



For Fayette County



For Jasper County



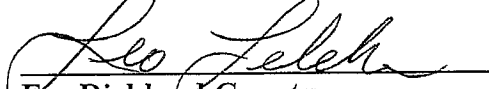
For Lawrence County



For Marion County



For Moultrie County



For Richland County

Chief Executive Officer, Illinois Eastern Community Colleges