

## § 627.905

more than the educational institution's catalog price, are necessary to receive specific training, are charged to the general public to receive such training, and are for the training of participants.

(h) *Financial reporting.* Notwithstanding reprogramming, expenditures must be recorded separately by year of appropriation.

(i) *Private Industry Council.* The private industry councils shall be certified pursuant to § 628.410 of this chapter, Private Industry Council.

(j) *Grievances, investigations, and hearings.* Generally, all grievances, investigations and hearings pending on or before June 30, 1993 should be resolved and settled under prior rules and procedures. Grievances, investigations, and hearings occurring on or after July 1, 1993 will be governed by the procedures described in subparts E, F, and H of this part 627.

(k) *Summer program.* (1) The Title II-B Summer Youth Employment Program for 1993 shall be governed by the Act and regulations in effect prior to the Amendments (prior to September 7, 1992).

(2) Up to 10 percent of the 1993 title II-B funds available may be transferred to the title II-C program.

(l) *SDA designation.* At the Governor's discretion, SDA's designated prior to July 1, 1992 need not be subject to the provisions of § 628.405, Service delivery areas.

(m) *Program implementation.* The implementation by the States and SDA's of certain new program design requirements, particularly objective assessment and development of individual service strategies (ISS), may require additional time to fully implement beyond July 1, 1993. Reasonable efforts to implement the provisions of §§ 628.515, 628.520, and 628.530, as soon as possible after July 1, 1993, are expected to be made. However, it is not expected that every new participant will initially receive objective assessment, ISS, and referral to non-title II services for a period of 6 months, or until January 1, 1994.

(n) *Out-of-school youth ratio.* The 50-percent out-of-school participants requirement for title II-C will be phased in during PY 1993 and will not be the

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subject of compliance review until PY 1994, beginning July 1, 1994. During PY 1993, however, SDA's must show significant improvement in the proportion of out-of-school youth being served and performance in increasing the service ratio will be monitored by the States and DOL during this implementation period.

(o) *Administrative issuances.* Other implementation issues may be handled by administrative issuance. ETA will transmit such guidance directly to all Governors via a Training and Employment Guidance Letter (TEGL). Such TEGL's will be published as Notices in the FEDERAL REGISTER (section 701(i)).

### § 627.905 Guidance on contracts and other agreements.

The Department does not intend for contracts, agreements, inter-agency agreements, retainers, and similar arrangements to be negotiated and/or entered into for the sole purpose of applying previously existing rules and regulations. The 1992 JTPA amendments were effective July 1, 1993. The Department intends that contracts, awards and agreements entered into on or before June 30, 1993 are to be used to serve and/or train participants enrolled on or before June 30, 1993, unless the contracts and agreements are modified to comply with the new amendments and regulations.

### § 627.906 Determinations on State and SDA implementation.

(a) The Department expects that the States and SDA's will fully implement the provisions of the Act and these regulations regarding procurement, cost principles, cost categories, cost limitations, participant service requirements and eligibility beginning July 1, 1993.

(b) The Department expects that the implementation by the States and SDA's of the program design features in these regulations, particularly objective assessment and development of the ISS, may require additional time beyond July 1, 1993 to fully implement.

(c) In deciding to allow or disallow questioned costs related to the implementation of the provisions described in paragraph (b) of this section, the Grant Officer will consider the extent to which the State's and SDA's have

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made good faith efforts in properly implementing such provisions in the period July 1, 1993 through June 30, 1994.

- 628.605 Eligibility.
- 628.610 Authorized services.

**PART 628—PROGRAMS UNDER TITLE II OF THE JOB TRAINING PARTNERSHIP ACT**

**Subpart G—The Summer Youth Employment and Training Program**

**Subpart A—Scope and Purpose**

- 628.700 Scope and purpose.
- 628.701 Program goals and objectives.
- 628.702 Eligibility.
- 628.705 SYETP authorized services.
- 628.710 Period of program operation.

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- 628.100 Scope and purpose of part 628.

**Subpart H—Youth Training Program**

**Subpart B—State Planning**

- 628.800 Scope and purpose.
- 628.803 Eligibility.
- 628.804 Authorized services.

- 628.200 Scope and purpose.
- 628.205 Governor's coordination and special services plan.
- 628.210 State Job Training Coordinating Council.
- 628.215 State Human Resource Investment Council.

AUTHORITY: 29 U.S.C. 1579(a).

SOURCE: 59 FR 45845, Sept. 2, 1994, unless otherwise noted.

**Subpart C—State Programs**

**Subpart A—Scope and Purpose**

- 628.300 Scope and purpose.
- 628.305 State distribution of funds.
- 628.310 Administration.
- 628.315 Education coordination and grants.
- 628.320 Services for older individuals.
- 628.325 Incentive grants, capacity building and technical assistance.

**§ 628.100 Scope and purpose of part 628.**

(a) This part sets forth requirements for implementation of programs under title II of the Job Training Partnership Act, and includes the councils described in subpart B that have responsibilities under titles I, II, and III. In this part, the provisions generally pertaining to title II are covered in subparts B, C, D, and E. Matters specific to titles IIA, II-B, or II-C are addressed in subparts F, G, or H, respectively.

**Subpart D—Local Service Delivery System**

- 628.400 Scope and purpose.
- 628.405 Service delivery areas.
- 628.410 Private Industry Council.
- 628.415 Selection of SDA grant recipient and administrative entity.
- 628.420 Job training plan.
- 628.425 Review and approval.
- 628.426 Disapproval or revocation of the plan.
- 628.430 State SDA submission.

(b) Title II-A Adult Training programs are to prepare adults for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased occupational and educational skills, reduced welfare dependency, and result in improved long-term employability.

**Subpart E—Program Design Requirements for Programs Under Title II of the Job Training Partnership Act**

- 628.500 Scope and purpose.
- 628.505 Eligibility.
- 628.510 Intake, referrals, and targeting.
- 628.515 Objective assessment.
- 628.520 Individual service strategy.
- 628.525 Limitations.
- 628.530 Referrals of participants to non-title II programs.
- 628.535 Limitations on job search assistance.
- 628.540 Volunteer program.
- 628.545 Linkages and coordination.
- 628.550 Transfer of funds.

(c) Title II-B Summer Youth Employment and Training programs are to provide eligible youth with exposure to the world of work, to enhance the basic education skills of youth, to encourage school completion or enrollment in supplemental or alternative school programs and to enhance the citizenship skills of youth.

**Subpart F—The Adult Program**

- 628.600 Scope and purpose.

(d) Title II-C Youth Training programs are to improve the long-term employability of youth; to enhance the educational, occupational and citizenship skills of youth; to encourage school completion or enrollment in alternative school programs; to increase