

LUBBOCK REPORT

I. INTRODUCTION

In accordance with Section 98.31 of the Federal Regulations, Vol. 40, No. 101, concerning the Department of Labor Comprehensive Manpower Program and Grants, and the Texas Department of Community Affairs contractual responsibilities thereunder, a review was initiated to determine administrative and programmatic procedures of the South Plains Association of Governments (SPAG). TDCA, as the designated Prime Sponsor for the Balance of State, has the responsibility under the above mentioned rules and regulations to ensure that all contracts with program operators and their subcontractors comply with CETA regulations.

The basis for the review was determined for the following reasons:

1. Inquiries were made to the Department from Community Based organizations in Lubbock regarding the administrative procedures utilized to sublet contracts. (Attachments 1 and 2)
2. On September 26, 1975, the Executive Director of the Texas Department of Community Affairs forwarded a letter to the Executive Director of SPAG requesting that SPAG staff come to Austin to discuss FY '76 subcontracting procedures. (Attachment 3)
3. On October 1, 1975, TDCA received correspondence from SPAG stating that they would not come to Austin to discuss these issues. (Attachment 4)
4. On October 3, 1975, a letter was forwarded by the Director of the Manpower Services Division, TDCA, again requesting that SPAG staff come to Austin to discuss FY '76 subcontracting procedures. (Attech. 5)

Based on the aforementioned facts, and conscious of TDCA's obligation to the Department of Labor, a review team was sent to the headquarters of SPAG in Lubbock, Texas, on October 15 and 16, 1975.

Consistent with the authority granted the Prime Sponsor under the CETA Regulations, Section 98.31(b)(c) Responsibilities of the Prime Sponsor or

Eligible Applicant, which reads:

- (b) "The grantee is required to establish internal program management procedures. Such procedures shall be used by the grantee in the monitoring of day-to-day operations to periodically review the performance of the program in relation to program goals and objectives, and to measure the effectiveness and impact of program results in terms of participants, program activities and the community. The objective of such procedures shall be the improvement of overall program management and effectiveness."
- (c) "The grantee shall monitor all activities for which it has been provided funds under the Act to determine whether the assurances and certifications made in its plans and the purposes and provisions of the Act are being met, and to identify problems which may require the grantee to take corrective action in order to assure such compliance. The grantee shall fulfill this monitoring function through use of internal evaluative procedures, the examination of program data, or through such special analysis or checking as it deems necessary and appropriate."

The review procedure established by TDCA as Prime Sponsor consisted of informal interviews with parties involved in the SPAG subcontracting process. Interviews were conducted with the SPAG Executive Director and the Manpower staff as well as with all the potential subcontractors who submitted proposals for Title I Classroom Training funds. Those subcontractors interviewed were Lubbock Opportunities Industrialization Center, Inc. (LOIC), Jobs For Progress, Inc. (SER), Texas Schools, Inc. (TSI), and Lubbock Independent School District (LISD). The review team also met informally with two members of the SPAG Board of Directors with whom the purpose for the onsite review was outlined and discussed.

This proposed process is consistent with CETA Regulations, Section 98.26(b), Procedures for Resolving Issues Between Grantees and Complainants which reads as follows:

- (b) "Each Prime Sponsor or eligible applicant should establish informal review procedures such as informal hearings or some other process to deal with issues arising between it and any aggrieved party."

II. CHRONOLOGY

This section of the report will chronologically establish and document the sequence of events as discovered by the TDCA Review Team. Documentation

for the sequence of events can be found in the attachments section of this report.

On March 6, 1975, the South Plains Regional Manpower Advisory Council met and approved the establishment of a Task Coordinating Committee (Attachment 6). This committee was given the authority to give final approval for the FY '76 SPAG Manpower Plan to be submitted to TDCA.

According to TDCA Review Team interviews with SPAG staff, the Task Coordinating Committee worked with SPAG Manpower staff in developing the Manpower Plan that was eventually submitted to the SPAG Board of Directors for review.

On March 10, 1975, the SPAG Manpower staff submitted an outline of the FY '76 Plan to both the Manpower Advisory Council and the Task Coordinating Committee for their review. The Task Coordinating Committee, acting with their delegated authority and the Manpower Advisory Council, approved the outline and authorized the planning staff to present the outline to the SPAG Board of Directors as the official recommendations of the South Plains Regional Manpower Advisory Council. (Attachment 7)

On March 11, 1975, the FY '76 Manpower Plan was submitted to the SPAG Board of Directors for review, it was approved, and the Manpower staff authorized to submit the Plan to Texas Department of Community Affairs (Attachment 8).

On March 21, 1975, SPAG submitted to TDCA its Manpower Plan for FY '76. After submission of their Plan, SPAG obtained their request for proposal package to be submitted to TDCA in accordance with their Manpower Plan for FY '76. SPAG and IOIC submitted their requests for proposal in their proper form. These proposals were reviewed by the Manpower Services Division and the Prime Sponsor Planning Council on May 28, 1975.

Following the PSPC meeting, TDCA notified SPAG of its selection as the CETA contractor for the City and County of Lubbock.

On June 24, 1975, SPAG mailed a memorandum to thirteen (13) potential deliverers of the Classroom Training component. SPAG provided to the Review Team the following list of potential subcontractors:

Plumbing/Steam Fitters Union 629
Const. Gen. Labor Union Local 1253
Carpentry Local 1884
Elect. Union Local 850
Rider Tech. Inst.
L.C.C.
West Texas Home Health Agency
L.I.S.D.
Draughons
TSI
Levelland Jr. College
IOIC
SER

This memorandum provided information on the guidelines for submission of letters of intent and proposals for subcontracting under CETA Title I for FY '76 (Attachment 9). Included in the memorandum were the following stipulations:

1. All proposals offered in response to this solicitation must be received no later than 5:00 p.m., July 11, 1975.
2. Proposals must be type written and signed by an authorized official of the respondent offeror given signatory authorization. Five copies of the proposal offer including authorized signature must be submitted.
3. All training provided by the offeror to the CETA participant must be conducted on an open entry/open exit basis in compliance with the FY '76 CETA Plan for the South Plains Region.
4. Proposals that do not contain all required information or which are submitted after the above mentioned deadline cannot be accepted for consideration.
5. Each offeror will be notified in writing no later than July 24, 1975, of acceptance or rejection of its proposal.

6. The Association is under no obligation to accept any offer submitted.
7. All offerors must be certified by the Texas Education Agency as being a qualified instructional facility in each course of training for which offer is made.
8. Proposals must include the information and data specified in the section "Work Plan and Narrative," as outlined.
9. Proposals may be submitted for all or any of the services specified. The specified services for delivery of occupational training in an institutional setting for several occupations are listed in Attachment A.

Additional information accompanying the memorandum was a listing of the priority skills for the areas as determined by a needs survey for skill training. SPAG was unable to include information in the memorandum on the amount of CETA funds available for Classroom Training or the number of training slots available because this information was not known by the Prime Sponsor.

On June 27, 28, 29, 1975, advertisement of the solicitation for proposals appeared in the Lubbock Avalanche Journal, (Attachment 10). This public solicitation was in conjunction with the aforementioned memorandum of June 24, 1975.

On July 11, 1975, proposals were received from Draughons Business College, Texas Schools, Inc. and SER.

On July 14, 1975, a memorandum from SPAG was mailed to entities who submitted proposals, advising them that the deadline for receipt of proposals had been extended until 5:00 p.m. July 18, 1975 (Attachments 11A and 11B). The memorandum stipulated that the following criteria would be utilized by SPAG in the evaluation of all proposals which met the new deadline:

1. the projected cost per client served
2. the ability of the training agency to provide adequate follow-up of trained clients.
3. that the past demonstrated effectiveness in performance of training functions will be extended significant consideration.
4. the ability of the training agency to provide an adequate record-keeping system for evaluatory purposes.
5. the ability of the agency to provide training services on an open entry/open exit basis.
6. the design of the course(s) offered by the training agency
7. provision of TEA certification.

The memorandum's stipulation of criteria No. 1, the projected cost per client served, was the first official notification that such a requirement would be used in the evaluation process. No explanation was given in the memorandum for the extension of the deadline. The date on which offerors of proposals were to receive notification of selection or rejection was also extended until 5:00 p.m., July 31, 1975.

On July 16, 17, 18, 1975, public notice of the extension appeared in the Lubbock Avalanche Journal. (Attachment 12).

July 14 through 18, 1975, SPAG Manpower staff and TDCA Manpower Services Division staff met in Austin to negotiate the CETA FY '76 contract. Included in the contract was \$72,329.00 for Classroom Training component. Prior to the negotiation of the contract neither TDCA nor SPAG could determine the amount of funds available for the Classroom Training component.

On July 18, 1975, the deadline date for the first extension, proposals from SER, South Plains College and LOIC were submitted. ®

On July 31, 1975, the SPAG Budget Committee met to review the proposals and rejected all as being too high. Apparently this committee

established a second extension and deadline date for the solicitation or proposals. It is unclear in the records whether the Budget Committee had the authority to authorize such an extension in lieu of the apparent lack of such stipulated authority from the SPAG Board.

On August 1, 1975, a memorandum describing the actions of the Budget Committee's meeting of July 31, 1975 was sent to potential subcontractors noting the fact that the proposals were rejected and requested new proposals using a prescribed outline (Attachments 13A and 13B). The new deadline was established as 4:00 p.m., August 5, 1975. The memorandum further stated that notification of rejection or acceptance would occur no later than 5:00 p.m., August 8, 1975, and that the total amount of the new proposals should not exceed \$72,329.00. The Budget Committee meeting of July 31, 1975 and the SPAG memorandum of August 1, 1975, are the first official notifications to potential subcontractors of the amount of funds available for Classroom Training. This was approximately two weeks after SPAG received notice of the amount available from TDCA (July 14-18, 1975).

On August 3, 4, 5, 1975, public notice of the extension appeared in the Lubbock Avalanche Journal. (Attachment 14).

On June 27, 1975, the Mayor of the City of Lubbock corresponded with the President of SPAG's Board of Directors expressing concern that SER and LOIC were of the opinion that the SPAG FY '76 plan was drafted in such a way in order to probably exclude them from being able to deliver any services. This letter further expressed that SER's administrative cost for FY '75 was 33% and LOIC's administrative cost was 25% or maybe more. There is no evidence in the hands of this team, nor was any made available by any of the parties to support these percentage ratios. (NOTE: Copies of this letter were sent to SER, LOIC and SPAG staff - Attachment 15.)

On July 2, 1975, LOIC communicated to SPAG via memorandum indicating

that they had a rough draft of a SPAG FY '76 Plan and that there were a number of items contained therein that needed further explanation. (Attachment 16).

Among those questions were:

1. Had the consideration of programs of demonstrated effectiveness been addressed in the FY '76 Plan according to the CETA regulations?
2. Could allowances be waived on a project basis?
3. What would be added to the rough draft of Plan one?
4. What activities, if any, were to be contracted out?

On July 3, 1975, SPAG staff responded to the above mentioned memorandum (and apparently telephone inquiries), indicating that the SPAG Regional Manpower Advisory Council had met on March 4 and 6 and determined several critical policies for CETA FY '76 program. As indicated by that memorandum, these critical policies were as follows:

1. There would be two program operation areas within the region - Lubbock County and the Balance of Counties in the Region - each with his own program operator.
2. CETA Title I funds by FY '76 program would be broken down into percentages indicated as follows:

	<u>Lubbock County</u>	<u>BOR</u>
CT	55%	15%
OJT	5%	10%
PSE	0	35%
WE	40%	40%

The above items indicated the priority ranking of PSE positions for both Title I and Title II. This memorandum indicated that there were several major problems and uncertainties surrounding planning for FY '76 in Lubbock County. However, LOIC was assured that a copy of the FY '76 CETA Plan would be available no later than Monday, July 7, 1975. (For detail, see Attachment 17).

As indicated previously, on July 18, 1975 LOIC forwarded to SPAG a proposal package for consideration. Accompanying that proposal was a memoran-

dum expressing a number of pressing concerns. Some of those concerns being:

1. A written qualification of procedures where a waiver of allowances could be obtained.
2. Requesting information where the Mayor of Lubbock obtained inaccurate administrative cost figures for their prior contact with SPAG. (Attachment 18).

On July 28, 1975, the Mayor of Lubbock sent to SPAG staff a letter stating that he had been furnished a copy of the LOIC memorandum of July 19, 1975 (this is the same memorandum referred to as the July 18, 1975 memorandum from LOIC). This letter indicated that the Mayor had checked the LOIC budget of FY'75 and said that that budget reflected an administrative cost of approximately 58.5%.

On August 5, 1975, the LOIC Board of Directors transmitted to SPAG a memorandum which notified SPAG of LOIC's intent to file a grievance against the SPAG Manpower Program. (Attachment 19).

On August 6, 1975, SER also transmitted a memorandum expressing an intent to file a grievance (Attachment 20). Both parties asked for a hearing with SPAG to air their grievance.

On August 6, 1975, one day after LOIC's memorandum stating their intent to file a grievance, the SPAG Executive Director notified LOIC of the receipt of their notice and informed them that the SPAG Grievance Committee would meet at 1:30 p.m. August 7, 1975. LOIC was requested to present their grievance at that time. (Attachment 21). In addition, the memorandum cites CETA Rules and Regulations, Section 98.42, Complaints; Filing of Formal Allegations; Dismissal, which reads:

"Every formal allegation shall be in writing and signed by the complainant, and shall be sworn before a Notary Public, or other duly authorized person....."

(The citing of this CETA Regulation 98.42 is in error as the SPAG memorandum actually quotes Section 98.43, Forms, and not Section 98.42.) LOIC was advised to submit their written grievance to SPAG by 10:00 a.m. August 7, 1975. SER was also advised to follow the same procedures.

Upon receipt of their notice to appear at the Grievance Committee meeting, LOIC again on August 6, transmitted another memorandum to SPAG that formally requested a copy of SPAG grievance procedures. The memorandum stipulated that a copy of the procedures was needed by 5:00 p.m. on that day. (Attachment 22).

It is significant to note at this point that the Department of Labor's Assistant Regional Director for Manpower (ARDM), when required to conduct a hearing, follows Section 98.47(a), Hearings of the CETA Rules and Regulations.

On August 7, 1975, the SER Board of Directors transmitted to SPAG, by 10:00 a.m., a formal grievance statement which said that SER felt that (1) they had not been given due consideration for funding, and (2) that the allocated amount for subcontracting was not enough to meet the needs of the community. (Attachment 23).

In response to SPAG's August 6, 1975 memorandum concerning grievance procedures, LOIC responded by a letter dated August 7, 1975 requesting that SPAG spell out grievance procedures in documented form and distribute same to all parties before they would file a formal grievance. (Attachment: 24).

Prior to the August 7, 1975 Grievance Hearing, SPAG had contacted TDCA concerning grievance procedures and was advised by staff to follow the

CETA Rules and Regulations in regards to their establishment of grievance procedures.

The SPAG Grievance Procedures for Sub Contractors were made available to LOIC and SER on the evening of August 27 after the Grievance Committee meeting. (Attachment 25). The grievance procedure consisted of excerpts, either in part or full, from the following CETA Rules and Regulations:

1. Section 98.43, Form
2. Section 98.44 (a) (1) (2) (3) (4), Contents of Formal Allegations; Amendment.
3. Section 98.47 (a) (e), Hearings
4. Section 98.48 (b), Initial Certification, Decisions, and Notices

Aside from adopting portions of the CETA Rules and Regulations as procedure for handling complaints, SPAG further included a section in their grievance procedures that allowed the following:

"If the committee fails to meet within the time specified, the complainant may file their grievances with the State of Texas, Balance of State, Comprehensive Employment Training Act Prime Sponsor."

"When the hearing has been heard and the complainant is not satisfied with the finding, they may file their grievance with the State of Texas CETA as Prime Sponsor."

Two meetings were held on August 7, 1975 by SPAG Committees, a 10:30 a.m. Budget Committee Meeting and a 1:30 p.m. Grievance Committee Meeting. The Budget Committee met to review proposals and the Grievance Committee met to hear the grievances of LOIC and SER.

As referenced previously, the closing date for the receipt of sub-contract proposals was August 5, 1975. It is apparent that the Budget Committee of SPAG decided to accept proposals after this published date and tag same "Late Proposals". (Attachments 26 and 27).

At the Budget Committee meeting both Texas Schools and South Plains

College resubmitted proposals for the same courses with no changes in their proposed cost per client. Draughons Business College resubmitted a proposal with a considerable reduction in cost per client. Neither SER nor LOIC resubmitted their proposals at this time. The Budget Committee further directed that the CETA Manpower Director negotiate with each offeror for Classroom Training and report to the Board the results of those negotiations. It is unknown whether or not the Budget Committee had the authority to again extend deadline dates for the acceptance of proposals without formal SPAG Board action, or whether or not this Committee was authorized to direct recommendations for negotiations with each offeror for Classroom Training.

At the Grievance Committee meeting, both LOIC and SER chose not to present their grievances to the committee due to lack of established procedures. LOIC spokespersons indicated, according to the minutes of that meeting (attachment 28) that they could not present their grievances because SPAG had been unable to answer many questions about their grievance procedures, and thus they were not fully apprised what the grievance procedures were. A SER spokesperson indicated that SER would present their formal grievances to the Balance of State Prime Sponsor and that they did not want a ruling from the Grievance Committee. The spokesperson also indicated that SER would like information on what the SPAG grievance procedures were. After much discussion of the subcontracting issue, and the verbal expression of grievances by both LOIC and SER, the Grievance Committee meeting concluded with a unanimously passed motion which stated that the Grievance Committee felt that they had complied with their portion of the grievance procedures, and that the next procedure was for them to go "to the next higher level." (Attachment 28, Page 10)

On August 12, 1975, the SPAG Board of Directors met and authorized the SPAG manpower staff to commit the entire amount of \$52,671 in Section 112

Vocational Education Funds to (1) Texas Schools, Inc., (2) South Plains College and (3) Draughons. The Board also directed Manpower Staff to try to obtain a waiver of allowances paid to participants in Classroom Training so that the additional funds could be used to develop more Classroom Training slots. The Board furthermore passed a motion that SPAG allow LOIC and SER until August 26, 1975 to submit proposals based on \$72,329 plus the associated allowances.

(Attachment 29). Their proposals were to be reviewed by the South Plains Regional Manpower Advisory Council at its August 29, 1975 meeting. (Attachments 30, 31 and 32). This extension of the deadline constituted the fourth extension in the subcontracting process. There is no public record, other than the minutes of the SPAG Board of Directors meeting, which indicates that this extension was advertised in the local newspaper as had previous extensions.

On August 12, 1975, the Chairman of the South Plains Regional Manpower Advisory Council rescheduled the Council meeting of August 21, 1975 until August 29, 1975. The purpose for the rescheduling was that the SPAG Board directed that proposals not be reviewed until August 29, 1975 and thus the August 21, 1975 meeting would unnecessarily result in two meetings. (Attachment 33)

On or about August 14, 1975, the TEA field representative notified the Lubbock Independent School District (LISD) that all the FY '76 Vocational Education Funds for Classroom Training had already been committed and that the only funds that remained unobligated was \$72,329.00 in CETA Title I funds. Interviews by the Review Team with the Director of Adult Education for LISD revealed that LISD had been the only contractor in FY '75 for Classroom Training under Section 112 Vocational Education Funds. Prior to August 14, 1975, LISD had not been contacted by SPAG concerning contract negotiations for FY '76 and thus had not submitted a proposal. On or about this date LISD informed SPAG that they had received their initial solicitation for proposal. LISD then went

to SPAG and obtained a copy of the latest proposal guidelines.

On August 26, 1975, LOIC informed TDCA-MSD that they would present their grievances to the Manpower Advisory Committee on August 29, 1975, and that they were requesting a response to their grievances by September 4, 1975. (Attachment 34).

On August 26, 1975, the Executive Director of LOIC verbally advised SPAG that their original proposal and cost per client served would remain the same as previously submitted, and that they could not submit a proposal because the CETA FY'76 Plan had not been published and printed, and because too many questions and issues about the Plan had not been clarified by SPAG. (Attachment 35). SER, however, submitted a proposal which utilized the entire \$72,329.00 amount. On or about August 26, 1975, a proposal from LISD was introduced into the sub-contracting process. (It is unknown at this time if SPAG discussed the legitimacy of this proposal considering what actions had transpired to date.) In addition, a proposal from Texas Schools, Inc. was also given consideration, although no proposal had been formally submitted on August 26, 1975, and their original proposal had already been partially funded through Section 112 Vocational Education Funds. Interviews with TSI indicated that TSI did not formally submit a second proposal until late September, 1975.

On August 27, 1975, the President of the SPAG Board wrote a letter to LOIC informing them that since LOIC had chosen not to resubmit a proposal on August 26, 1975, there was no need to continue further discussion of the FY'76 delivery plan. LOIC was informed that the SPAG Board of Directors would meet on September 9, 1975 and the deliverers of Classroom Training would be selected at that time. LOIC was further advised that they has exhausted their administrative remedy at the local level and that they should pursue their grievances at the state level. (Attachment 36.)

On August 28, 1975, the Executive Director of LOIC transmitted to LOIC Board members and other concerned parties a summary of events to date as viewed by LOIC staff. The letter addressed LOIC's concerns about SPAG's publishing of the Manpower Plan, and LOIC's request to the Mayor of Lubbock on August 26, 1975 to appear before the Regional Manpower Advisory Council to present grievances. The Director states that approval was given to appear at the meeting but that this was later rescinded. The Director stated that LOIC would attend the meeting and attempt to present their grievance. Furthermore, the Director expressed concern about the accuracy of information which was transmitted to the SPAG Board concerning LOIC operations (Attachment 37).

On August 29, 1975, the Manpower Advisory Council met but no quorum was present. No decision was made on which proposals to recommend to the SPAG Board and the matter was left up to the SPAG Board of Directors meeting of September 9, 1975.

On September 2, 1975, the Executive Committee of the SPAG Board of Directors met and decided that the CETA Title I Classroom Training funds would be divided. The Manpower Director was instructed to prepare a list of options or alternative plans by which to divide the funds. According to interviews with the Manpower Director approximately seven optional plans were developed. At the request of the President of the SPAG Board three plans were selected and presented to the SPAG Board of Directors at their September 9, 1975 meeting, for approval of one of the plans.

On September 3, 1975, LOIC transmitted to SPAG several letters which ask SPAG if the FY '76 Manpower Plan has in fact been approved, either in part or full, and if so, by whom. These questions were apparently generated during the Manpower Advisory Council meeting of August 29, 1975. (Attachments 38A, 38B, 38C)

Also on September 3, 1975, the Mayor of Lubbock transmitted to LOIC a letter which stated that "the South Plains Regional Manpower Advisory Council does not now have, and has never had, any jurisdiction over grievance procedures or the authority to hear or make recommendations on grievance complaints." The letter makes note of the fact that SPAG does have a grievance committee. The letter further stated that, "It may be that you would prefer to make any complaint directly to the TDCA in Austin, or to some Washington office, or if your board feels necessary, to get some court to try to construe the tangled web of guidelines, instructions, etc." (Attachment 39)

On September 5, 1975, LOIC transmitted a letter to the Mayor of Lubbock in which the Mayor is advised that LOIC attempted to inform the SPAG Board on July 8, 1975 of LOIC's grievance concerning the lack of an approved plan for Lubbock County. Also included in this letter are eighteen (18) questions to the Mayor concerning the FY '76 Plan and its accompanying narrative, as well as other related questions. (Attachment 40)

On September 8, 1975 the Mayor of Lubbock responded to questions posed by LOIC. (Attachment 41)

On September 9, 1975, the SPAG Board met and selected proposal "B" which equally distributed the \$72,329.00 among SER, LOIC, LISD and TSI. (Attachment 42).

The Manpower Director was given explicit instructions that all of these agencies must meet all the required prerequisites before their proposals were approved. At this point SER was further advised that they would be required to have TEA certification by September 23, 1975. The Board further directed that Manpower staff not assist SER in obtaining certification. Significant in these sequences is the fact that on August 14, 1975 SPAG had corresponded with TEA seeking official notification as to whether or not SER and LOIC were certified by their agency. TEA responded by a letter dated August 15, 1975 stating that

that office was unable to furnish official information as to these agencies certification, however, indicating that LOIC was, in fact, certified in a number of areas and that in order to get information as to SER's certification, SPAG was requested to write the Director of Proprietary Schools and Veteran Education in Austin as to SER's certification status. (Attachments 43 and 44). SPAG immediately responded by a letter dated August 19, 1975 seeking aforementioned information as directed. The Texas Education Agency, Austin office, replied to this inquiry by a letter dated September 16, 1975, that stated neither SER nor LOIC were required to hold a certificate of approval under the Texas Proprietary School Act. This correspondence further stated that LOIC was approved for veterans training in the following programs:

Clerk Typist
Cashier/Checker
Automobile Mechanics
Welding

SER did not have approval status for veterans and had not made an application for such approval. (Attachments 45 and 46)

At this same meeting of September 9, 1975, as referred to above, SER read to the Board of SPAG a letter from TEA dated November 21, 1972 stating that their organization was exempt from the Texas Proprietary School Act. (Attachment 47). Further discussion at the meeting revealed that certification does not mean the same as accreditation, as it takes two years of operation to acquire accreditation in order to qualify to serve veterans, according to TEA.

Also on September 9, 1975, LOIC transmitted to the President of the SPAG Board of Directors concern about the lack of participation and representation of Blacks and other minorities in the "governmental process" and expressed hope that the SPAG Board will add minorities to the Board. (Attachment 48)

On September 10, 1975, LOIC and SER were officially notified by the SPAG Manpower Directors of the SPAG Board action of September 9, 1975. (Attachment 49)

The letters advised them of the amount of funds available to them, the number of clients to be served, and that they must notify SPAG by September 16, 1975 of their intent.

On September 16, 1975, SER, LISD, and TSI verbally notified SPAG of their intent to contract. LOIC informed SPAG in writing of their intent to contract. (Attachment 50)

On September 23, 1975, no certification or exemption letter from SER was forwarded to SPAG by the 5:00 p.m. deadline. On this day SPAG dropped SER from the subcontractor's list.

On September 24, 1975, finalization of contracts began and funds were redistributed among the three remaining subcontractors, LOIC, TSI and LISD.

On October 1, 1975, the three subcontracts with LOIC, TSI and LISD were signed. (Attachments 51, 52 and 53). The contracts stipulations for each of the subcontractors were:

1. LOIC received a contract for \$22,680.00 to serve twenty-eight (28) participants in clerk typist training at a cost of \$810.00 per participant.
2. TSI received a contract for \$25,000.00 to serve twenty-five (25) participants in welding, automotive and refrigeration training at a cost of \$1,000.00 per participant.
3. LISD received a contract for \$23,940.00 to serve thirty-eight (38) participants in secretarial training at a cost of \$630.00 per participant.

The contracted period is from October 1, 1975 through July 31, 1976. The subcontracts were received by TDCA on October 7, 1975.

III. CONCERNS AND CONCLUSIONS OF FACT

A. The planning process for the implementation and the ongoing effectiveness for any CETA project is of the utmost importance. Included in this process is the need to share and confer with all segments of a community throughout. The CETA regulations provide for these functions generally in Section 95.14, Contents and Description of Grant Application and Section 95.13 "Planning Process and Advisory Councils." 95.14 (C) (1) states specifically that the contractor must provide a description of the planning system and participation of community based organizations and the population to be served. SPAG could and should have demonstrated greater effort with less "bureaucratic hinderance" to timely and readily furnish such information regarding their FY'76 plan with at least 2 community based organizations as indicated in attachments to this report. There was minimal communications in working with community based organizations to finalize their manpower plan. As discussed with SPAG officials, it should be noted that some of the problems contributing to this situation consisted of state guidelines, federal guidelines and general problems of administering a new program in an expeditious manner.

B. The SPAG Board, committees, sub-committees and community advisory structure lacked clearly delineated organization of authority and responsibility. Board functions in the area of policy making was too often interwoven with staff functions of program administration. One of the major results of these two circumstances was in community based organizations and other potential sub-contractors having to deal with a variety of committees, sub-committees, staff and Board members whose actions contributed to a great deal of unnecessary delay and confusion. This also resulted in individual Board members, committees and sub-committees making independent decisions. The authority vested in committees, sub-committees and Board members was not clearly established. An example of the confusion caused by this situation was that the Manpower Advisory Council of SPAG created a Task Coordinating Committee. This Council gave the Task Coordinating Committee authority to give final approval for submission to

TDCA the FY'76 manpower plan for the region. A major concern about this process is that there were no guidelines to apply to the approval process that would provide for community review and input. The Manpower Advisory Council and the Task Coordinating Committee submitted an outline of the plan directly to the SPAG Board. Although there was community input into the outline of the FY'76 Plan, the opportunity for continued community input into the total development of the FY'76 Manpower Plan was diminished. SPAG officials have noted that a major factor in this area was the short time frame necessary to accomplish the purpose of expeditiously processing the Plan.

C. It was SPAG's decision to utilize a Request for Proposal process.

A number of inconsistencies and inadequacies were reflected in this process.

1. A lack of systematic logging system to record the mailing of and receipt of proposals and other contractual related correspondence and communication.
2. Information contained in the solicitation for proposal was incomplete and later modified in subsequent extensions.
3. Requirements of potential subcontractors were not clearly established and were inconsistently applied to potential sub-contractors.
4. No provision was made for organizations exempt from TEA certification.
5. The first public advertisement did not include the cost per client criteria later used. SPAG stated dollar figures for this component had not been finalized therefore it could not be included in the advertisement.
6. New bids were authorized by the budget committee and seemingly without authority from the SPAG Board.
7. On two occasions, public notice of new bids did not appear until the last three days of the respective extension

apparently occurring from August 12, 1975 to August 26, 1975.

SPAG stated this was necessary because of the restricted time frames and need for expediting the contracting process.

8. Neither public notices nor "private" mailed solicitations provided for the acceptance of late proposals which resulted in not having a clear and definite cut-off date for the acceptance of proposals.
9. The proposal from the Lubbock Independent School District was considered in spite of the fact that three deadlines had passed and three subcontractor proposals had been accepted.
10. Texas School Inc.'s proposal was accepted as late as mid-September of 1975 approximately 2 weeks after the final deadline date as revealed in an interview with TSI personnel.

D. On August 5 through August 7, 1975, it was in fact known to SPAG that grievances were contemplated by community groups. While some confusion as to the nature of the grievance procedures to be used by SPAG is understandable, SPAG should have observed basic considerations of "fair play" in resolving grievances against it. It appears that the handling of grievances from two community groups fell short of such basic considerations. Evidence of the lack of basic considerations and adequate procedures are as follows:

1. SPAG did not provide the complainants with a clear statement of grievance procedures at the time of the request, prior to or at the hearing.
2. The arbitrary requirement that such complaints be formally prepared in less than twenty-four (24) hours is questionable "reasonable notice" as outlined in SPAG's own grievance procedures.

3. Complainants were not advised of the authority vested in grievance committee which addressed their complaints.

E. Equal opportunity compliance is as much a part of SPAG's contractual obligation as any of the other portions of the contract executed with TDCA.

Our concerns in the area of equal opportunity are:

1. No members of minority ethnic groups are on the SPAG Board of Directors. It should be noted that SPAG has initiated action to bring about ethnic representation on the Board.
2. The makeup of the SPAG staff in general reflects a need for positive affirmative action efforts.
3. To date SPAG has not supplied TDCA with an approved affirmative action plan, however, subsequent to the review we have been advised that the SPAG Board has approved an affirmative action plan.
4. The subcontracting process resulted in community based manpower organizations receiving no or substantially low funding.

F. SPAG did not maintain or did not make available to TDCA the type of specific, detailed programmatic information necessary to enable the Prime Sponsor to adequately and completely monitor, review and evaluate the administrative structure and process used by SPAG to subcontract the classroom training component.

IV. RECOMMENDATIONS

A. In that SPAG has negotiated their FY '76 planning contract with TDCA, it is recommended that SPAG furnish TDCA with all documents, minutes of meetings, and all evidence of efforts to involve the community as a whole, especially minority groups, in the planning process for FY '77. It is further recommended that SPAG supply TDCA with copies of all correspondence evidencing involvement of Community Based Organization input into the planning process.

B. As there was a lack of clearly delineated authority and responsibility of the SPAG Board, committees, sub-committees and community advisory structure, it is recommended that SPAG furnish TDCA the approved organizational chart of SPAG with the appropriate documentation which clearly expresses the responsibility and authority of the Board, its committees and sub-committees, and advisory councils. It is further recommended that SPAG notify Community Based Organizations in Lubbock County that information regarding the organizational structure is available for their perusal.

C. It is recommended that SPAG submit to TDCA for approval the procedure for future solicitation of proposals inclusive of the methodology for selecting subcontractors, adequate to prevent the inconsistencies and inadequacies identified in Section III, "Concerns and Conclusions of Fact," Subsection C.

D. It is recommended that SPAG provide TDCA with the process used to select subcontractors and provide justification (such justification being acceptable to TDCA as administratively sound and in accordance with the solicitation of proposal document and established criteria as identified in SPAG's memorandum to potential contractors on July 14, 1975) for those organizations selected whose proposals were accepted after the August 26 deadline and reasons for those organizations not selected.

E. It is recommended that SPAG utilize the grievance procedures as outlined

in Manpower Services Directive No. 75-38 dated September 26, 1975 and make standard grievance procedures available to SER, LOIC and any others desiring to initiate a grievance. This Manpower Services Directive under the FY'76 contracting procedures is a contractually binding part of the contract upon issuance by the Texas Department of Community Affairs. Specifically with relation to the complaints of SER and LOIC, in the event that either SER or LOIC elects to pursue their grievances further, it is recommended that SPAG implement and follow the Grievance Procedures specified in Manpower Services Directive Number 75-38 commencing at Section III, "Formal Complaint." (The contract requires as aforesaid that SPAG follow such standard grievance procedures.)

F. It is recommended that SPAG be required to submit to TDCA within fifteen (15) days of receipt of this report its Affirmative Action Plan currently in use by SPAG pending final approval by their federal cognizant agency. It is further recommended that SPAG submit to TDCA any additions, deletions or alterations of their affirmative action plan as adopted.

G. In a cooperative effort to resolve the pending issues and ensure compliance in future activities, the following actions are proposed:

1. Minutes of all meeting of Board of Directors, Committees, Sub-committees and Task Force, that relate to CETA matters be submitted to TDCA.
2. That all reports of subcontracts, expenditure reports and client data be submitted to TDCA in a timely manner as prescribed in the contract and the subsequent directives to the contract.
3. TDCA will provide technical assistance to SPAG in their efforts to correct technical deficiencies and will monitor activities to prevent problems of this nature occurring in the future. ®

ATTACHMENTS INDEX

1. Mailgram from LOIC to SPAG asking for grievance procedures to be exhausted before filing of complaint with Prime Sponsor; August 13, 1975.
2. Letter from SER to TDCA requesting the Governor's Office and TDCA to reconsider decision in selecting SPAG as contracting agent for Manpower Services in Lubbock County; September 26, 1975.
3. Letter from TDCA to SPAG requesting an October 1, 1975 meeting; September 26, 1975.
4. Letter from SPAG to TDCA refusing to attend October 1, 1975 meeting and enclosing answers to questions posed by TDCA; October 1, 1975.
5. Letter from TDCA to SPAG again requesting that SPAG staff go to Austin to meet with TDCA staff on October 9 or October 14, 1975, October 13, 1975.
6. Minutes, South Plains Regional Manpower Advisory Council Meeting; March 6, 1975.
7. Minutes Task Coordination Committee of the South Plains Regional Manpower Advisory Council Meeting; March 10, 1975.
8. Minutes, SPAG Board of Directors meeting, March 11, 1975.
9. Memorandum, guidelines for submission of letters of intent and proposals for subcontracting under CETA Title I for FY '76; June 24, 1975.
10. Public advertisement notice, sworn notarization of publishing of legal notice no. 80-1552 in Lubbock Avalanche Journal on June 27, 28 and 29, 1975; June 30, 1975.
- 11A, 11B.
Letters from SPAG to LOIC and SER, FIRST extension of deadline for receipt of proposals from July 11, 1975 to July 18, 1975; additional criteria utilized in the evaluation of proposals; July 14, 1975.
12. Public advertisement notice, sworn notarization of publishing of legal notice no. 80-6969 in Lubbock Avalanche Journal on July 16, 17, and 18, 1975; July 18, 1975; July 18, 1975.
- 13A, 13B.
Memorandums from SPAG to LOIC and SER, notification that Budget Committee meeting of July 31, 1975 has rejected all proposals because they exceeded the amount of money allotted for tuition in the FY '76 budget, and requesting that proposals be resubmitted in accordance with attached outline not exceeding \$72,329.00 by SECOND deadline date of August 5, 1975; August 1, 1975.
14. Public advertisement notice, sworn notarization of publishing of legal notice no. 81-3025 in Lubbock Avalanche Journal on August 3, 4, and 5, 1975; August 5, 1975.
15. Letter from the mayor of Lubbock to the SPAG Board of Directors President giving information that the administrative costs of SER is 33% and LOIC's 25% or more, June 27, 1975.

16. Memorandum from SPAG to LOIC concerning rough draft of CETA Plan for FY '76; July 2, 1975.
17. Memorandum from SPAG to LOIC discussing FY'76 CETA Plan and giving assurance that a copy of FY'76 CETA Plan will be available to LOIC no later than July 7; July 3, 1975.
18. Letter from LOIC to SPAG expressing a number of concerns, including an inability to determine where the mayor of Lubbock obtained inaccurate administrative cost figures; July 18, 1975.
19. Memorandum from LOIC to SPAG advising that the LOIC Board of Directors has voted to initiate grievance procedures against SPAG; August 5, 1975.
20. Letter from SER to SPAG advising that the SER Board of Directors has voted to file a grievance against SPAG; August 6, 1975.
21. Memorandum from SPAG to LOIC acknowledging receipt of notice that LOIC will initiate a grievance against SPAG and informing LOIC that their grievance should be submitted in writing to SPAG by 10:00 a.m., August 7, 1975, and that the Grievance Committee will meet at 1:30 p.m., August 7, 1975; August 6, 1975.
22. Memorandum from LOIC to SPAG acknowledging receipt of notice of date of Grievance Committee Meeting and requesting a copy of complete grievance procedures by 5:00 p.m., August 6, 1975; August 6, 1975.
23. Grievance statement of SER against SPAG expressing grievances; August 7, 1975.
24. Letter from LOIC to SPAG requesting documentation and distribution of grievance procedures before formal filing of grievances; August 7, 1975.
25. SPAG grievance procedures for subcontractors; undated; received by LOIC on evening of August 7, 1975, receipt date by SER is unknown.
26. Memorandum from SPAG to SER informing them of the Budget Committee decision to accept another bid from SER that will be tagged "late proposal" and establishing a THIRD extension and deadline date of 12:00 noon, August 11, 1975; August 8, 1975.
27. Memorandum from SPAG to LOIC informing them of the Budget Committee decision to accept another proposal from LOIC that will be tagged "late proposal" and establishing (concurrent with above) a THIRD extension and deadline date of 12:00 noon, August 11, 1975; August 8, 1975.
28. Minutes, Grievance Committee Meeting; August 7, 1975.
29. Minutes, SPAG Board of Directors, August 12, 1975.
30. Letter from SPAG to LOIC informing them of decision of SPAG Board to commit all TEA funds of \$52,671.00 to Droughons, Texas Schools Inc., and South Plains College and to allow SER and LOIC two weeks from August 12, 1975, to submit a proposal for \$72,329.00 and associated allowances, thus establishing a FOURTH extension and deadline date of 5:00 p.m., August 26, 1975; August 14, 1975.

31. Letter from SPAG to SER informing them of decision of SPAG Board to commit all TEA funds of \$52,671.00 to Droughons, Texas Schools Inc., and South Plains College and to allow SER and LOIC two weeks from August 12, 1975, to submit a proposal for \$72,329.00 and associated allowances, thus establishing a FOURTH extension and deadline date of 5:00 p.m., August 26, 1975; August 14, 1975.
32. Memorandum from SPAG to LOIC and SER giving additional notification of fourth extension and deadline date; August 14, 1975.
33. Memorandum from SPAG to members of Manpower Advisory Council postponing the Council's meeting of August 21, 1975, and rescheduling it for 1:30 p.m., August 29, 1975; August 12, 1975.
34. Letter from LOIC to TDCA of LOIC intent to present grievance at meeting of Manpower Advisory Council on August 29, 1975, and request to meet with TDCA on September 4, 1975; August 26, 1975.
35. Memorandum from LOIC to SPAG informing them that because the FY'76 Manpower Plan has not been published and printed and because too many questions remain unanswered, LOIC cannot submit a proposal to conduct classroom training. The letter further states that LOIC will present their grievances at the Manpower Advisory Council meeting of August 29, 1975, and requests an answer to their grievances by September 3, 1975; August 26, 1975.
36. Letter from SPAG to LOIC stating that since no proposal was submitted to SPAG by LOIC by fourth extension and deadline date, that there is no need discuss the FY'76 Plan but to begin with the planning process for FY'77. Furthermore, the letter states that the administrative remedies have been exhausted at the local level, and that LOIC can pursue their grievances at the state level; 8/27/75.
37. Letter from LOIC Executive Director to LOIC Board members and interested parties summarizing what has transpired to date from LOIC's viewpoint, and expressing continued intent to present grievances at Manpower Advisory Council meeting of August 25, 1975; August 28, 1975.
38. A, 38. B, 38. C.
Letters from LOIC to SPAG Board members inquiring as to whether the FY'76 Manpower Plan has in fact been approved, either in part or in full, and if so, by whom; September 3, 1975.
39. Letter from the mayor of Lubbock to LOIC informing them that the Manpower Advisory Council does not have any jurisdiction over grievance procedures or the authority to hear or make recommendations on grievance complaints. The letter makes note of a SPAG Grievance Committee and the SPAG Board meeting of September 9, 1975, and further adds that LOIC may prefer to make a complaint directly to TDCA in Austin, or to some Washington office, or to the courts; September 3, 1975.
40. Letter from the mayor of Lubbock to LOIC answering the eighteen (18) inquiries be answered; September 5, 1975.
41. Letter from the mayor of Lubbock to LOIC answering the eighteen (18) inquiries LOIC; September 8, 1975.
42. Details of Proposal "B" as selected by SPAG Board Director on meeting of September 9, 1975.

43. Letter from SPAG to TEA field representative inquiring client certification status of SER to LOIC; August 14, 1975.
44. Letter from TEA field representative to SPAG informing them that he had inquired with the state office and had been informed that LOIC was certified by TEA in clerical typist, cashier checker, automobile mechanics, and welding instructions; August 15, 1975.
45. Letter from SPAG to TEA state office inquiring about certification status of SER and LOIC; August 19, 1975.
46. Letter from TEA state office to SPAG informing them that neither of the organizations is required to hold a Certificate of Approval under the Texas Proprietary School Act. Furthermore the letter stated that LOIC is approved in the skills enumerated above, and that SER was not approved for veterans training; September 16, 1975.
47. Letter from TEA to SER Project Director of McAllen, Texas, informing that SER-MDTA is considered exempt from the requirements of the Texas Proprietary School all on the basis that SER does not fall within the definition of "Proprietary School"; November 21, 1972.
48. Letter from LOIC to SPAG expressing concern about the lack of participation and representation of blacks and other minorities in the "governmental process" and expressing hope that the SPAG Board of Directors will add minorities to their Board; September 9, 1975.
49. Letter from SPAG to LOIC informing them that the SPAG Board on September 9, 1975 approved that a contract be negotiated with LOIC in the amount of \$16,200.00 and serving a minimum of 20, or maximum of 22, clients, and that a decision on acceptance of such contract from LOIC should occur before September 16, 1975; September 10, 1975.
50. Letter from LOIC to SPAG confirming intent to contract with SPAG; September 16, 1975.
51. SPAG subcontract with LOIC; October 1, 1975.
52. SPAG subcontract with TSI; October 1, 1975.
53. SPAG subcontract with CISD; October 1, 1975.

"AS I UNDERSTAND IT"

By

Dianna Henderson

Regardless of all the problems we have had as an agency contracting with SPAG, I believe in the Regional Council of Governments' idea. We need the planning for every State or Federal dollar that comes to our area. The time is fast approaching that any dollar we spend in this country must be spent wisely. When I look at my check and realize that \$3,000 was taken out of my Gross payroll for FICA and Income tax during 1974, not counting the 5% sales tax on every dollar, school tax, gasoline tax, and you name-it-tax, I am the first person to say that, "I do not mind the Government helping anyone, but do not kill me in the process."

It is shocking to me to suddenly be in that great middle class--too rich to get food stamps and too poor to buy steak at the supermarket, when I want to invite some friends over for dinner. And I get mad, mad, mad, when anyone implies that all people working within government do is shuffle papers. I earned every bit of my \$13,100 of Federal money last year, because it was not that much fun curing poverty in Lubbock County or hassling with your local elected officials.

I started working at the Veterans Administration as a low-income student the summer of 1966, when I graduated from high school. Between then and now, I have worked for agencies receiving federal money a total of eight years. I have been appalled at the waste, to the point that most of my staff members will tell you that we ration pencils around this place.

The other day we went to talk to an attorney. He had just come back from a visit at the SPAG office. Apparently, someone had told him that SPAG wanted to "give" OIC the \$72,329 but we were the ones raising a big stink. He asked me was I too proud to "take" the \$72,329. His question caught me off guard because I had not thought of my personal position in terms of "pride." But later when I had time to think about his statement, I suddenly realized that so many people view Federal funds this way. The politicians "give" the money away and the eager groups "take" what they can get. And after a point, not too many politicians or eager groups are concerned about how it's spent.

Working with SPAG this past year has been one big trip. I still cannot quite believe some of the things that have happened. SPAG is something like an administrative agency set up for regional planning. SPAG has been in operation since 1967. By now, I would think that someone there should be capable of setting up a planning division. Most Federal and State funds have rules and regulations before the funds are ever appropriated. It is just a matter of getting the rules and regulations and reading them; asking questions about the guidelines you do not understand; and challenging with a justification the guidelines you disagree with. So when our local elected officials say, "We did this because we are so-o confused. Everybody at the State and Federal level are so-o confused," I want to reply, "Ignorance of the law is no excuse for violating the law."

We will receive \$914,534 for FY76 (August 1, 1975-July 31, 1976) for Title I under CETA in Lubbock County. Here is a crash course (it's legal for you to do this too) on how to improve your Government: (1) Write Mrs. Jordan,

Mayor Bass, Councilman Allen Henry, and Judge Rod Shaw. Tell them that since they represent Lubbock City and County on the SPAG Board that you hold them accountable and responsible for Title I money that is spent, how it's spent, and what it's doing. Request that they send you the total budget, work program for Title I, and monthly financial reports. (2) Regardless of what happens because \$914,534 is still going to be spent in Lubbock County, keep requesting those monthly reports. (3) Evaluate them and your government. (4) Vote accordingly!

I put my evaluation of what is happening last because I wanted you to draw your own conclusion. This is how the information stacks up to me:

1. There is no approved FY76 Comprehensive Plan for Lubbock County.
2. The Plan could not be reviewed during May.
3. The Advisory Council had no input into the total Plan submitted by SPAG.
4. The input for the narrative from the advisory council that affects the total operation of the manpower program was omitted during planning process and in the plan.
5. The SPAG Board of Directors has done the following:
 - A. Decided to operate a manpower program in Lubbock County to help poor people get jobs.
 - B. Rented an office at 1906 4th Street to house a staff of eleven (11) people.
 - C. Is paying six (6) of those people over \$11,00 each annually for less than a year of service at SPAG as counselors, job developers, and manpower specialists etc.
 - D. Plan to serve 576 people at a cost of \$1,679.17 per person during FY76 for total program.
 - E. Plan to place 212 people at a cost \$4,562.28 per person on unsubsidized jobs during FY76 (August 1, 1975-July 31, 1976)
 - F. Have established no procedures or guidelines for accomplishing a complete change in program.
 - G. Have structured budget this way for FY76:

\$26,510 = SPAG salaries for 3 administrative people

\$93,840 = SPAG salaries for 8 people under services

\$70,584 = Indirect cost figure of 59% applied to staff salaries for 8% raises and other staff costs.

\$ 7,600 = SPAG staff travel

\$,250 = SPAG supplies and materials

\$ 6,600 = SPAG rent

\$ 1,120 = SPAG office equipment

\$ 2,000 = SPAG office communications (postage, telephone)

\$,500 = SPAG Insurance and Bonding

\$ 250 = SPAG Advertising

MEMORANDUM

July 3, 1975

TO Diana Henderson
FROM Pat Martin *PM*
SUBJECT FY76 South Plains CETA Plan

As you requested during our telephone conversation of 7-2-75, this memo is to inform you what has and has not happened in producing the FY1976 CETA plan for the South Plains region.

As you know, the South Plains Regional Manpower Advisory Council met on March 4 and March 6 at which time it determined several critical policies for CETA programs in the region for 1976. The following items were the subject of formal motions passed by the RMAC:

1. There will be two program operation areas within the region - Lubbock County and the balance of the counties in the region - each with its own program operator.
2. CETA Title I funds will be used in the FY76 programs in the following manner:

	<u>Lubbock County</u>	<u>BOR</u>
CT	55%	15%
OJT	5%	10%
PSE	-0-	35%
WE	40%	40%

Please refer to the minutes of these meetings of the RMAC which I have submitted to you previously.

In addition, the RMAC referred several items to the Task Coordination Committee and the planning staff to consider and to vote upon. These items included the priority ranking of PSE positions for both Title I and Title II, the division of classroom training component funds in Lubbock County between remedial/general education and vocational skills training, and the authorization of the planning staff to write a plan to be submitted to TDCA by March 14, 1975.



SOUTH PLAINS ASSOCIATION OF GOVERNMENTS

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LUBBOCK, TEXAS 79401

(806) 762-8721

26

As illustrated by the minutes of the TCC meeting of March 10, 1975, which you have received, Duane and I presented to the TCC a recommended division of funds resulting in 55 slots for remedial/general education and 55 slots for vocational skills training which was accepted by the TCC. In addition the PSE program was discussed, although with no lack of confusion. Furthermore, the TCC authorized the planning staff to write a regional plan for submission to TDCA.

The above outlined policy recommendations were presented to and approved by the Board of Directors of the South Plains Association of Governments on March 11, 1975.

Nonetheless Duane and I were confronted with several major problems and uncertainties which persisted and persist now in planning for FY76 programs. One particular problem we have faced is that it is difficult to obtain reliable estimates of training costs for classroom training in all categories. This specifically affected the budgeting of program dollars for FY76. Shortly after having presented to the TCC what appeared to be a reasonable division of funds between remedial/general education and skill training, we discovered that our estimate of training costs for remedial/general education was erroneously high, requiring a complete re-working of the program budget in Lubbock County. The change which was necessary resulted in increased accuracy and increased numbers of clients planned to be served. We notified the TCC of this change when we sent out the minutes of the TCC meeting on March 31.

The changed budget and numbers of clients to be served for both Lubbock County and the BOR was sent by bus to TDCA on March 22 for incorporation into the State plan. However, the worksheets did not arrive until Monday March 24 and in the meantime on Sunday night March 23 Gloria Stackpole from TDCA telephoned Duane and me at the SPAG office to obtain the budget figures and numbers of clients to be served. We reported the figures as they appeared on the worksheets we had sent. However, because TDCA was gathering this information by telephone and because TDCA was obtaining this information from all balance of state areas in this manner, confusion and error resulted which

became incorporated into the State plan and the RFP packages such as the one you obtained in Austin on April 1.

As you recall during the month of April while you prepared your RFP for TDCA we gave you a copy of the official budget worksheet for Lubbock County and it disagreed with the planned budget and client figures appearing in the RFP. Furthermore, at the RMAC meeting of April 17, 1975 Duane and I presented the planned budget and client figures which we had submitted to TDCA in March. Thus if you will examine the worksheets which you obtained from us in April you will have the original Lubbock County planned budget and performance standards

The original plan has been again modified to reflect an increase in the number of hours of instruction in remedial/general education and a subsequent decrease in the numbers of clients to be served with this kind of instruction. This change in the original plan was made in the month of May and the RMAC was notified and invited to comment on the change when the minutes of the RMAC meeting of April 17 were sent to Council members on May 27. It has been acceptable according to our feedback.

Throughout all revisions of the original plan Duane and I have kept the RMAC notified and have adhered to the guidelines established by the RMAC in March. We have also followed guidelines established by TDCA and the CETA Rules and Regulations.

If you examine the worksheets which you have previously obtained you will note that the dollars available for the FY76 CETA program are significantly lower than FY75 and will not support the level of activity which the South Plains region sustained in FY75.

The contract which SPAG negotiates with TDCA for operation of CETA Title I programs for FY76 will also be within the above mentioned guidelines and will be quite similar to the original plan. It is our understanding that the final appearance of each contract between TDCA and each program operator in the state will resemble each local plan but will most likely

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58

incorporate several adjustments based upon clients to be carried over, changes in salaries and other operating expenses, etc. It is essential that FY76 funds be utilized as wisely as possible within those guidelines in order that the CETA program reach out to as many of the economically disadvantaged as possible.

In response to your second telephone request, let me assure you that a copy of the FY76 CETA plan will be available to you no later than Monday, July 7.

xc: Mayor Roy Bass
Mrs. Ann Brownlow
Councilwoman Carolyn Jordan

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BOARD OF DIRECTORS
MINUTES
MARCH 11, 1975

Be it remembered that the Board of Directors of the South Plains Association of Governments met in regular session on Tuesday, March 11, 1975 at 9:30 a.m., in the Reddy Room of Southwestern Public Service Company, Monterey Center, Lubbock, Texas. Those present were:

Carolyn S. Jordan, President & Presiding
Medlin Carpenter
Henry Heck
Glenn Thompson
T. J. Taylor
Rodrick L. Shaw
Mel Leslie
Alton Brazell
Olan Johnson
Grigsby Milton
Alan Henry
Max Arrants
Les Derrick

B-75-41 Motion by Glenn Thompson, seconded by Medlin Carpenter that the minutes of the February 18, 1975 Board meeting be approved as written. Motion passed unanimously.

B-75-42 Motion by T. J. Taylor, seconded by Max Arrants that the comment recommended by the Natural Resources Advisory Committee on the following governmental application be approved as written. Motion passed unanimously.

GA-75-12--City of Shallowater--Requesting a \$300,000 loan from Farmers Home Administration for water and sewer improvements.

The Board commented favorably on Shallowater's application by stating that the project is consistent with the Comprehensive Water and Sewer Plan and no adverse environmental effects are anticipated.

B-75-43 Motion by Alton Brazell, seconded by Medlin Carpenter that the comment recommended by the Natural Resources Advisory Committee on the following governmental application be approved. Motion passed unanimously.

GA-75-13--City of Lubbock--Requesting \$5,328,000 from Department of Housing and Community Development for their Community Development Program. Forty-one projects and sub-projects recommended by city staff and citizens as a result of meetings held in every sector have been approved by the City Council.

B-75-49 Motion by T. J. Taylor, seconded by Medlin Carpenter that the staff be authorized to purchase necessary telephone equipment from Teletronics for an initial equipment payment and installation charge of \$6,550.00 and a monthly cash requirement of \$147 base charge which includes \$30 per month charge for maintenance. Motion passed unanimously.

B-75-50 Motion by Medlin Carpenter, seconded by Alan Henry to nominate County Judge Rodrick L. Shaw for the Tom Bradley Regional Leadership Award to be given by NARC at their Annual Meeting in May. Motion passed unanimously.

B-75-51 Motion by Olan Johnson, seconded by Medlin Carpenter that SPAG nominate Carolyn Jordan to serve on the NARC's Environment and Natural Resources Policy Committee; T. J. Taylor for the Human Resources Policy Committee; and Glenn Thompson for the Intergovernmental Affairs Policy Committee. Motion passed unanimously.

B-75-52 Motion by T. J. Taylor, seconded by Grigsby Milton to ratify Executive Committee action on February 28, 1975 to appoint Lubbock Mayor Roy Bass as Chairman of the Regional Manpower Advisory Committee. Motion passed unanimously.

B-75-53 Motion by Alan Henry, seconded by Alton Brazell to accept recommendation of the Executive Committee to rescind cancellation notice of the SER project since SER complied with the directive to have 50 OJT slots properly contracted and verified by the Manpower Director and 50 clients on the job by March 11, 1975. Motion passed unanimously.

giving
B-75-54 Motion by Henry Heck, seconded by Alan Henry that the Board of Directors approve the 1976 Manpower Plan as submitted and authorize the staff to forward the Plan to the Texas Department of Community Affairs. Motion passed unanimously.

Suggestion was made that staff be instructed to have all vendors or no vendors appear at Board meetings to eliminate possible misunderstandings between the Board and the vendors.

Announcement was made that SPAG's depository for 1975-77 will be Plains National Bank. Other announcements included date for SPAG's Semi-Annual General Assembly Meeting on April 8 and the utilization of the Army Reserve Unit's services the last 2 weeks in June.

With no further business coming before the Board, the meeting was adjourned.

South Plains Association of Governments

Carolyn S. Jordan, President
Councilwoman of Lubbock

Truett Mayes
Executive Director

July 14, 1975

JUL 15 1975

Lubbock Opportunities Industrialization Center, Inc.
2200 East Broadway
Lubbock, Texas 79403

To Whom It May Concern:

South Plains Association of Governments has extended the deadline for receipt of proposals solicited for the delivery of classroom training under the manpower training programs of the Comprehensive Employment and Training Act of 1973 during FY 1976 from July 11, 1975 to 5:00 p.m. July 18, 1975. The solicitation still applies to the categories of training which were originally identified in the "solicitation of proposal" document.

The following criteria will be utilized by the South Plains Association of Governments in the evaluation of all proposals which meet the deadline:

- (1) The projected cost per client served;
- (2) The ability of the training agency to provide adequate follow-up of trained clients;
- (3) The past demonstrated effectiveness in performance of training functions will be extended significant consideration;
- (4) The ability of the training agency to provide an adequate record-keeping system for evaluatory purposes;
- (5) The ability of the agency to provide training services on an open entry-open exit basis;
- (6) The design of the course (s) offered by the training agency; and
- (7) Provision of TEA certification;

In addition, the South Plains Association of Governments will evaluate all proposals within the boundaries of applicable CETA rules and regulations. The Association is under no obligation to accept any offer submitted. The South Plains Association of Governments is an equal opportunity employer.

Sincerely,

Ann Brownlow
CETA Director

AB:cm

914 LUBBOCK NATIONAL BANK BUILDING
LUBBOCK, TEXAS 79401
(806) 762-0721

82

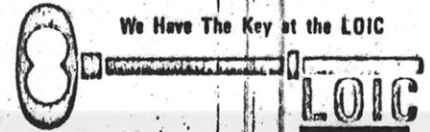
Lubbock Opportunities Industrialization Center, Inc.

"We Know Where We're Going"

Edle P. Richardson, Executive Director

Rev. A. L. Davis, Chairman, Board of Directors

2200 East Broadway • Phone 806 763-8077 • Lubbock, Texas 79403



July 18, 1975

Mrs. Anne Brownlow
Manpower Director
South Plains Association of Government
914 Lubbock National Bank
Lubbock, Texas

Note:

Since we were unable to find our copy of this letter, we are enclosing a rough draft of the letter.

Thank you

Dear Mrs. Brownlow:

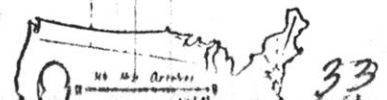
Enclosed is our proposal package for ^{CLASS ROOM} ~~calssroom~~ training during FY 76, under the Comprehensive Employment and Training Act. We hope our Proposal meets with your approval according to your guidelines in the solicitation of proposals request; because many questions arose which were not answered due to the unavailability of you or your staff member.

I want to enumerate a few of our most pressing concerns:

1. A written ^{CLARIFICATION} ~~classification~~ of the procedures established spelling out the consideration given and re-enrollment of trainees to be terminated July 31, 1975, in our project.
2. According to our understanding the planning process to develop the FY 76 CETA Plan for Lubbock County did not completely adhere to the rules and regulations of the Act and the FY 76 Plan is incomplete.
3. We see many disadvantaged people who need CETA Training and services most being screened out of the Lubbock County Program because of the overall structure expenditures planned as explained to us by your planning staff.
4. We need a written clarification of the procedure that can be followed to obtain a waiver of allowances.
5. We need a written ^{CLARIFICATION} ~~clarification~~ of how the funds are to be provided to our project if our proposal is accepted for FY 76.
6. We have been unable to determine where Mayor Roy Bass obtained the inaccurate Administrative cost figures for our contract, since SPAG has immediate access to those figures and he is a member of the Board of Directors in addition to his being

chr of ADVISORY COUNCIL

Affiliate of National OIC





CITY OF LUBBOCK
LUBBOCK, TEXAS

July 28, 1975

ROY BASS
MAYOR

Mrs. Anne Brownlow, Manpower Director
South Plains Association of Governments
1611 Avenue M
Lubbock, Texas

Dear Anne:

Dianna Henderson thoughtfully furnished me a copy of her letter of July 19, 1975, to you, and among other things raised a question of where the administrative cost figure for the OIC contract, which she believes to be inaccurate, was obtained.

As I understand it, from the standpoint of planning for manpower programs, we are supposed to charge to administrative expense the cost of whatever extra staff there is in the delivery agency, when the prime contractor can deliver these same services, and I think this is where the problem arises.

In checking the OIC budget items for example, according to the information furnished me, the figures are as follows:

Contract administrative costs	\$10,270.00
Contract services to client costs	35,766.00
Total contract administrative expense	<u>\$46,036.00</u>
Training cost	32,699.00
Total project cost	<u>\$78,735.00</u>

If the figures are correct and my hasty mathematics are right, that would reflect then 58.5% of the total project cost as chargeable to administration, taking it from a planning standpoint. As I understand it, Dianna's salary is in the "contract services to clients cost" even though, as I understand it, she does not render a great deal of direct service to clients in the way of counseling, etc. but rather is an administrator for the most part.

As I understand it, SPAG, as prime contractor, must have a staff of counselors, placement people, etc., and if the delivering agency has similar kinds of people, this would represent a duplication of administrative costs.

®

3/

Mrs. Anne Brownlow
Page 2,
July 28, 1975

As you know, I have been an enthusiastic supporter of OIC, was one of the original private contributors to its budget here, and have appreciated the fact that in the past it has done its work without paying stipends (and appreciated their continuing to want to do it that way, until they were clobbered by the nutty DOL rules requiring otherwise).

My opinion is that the OIC setup can be adjusted so as to work out all right. But, at any rate, this is how the information had appeared to me.

Respectfully,

Roy Bass
Mayor

RB:gr

xc: Rev. A. L. Davis
Mrs. Carolyn Jordan
Pat Martin

®

MEMORANDUM

August 1, 1975

TO LOIC - Diana Henderson, Director

FROM Ann Brownlow, Director of CETA Programs *Ann*

SUBJECT Proposals on Classroom Training for FY 76

The Budget Committee met on 7/31/75 to review the proposals submitted on classroom training for FY 76. All proposals far exceeded the amount of money allotted for tuitions in the FY 76 budget, therefore, all requests were rejected.

This is a request for your organization to re-submit a proposal using the attached outline and abiding by the requirements which are enclosed.

These new proposals are due back in the SPAG office no later than August 5, 1975, Tuesday at 4:00 P.M.

You will be notified by Friday, August 8, 1975 no later than 5:00 P.M. as to the budget committee's recommendation to be presented to the SPAG Board on August 12, 1975.;

Evaluations for all proposals will be within the boundries of applicable CETA Rules and Regulations. This Association is under no obligation to accept any offer that is submitted.

The total amount of your new proposal should not exceed \$72,329.00. *Title*
If you desire to submit a proposal for the entire amount as above quoted or a portion of that amount this is entirely up to your organization.

52,671

967 *9 1/2*



SOUTH PLAINS ASSOCIATION OF GOVERNMENTS

1611 Avenue M

LUBBOCK, TEXAS 79401

(806) 762-8721 *5*

PLEASE FOLLOW THIS OUTLINE:
(FAILURE TO FOLLOW THIS OUTLINE COULD CAUSE THIS PROPOSAL NOT TO BE CONSIDERED).

1. Types of training to be provided .
2. List total training hours for each course to be provided.
3. Total cost per trainee for each course to be provided.
4. Total number of trainees to be served per course.
5. Describe provisions for re-utilization or recovery of tuition payment from offeror in case of trainee termination or inability to complete prescribed course of training.
6. Attach a course outline for each course and proficiency to be achieved.

Requirements:

1. All offerors must be certified by Texas Education Agency, therefore, please attach a letter of certification from T.E.A. for each training course to be provided.
2. Equipment shall be provided by the program offer. If equipment is not available, how will this be purchased?
3. Offerors shall consent to be monitored and evaluated by South Plains Association of Governments throughout the contract year of fiscal year 1976.
4. This proposal will not exceed \$72,329.00.
5. All Rules and Regulations of CETA will be complied with.
6. All offerors must be an equal opportunity/affirmative action employer.
7. All courses must be an open entry/open exit design.
8. Seven copies of proposal will be submitted to the South Plains Association of Governments office (1611 Avenue M) no later than 4:00 p.m., Tuesday, August 5, 1975.

The South Plains Association of Governments will evaluate all proposals within the boundaries of applicable CETA Rules and Regulations. The Association is under no obligation to accept any offer submitted.

The South Plains Association of Governments will provide the following service to all offerors of classroom training in fiscal year 1976.

1. Outreach and Recruitment
 - (a) All clients will be solicited through the local news media, community based organizations, schools, church organizations, etc. by the outreach person assigned to the Intake Center.
2. Intake and Assessment
 - (a) All clients will be processed through the CETA Training Program Intake Center before entering any training course.
 - (b) All clients will be given orientation of the CETA Programs, tests, and Civil Rights orientation before entering into training.
 - (c) All clients will be certified as eligible participants in the CETA Programs before referral is made to the training facilities.
3. Counseling Services
 - (a) Each client will be assigned a counselor after certification of eligibility and orientation procedure has been accomplished.
 - (b) Counseling records will be maintained at the Intake Center along with the clients complete file.
 - (c) Counselors will provide assistance in all phases of the clients training on a one to one basis along with group counseling sessions.
 - (d) Counselors will coordinate the clients progress and goals with instructors of each training course.
4. Job Development and Placement:
 - (a) All clients will be given complete assistance in job placement procedures once their training is completed or when the instructor and counselor agree that the client is job ready.
5. Monitoring and Evaluation will be accomplished periodically to assure S.P.A.G. and T.D.C.A. of compliance with CETA Rules and Regulations and performance standards are being met.
6. Technical Assistance and Staff Orientation will be provided by the South Plains Association of Governments CETA Training Program staff.
7. All allowance payments to the clients will occur through S.P.A.G. and the unified payment system of T.E.C. which is approved by T.D.C.A.

®

MEMORANDUM

August 6, 1975

TO Reverend A. L. Davis, LOIC Board Chairman
FROM Truett Mayes, Executive Director, SPAG *Truett Mayes*
SUBJECT Grievance Hearing

Your notice to initiate a grievance against the South Plains Association of Governments Manpower Planning Division has been received.

The grievance committee will meet August 7, 1975, at 1:30 P.M., in the South Plains Association of Governments office, at 1611 Avenue M. Your presence is requested to present your grievance at that time.

According to Section 98.42 of the Federal Register,

"Every formal allegation shall be in writing and signed by the complainant, and shall be sworn to before a Notary Public, or other duly authorized person....".

Please submit your written grievance to the South Plains Association of Governments office by 10:00 A.M., August 7, 1975.



SOUTH PLAINS ASSOCIATION OF GOVERNMENTS ³⁹

1611 Avenue M

LUBBOCK, TEXAS 79401

(806) 762-8721

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2200 East Broadway • Phone 806 763-8077 • Lubbock, Texas 79403

MEMORANDUM

TO: Mr. Truett Mayes, SPAG Director

FROM: Rev. A.L. Davis, LOIC Board Chairman *ALD*

SUBJ: SPAG Grievance Procedure

DATE: August 6, 1975

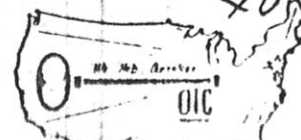
We appreciate the promptness of your scheduling a meeting for us with your grievance committee, August 7, 1975.

Please furnish me with a copy of your complete grievance procedure including steps and time limits. I would appreciate this information by 5:00 p.m. today. Thank you very much.

cc: Ms. Carolyn Jordan, President, SPAG
Ms. Anne Brownlow, Manpower Director, SPAG
Mr. Pat Martin, Manpower Planner, SPAG
Mayor Roy Bass, Chairman, SPMAC, SPAG
OIC Board of Directors
Mr. Don Harty, Regional Director

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August 7, 1975

Mr. Truett Mayes, Director
South Plains Association of Gov'ts.
1611 Avenue M
Lubbock, Texas 79401

Dear Truett:

When we brought our memorandum to you August 5, 1975, about the Lubbock Opportunities Industrialization Center initiating a grievance against SPAG, we requested SPAG's grievance procedure. You told us that you did not know if your grievance procedure for employees applied to subcontractors too. You said that you would let us know what the procedure was and when a meeting would be scheduled.

The next day, August 6, 1975, you brought over your memorandum that a hearing had been scheduled for 1:30 p.m., August 7, 1975, and requested us to file a formal grievance under Section 98.42 of the Federal Register for CETA. We again requested your grievance procedure.

Truett, I appreciate all your efforts in working with us, but under Section 98.42 in the Federal Register we are interpreting this as the Department of Labor grievance procedure, not your local procedure. In Section 98.40c the regulations spell out that "A participant in a program under the Act must exhaust the administrative remedies established by the prime sponsor or eligible applicant for resolving matters in dispute prior to utilizing the procedures under this subpart C."

Is SPAG taking the position that the CETA Rules and Regulations under the Federal Register apply to prime sponsors, prime contractors, and subcontractors to prime contractors as per Section 98.27d. If your grievance procedure is the same as the Department of Labor, we feel that it should be spelled out, documented and distributed to all parties concerned before we file our formal grievance.

Thank you in advance for your cooperation.

Sincerely,

Rev) A. L. Davis, Chairman
LOIC Board of Directors

Affiliate of National OIC

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MEMORANDUM

August 8, 1975

TO Dianna Henderson
FROM Ann Brownlow *ABW*
SUBJECT Proposals for FY '76 Tuitions

In the Budget Committee Meeting 8/7/75 at 9:30 a.m. the decision was made to accept a late proposal from L.O.I.C. for classroom training which will be a part of or the total of \$72,329.00. This decision was reached due to the fact that L.O.I.C. is a community based organization and has been delivering a satisfactory service in the past, therefore, if you desire to submit another proposal for a portion of or the total amount of \$72,329.00 please have this proposal in the SPAG office by 12:00 noon on Monday, 8/11/75. This proposal will be tagged as a "late proposal" but will be considered in all other areas as a legitimate proposal and reviewed by the Executive Committee on Tuesday, 8/12/75.



SOUTH PLAINS ASSOCIATION OF GOVERNMENTS

1611 Avenue M

LUBBOCK, TEXAS 79401

(806) 762-8721

42

MEMORANDUM

August 8, 1975

TO Robert Narvaiz
FROM Ann Brownlow *Ann*
SUBJECT Proposals for fiscal year 1976 Tuitions

In reference to our phone conversation this morning, this is to confirm our discussion. The Budget committee's decision was to accept another bid from SER to be reviewed and given consideration at the Executive Committee meeting on Tuesday August 12, 1975. After checking the legality of this, it was discovered that a proposal can be accepted from SER but it will have to be tagged "late proposal" but will be considered in all other areas as a legitimate proposal.

This proposal must be in the South Plains Association of Governments office by 12:00 noon on Monday August 11, 1975 and can be for a portion of or the complete amount of \$72,329.00.



SOUTH PLAINS ASSOCIATION OF GOVERNMENTS

1611 Avenue M

LUBBOCK, TEXAS 79401

(806) 762-8721



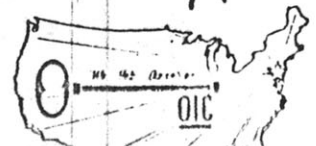
200 East Broadway • Phone 806 763-8077 • Lubbock, Texas 79403

Memorandum

To: Mrs. Anne Byrnslow, Mayor Director
From: Lanna Henderson
Subject: Ceta Manpower Training
Date: August 26, 1975

The Lubbock OIC, Inc. Board of Directors have informed me to notify you that because the Ceta FY76 Plan for Lubbock County has not been published and printed according to the Ceta rules and regulations, the Lubbock OIC, Inc. as a community based organization can not submit a proposal for federal funds to conduct classroom training. There are too many questions and issues that have not been clarified in regards to our relationship with the South Plains Association of Governments as prime contractor and the State as prime sponsor under the Comprehensive Employment and Training Act of 1973.

On my memorandum dated August 11, 1975 Mr. Robert Narvaiz and I requested that the Chairmen of our Board of Directors be given



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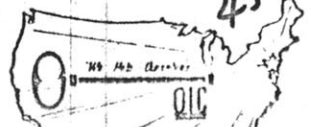
The opportunity to present an alternative proposal to the Spag Executive Committee for Ceta manpower training funds. It was our understanding that we would submit an alternative about the total manpower funds for Lubbock County. Since the Spag Board of Directors approved the Ceta Title I manpower contract before we could present our alternative, we feel that a major modification would have to be done to your contract and we do not know if this is possible.

The SER Board of Directors have elected to submit a proposal for the \$72,329 tuition figure under your contract since the SER and OIC organizations were not permitted to propose an alternative. It is our understanding that the SER proposal is not an alternative for Ceta Title I funding to revise your contract budget.

In the absence of a Grievance procedure from the Spag Board of Directors, we will present our Grievance to the Manpower Advisory Committee August 27, 1975 under Other Business at 2:45 p.m.

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We are requesting that Mayor Roy Bass as Chairman of this committee answer our grievance by noon Wednesday, September 3, 1975. We have requested an appointment with the State as prime sponsor Thursday, September 4, 1975.

Thank you for your assistance.

cc: Mayor Roy Bass
President Carolyn Jordan
Juvett Mayes
Pat Martin
Mr. W.C. Harris
Mr. Joe Cipriano
OIC Board of Directors
Mr. Lon Hardy

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MEMORANDUM

TO: Mayor Roy Bass, Chairman, SPMRAC

FROM: Dianna Henderson, Lubbock OIC *DH*

SUBJ: Request To Present Grievance

DATE: August 27, 1975

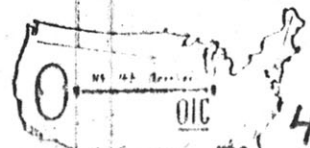
As per our conversation today, this letter is a confirmation of our request to present our grievance to the South Plains Regional Manpower Advisory Committee, Friday, August 29, 1975 under Other Business. In the absence of a Grievance Procedure from the South Plains Association of Governments' Board of Directors that we have asked for, we are requesting that you send us a written answer to our grievance by noon, Wednesday, September 3, 1975.

Thank you for your assistance and cooperation.

cc: Mrs. Carolyn Jordan, President, SPAG
Truett Mayes, Director, SPAG
Anne Brownlow, Manpower Director, SPAG
Pat Martin, Manpower Planner, SPAG
SPAG Board of Directors
OIC Board of Directors
Mr. Don Harty Regional Director, OIC
Mr. L.C. Harris, TDCA
Mr. Joe Cipriano, TDCA

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47



CITY OF LUBBOCK
LUBBOCK, TEXAS

ROY BASS
MAYOR

September 3, 1975

SEP 05 1975

Ms. Dianna Henderson, Executive Director
Lubbock Opportunities Industrialization Center, Inc.
2200 East Broadway
Lubbock, Texas 79403

Dear Dianna:

Several days ago I promised that I would give you a written reply to your request to be heard about the O.I.C. "grievance" during the meeting of the South Plains Regional Manpower Advisory Council on Friday, August 29, 1975, at 1:30 p.m. at the Garden and Arts Center. However, there has been so much stuff going on, I simply have not had time to dictate the letter.

This will serve to confirm our previous oral conversations, as well as my remarks at the MAC meeting where you were present with Reverend Davis and others, to the effect that when I first had your request to be heard during the meeting, I thought it would relate to some O.I.C. proposal for revising the percentages in the manpower plan, but apparently that did not turn out to be the case.

I believe I stated that we had a serious problem so far as hearing any "grievance" at the meeting was concerned, because there was no agenda item such as that contained in the posting of the notice, but the more serious problem is that the South Plains Regional Manpower Advisory Council does not now have, and has never had, any jurisdiction over grievance procedures or the authority to hear or make recommendations on grievance complaints. My understanding is that SPAG does have a grievance committee.

The next board meeting of SPAG is the annual meeting I believe on September 9. It may be that you would prefer to make any complaint directly to the TDCA in Austin, or to some Washington office, or, if your board feels necessary, to get some court to try to construe the tangled web of guidelines, instructions, etc.

Respectfully,

Roy Bass
Mayor

RB:gr

xc: Carolyn Jordan
Reverend A. L. Davis
Robert Narvaiz
Father Howell
Anne Brownlow
Pat Martin
L. C. Harris





South Plains Association of Governments

Carolyn S. Jordan, President
Councilwoman of Lubbock

Truett Mayes
Executive Director

September 2, 1975

Dear SPAG Board Member:

You have previously received or will find enclosed a copy of the FY 76 South Plains Region CETA Plan authorized by the SPAG Board at its meeting of March 11, 1975; written to conform to the outline required by the Texas Department of Community Affairs, Manpower Services Division, derived from Section 95.14 of the CETA rules and regulations according to which the State must write its plan as prime sponsor for all balance of state areas.

The plan follows all guidelines provided by TDCA MSD in terms of technical specifications of work to be performed, the number of participants to be served for the dollars available, allowable cost in budgeting, and so forth; and incorporates recommendations from the South Plains Regional Manpower Advisory Council approved by the SPAG Board of Directors.

You recall that reflected by the minutes of the March 11, 1975 SPAG Board of Directors meeting, a FY 76 CETA plan was approved. At that time, it had not been reduced to writing due to lack of information from TDCA MSD, but the action was taken to comply with time deadlines forced upon us by TDCA, who in turn apparently were trying to comply with deadlines forced upon them by Washington.

The minutes of the March 11 meeting reflect:

"B-75-54 Motion by Henry Heck, seconded by Alan Henry that the Board of Directors approve the 1976 Manpower Plan as submitted and authorize the staff to forward the Plan to the Texas Department of Community Affairs. Motion passed unanimously."

Enclosed is a copy of the CETA plan, which hopefully incorporates the requirements of TDCA and hopefully complies with the spirit of the SPAG Board action at the meeting on March 11.

Regarding the Lubbock County CETA program and Title I tuition payments, as of now, it doesn't look like we have any proposal which complies with requests for proposals heretofore sent out, and there has been no recommendation either from SER or OIC for a realignment of the percentages of Title I funds used for tuition payments.

Page 2
CETA Plan
September 2, 1975

Nevertheless, I hope it will be possible to negotiate some kind of contract which will keep these community based organizations to some extent in the ball park.

Mrs. Ann Brownlow will be presenting some alternatives for utilizing the budgeted Title I tuition funds at the next SPAG Board meeting.

Sincerely,

Roy Bass
Chairman, SPRMAC

xc: Members of South Plains Regional Manpower Advisory Council

RB/d11

®

Spag Contract
allowed

Spag's "Plan
will

OIC to do this during FY75 allow OIC to do during

PRE-VOCATIONAL TRAINING

COMMUNICATION SKILLS (English)

COMPUTATIONAL SKILLS (Math)

MINORITY HISTORY

PERSONAL HYGIENCE & GROOMING

CONSUMER EDUCATION

JOB FINDING AND KEEPING TECHNIQUES

GED PREPARATION

READING COMPREHENSION

SERVICES

GROUP COUNSELING

PERSONAL COUNSELING

JOB DEVELOPMENT & PLACEMENT

CHILD CARE

TRANSPORTATION FOR TRAINEES

SKILLS TRAINING

CLERICAL CLUSTER

CASHIERING/RETAIL SALES

SKILLS TRAINING????



\$296,505 = Allowances to classroom training participants at \$84 per week. Will go up to \$92 per week January 1, 1976. No taxes taken out.

\$ 5,000 = Amount for TEC to do allowance checks only at approximately \$3.50 per check.

\$ 14,640 = Employer share to match FICA taxes for Wages paid to clients.

\$ 34,200 = OJT money paid to employers

\$ 20,489 = Workmen's Compensation insurance for clients in skills training and work experience.

\$ 9,750 = Child care for clients

\$ 300 = Medical examination for clients

\$ 1,950 = Transportation for clients

\$ 72,329 = Proposed to be contracted out to OIC and SER, Learning Center, Junior colleges, commercial colleges, TSI etc.

Total \$914,534 To help cure poverty in Lubbock, Texas

2

SOLICITATION OF PROPOSAL

Introduction

The South Plains Association of Governments, hereinafter known as the Association, is a voluntary organization of political subdivisions within the fifteen county area designated as "Governor's Planning Region II". The Association is itself a chartered political subdivision of the State under VACS 1011 M and as such is subject to all laws and regulations applying to such agencies.

Purpose

The Association hereby solicits proposals for delivery of certain services specified in this request in accordance with all applicable law, regulation, and policy.

Form and Procedure

All proposals offered in response to this solicitation must be received in the offices of the Association no later than 5:00 p.m. (CST) July 11, 1975. Proposals must be typewritten and signed by an authorized official of the respondent offeror. Please attach a signatory authorization. Five copies of the proposal offer including authorized signature must be submitted.

Proposals may be submitted for all or any part of the services specified. The specified services are delivery of occupational training in an institutional setting for the several occupations listed in attachment A. Offers to conduct each occupational training course must be submitted separately.

Proposal offerors will accept participants in the employment and training program operated by the Association under the Comprehensive Employment and Training Act of 1973. These participants will be referred individually from the intake center of the CETA program in Lubbock County. All training provided by the offeror to the CETA participant must be conducted on an open entry/open exit basis in compliance with the FY 1976 CETA plan for the South Plains region. Information concerning the plan is available from the office of the Association.

Proposals must include the information and data specified in this solicitation including the items outlined in the section below entitled "Work Plan and Narrative". Proposals that do not contain all required information or which are submitted after the above mentioned deadline cannot be accepted for consideration.

Notification of Acceptance of Proposal

Each offeror will be notified in writing no later than July 24, 1975, of acceptance or rejection of its proposal.

The Association is under no obligation to accept any offer submitted.

Certification

All offerors must be certified by the Texas Education Agency as being a qualified instructional facility in each course of training for which offer is made.

18

WORK PLAN AND NARRATIVE

3

I. Objectives and Goals

- A. State occupation and/or occupational cluster for which training is designed.
- B. State the preparation which the training program will provide for upward occupational mobility and the base which the training will provide for future training in upgrading skills.
- C. State the anticipated beginning wage rate for said training graduates based upon past experience.

II. Qualifications of Offeror

- A. State the qualifications of the offeror to deliver specified training.
- B. State the qualifications of the instructor.

III. Training Graduates Proficiency and Output Goals

- A. Provide a course outline including at least the following:
 1. items of instruction
 2. length of instruction per item
- B. State the specific skills to be achieved by each trainee at completion of course.
- C. State the level of proficiency in each skill to be achieved by each trainee.
- D. State the standards of measurement of skill achievement necessary for graduation from training (for example: for training offered in licensed vocational nursing training graduate shall be able to pass State LVN licensing test(s)).
- E. State mechanisms for enhancing trainee's successful course completion, including but not limited to:
 1. provision of individual attention
 2. provision for remedial instruction or trainee repetition of items of instruction in which trainee is insufficiently prepared
 3. provision for re-utilization or recovery of tuition payment from offeror in case of trainee termination or inability to complete prescribed course of training

IV. Post-training Services

State what provision will be made of assistance in placement into employment of training graduates upon completion of specified training course.

V. Facilities and Equipment

State what amount and type of necessary training facilities and equipment is available to be utilized by offeror in training.

VI. Budget Requirements per Trainee

State the per client expense incurred in providing specified course of training.

VII. Letter of Assurance

Provide letters of assurance of employability of graduates of specified training from five different employers who have in the past employed graduates of the specified training performed by the offeror. In the event that the offeror is proposing to conduct a specified training course which it has never previously conducted nor has it previously conducted training for a similar occupation or occupational cluster, the offeror is exempted from this requirement.

VIII. Documentation of certification by Texas Education Agency.

5

4

ATTACHMENT A

Type of training for which offers are solicited:

Medical:

- a) Homemaker/Home Health aid/Nurse aid
- b) Medical Lab Technician
- c) Medical Records Clerk/Medical Secretary-Receptionist

Production, Maintenance, Repair Crafts:

- a) Machinist/Machine Tool Operator
- b) Welder
- c) Automotive Mechanic
- d) Diesel Mechanic
- e) Refrigeration-Heating Mechanic
- f) Electronic-Appliance Service and Repair

Technician::

- a) Chemical Laboratory Tech
- b) Textile Laboratory Tech
- c) Photo Lab Tech

Clerical:

- a) Clerk-Typist/Filing
- b) Secretary
- c) Stenographer
- d) Bookkeeper
- e) Accounting Clerk

Apprentice training in other trades:

- a) Electrician
 - b) Carpentry
 - c) Plumbing
 - d) Masonry
- 70



CITY OF LUBBOCK
LUBBOCK, TEXAS

ROY BASS
MAYOR

June 27, 1975

Mrs. Carolyn S. Jordan, President
South Plains Association of Governments
914 Lubbock National Bank Building
Lubbock, Texas 79401

Re: Regional Manpower Advisory Council
(Form for "Solicitation of Proposal")
(Form for "Work Plan and Narrative")

Dear Carolyn:

By the time you receive this letter, hopefully there will be on your desk copies of the above-mentioned instruments which have been prepared by Mr. Ireland and Mr. Martin, and have been reviewed by me. Doubtless there will be a discussion of them at the next meeting of the Regional Manpower Advisory Council on July 17, and in the meanwhile, there probably ought to be a discussion of them at the next SPAG Board meeting on July 8 (when, unfortunately, I will still be in Boston at the U.S. Conference of Mayors, and therefore cannot be present to field some of the questions).

There appears to be some difficulty, and maybe some suspicion, growing out of the fact that the proposal solicited would call for an open entry/open exit basis for the programs. In particular, I think SER, and maybe OIC, are of the opinion that the plan was drafted this way in order to exclude them purposely from being able to deliver any of the services under the plan.

It is difficult to get the parties all to understand that the open entry/open exit approach is in compliance with the FY 1976 CETA plan for the South Plains Region, and nobody is trying to do anybody else in.

As I understand it, the administrative cost at SER is around 33%, and the administrative cost for OIC is possibly 25% or maybe more. As you know, the 17% figure is what the state considers to be the top acceptable percentage for administration. The one thing we learn consistently at the state level is that administrative costs and duplications have to come down to acceptable levels in the operators as well as in the COGS. SER and OIC may have to guard their administrative costs, but I know of no one who's trying to disqualify them from being successful bidders. Ann is probably going to trim some of her administration too.

The Regional Manpower Advisory Council considers itself to be just that: only advisory in nature, and only in the planning function; that we do not have, as we understand it, any authority to review, criticize, recommend denial or otherwise of any bids submitted by any possible contractor; that our only obligation is to respond to whatever requests are made of us by SPAG, with respect to planning.

If you think of anything I need to be doing along these lines to allay some of the misconceptions which apparently are going around, I would appreciate it.

Yours,

Roy Bass
Mayor

RB:gr

xc: Robert Narvaiz
Father Rodney Howell
Dianna Henderson
A. L. Davis
Ann Brownlow

South Plains Association of Governments

Carolyn S. Jordan, President
Councilwoman of Lubbock

Truett Mayes
Executive Director

JUN 3 1975

July 1, 1975

Miss Dianna Henderson
Lubbock OIC
2200 East Broadway
Lubbock, Texas 79403

Dear Miss Henderson:

In response to your grievance on the CETA 76 Manpower Plan I'm sorry I cannot settle it. You will be furnished all of the plan that is available at this time and when the complete plan is available I will make sure that you have a copy.

Sincerely,

Truett Mayes
Executive Director

TM:mm

Lubbock Opportunities Industrialization Center, Inc.

"We Know Where We're Going"

P. Richardson, Executive Director

Rev. A. L. Davis, Chairman, Board of Directors

2200 East Broadway • Phone 806 763-0077 • Lubbock, Texas 79403



Use Here The Key at the LOIC

LOIC

MEMORANDUM

TO: Ms. Anne Brownlow, Manpower Director

FROM: Dianna Henderson, Executive Director *DLH*

SUBJ: Rough Draft of CETA Plan FY76

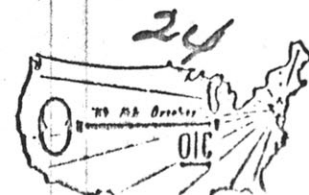
DATE: July 2, 1975

On the rough draft of your FY76 Plan, there are several items I do not quite understand. Please forward me this information and if possible by 5:00 p.m., July 3, 1975.

1. Is SPAG referring to itself as a program operator for Lubbock County under Strategy?
2. Under Program Activity and Service you state the general three program activities. From your narrative, I gather that SPAG, as the program operator, will not contract out any services (outreach, intake, orientation, referral, counseling, job development and placement, remedial education under classroom training, work experience, nor OJT. In fact, the only thing you are contracting out to other agencies is skills training and some administrative services. Is this correct?
3. What does the statement individual referral-to-training for vocational training mean?
4. Can any allowances be waived on a project basis? What about welfare recipients in that project if allowances are waived?
5. Has the consideration of programs of demonstrated effectiveness been answered in the SPAG 1976 Plan according to the CETA rules and regulations? Do you consider OIC a program of demonstrated effectiveness?
6. Will all participants in classroom training be allowed a maximum of 26 weeks for allowances paid and 26 weeks wages paid for work experience?
7. What else will be added to the narrative and rough draft of the Plan I have?
8. What do you figure our administrative costs to be for FY76 to date?

Affiliate of National OIC

"We Help Ourselves"



Page 2
Ms. Anne Brownlow
July 2, 1975

Your prompt attention to this matter would be greatly appreciated.

Thank you very much.

cc: Mr. Truett Mayes, Director, SPAG
Rev. A.L. Davis, Chairman, LOIC
Mayor Roy Bass, Chairman, Regional Manpower Advisory Committee



South Plains Association of Governments

121

JUN 16 1975

Carolyn S. Jordan, President
Councilwoman of Lubbock

Truett Mayes
Executive Director

June 13, 1975

JUN

Ms. Diana Henderson, Executive Director
Lubbock Occupational Industrialization Center
2200 East Broadway
Lubbock, Texas 79403

Dear Diana,

I am enclosing a copy of SPAG's Progress report so that you are able to see how well L.O.I.C. is doing in relation to the entire program.

We certainly appreciate your progress toward your FY 75 goals. With your taking on an additional 20 clients for the remainder of the contract ending July 31st, I feel sure that you will accomplish your goal of individuals served.

As you can see, placement of trainees into fulltime jobs is moving much slower. We do expect to see many more placed during June and July. It is doubtful, however, that SPAG's goal in this area can be met.

We are still operating on our original plan of progress which is much higher than we can hope to achieve. Our plan has been modified to a more realistic one but, to date, we have not gotten an approval to evaluate our program according to that modification. We hope to get approval soon.

Diana, in every area of our plan, except non-positive terminations, L.O.I.C. is ahead percentage-wise. For this, we wish to thank you very much. I do hope, however, that every possible effort is being made to cut back on the number of clients leaving the program on a non-positive basis.

Since we hope to have a much better showing at the end of June, I will forward you a copy of SPAG's June progress report when it becomes available.

MANPOWER
By
Dianna Henderson

I. Brief History of Lubbock Opportunities Industrialization Center, Inc.

The Lubbock OIC, (LOIC) was incorporated June, 1971, as a private non-profit organization in the State of Texas.

LOIC received its first grant under categorical funding through the OIC National Institute July 1, 1971 through June 30, 1972 in the amount of \$241,663. The next year LOIC received \$280,329 through the OIC National Institute. Under Comprehensive Employment Training Act (CETA) funding, LOIC received \$160,950 in 73-74 through the Department of Labor. In the ensuing years, LOIC has received numerous commendation for its delivery of Manpower Training in Lubbock, Texas. We were honored as being in the upper 25% of OIC's across the country at the 1972-73 OIC National Institute Annual Convocation. LOIC was chosen as one of the five OIC's across the country out of a possible 105 centers to be mentioned in a Reader's Digest article about Dr. Sullivan. The South Plains Association of Governments and the Lubbock City Council recognized OIC as the best manpower program in Lubbock County during FY1975, our first year of operation under SPAG. (See Ia-Ic)

II. History Of City or County Response to Manpower Programs in Lubbock County.

The South Plains Association of Governments hired Duane Ireland during 1972 under a planning grant through the Department of Labor in anticipation of passage of CETA. Since the City of Lubbock was an eligible prime sponsor, Mayor Morris Turner accepted the prime sponsorship for FY74. (July 1, 1973-June 30, 1974) Councilwoman Carolyn Jordan led the fight to have the City declared an ineligible prime sponsor. As I understand it, in talking to Mrs. Jordan, she stated that SPAG was the planning agency for the South Plains Region, and she felt manpower planning should be a responsibility of SPAG. I also understood her to say that she did not feel that manpower should be used as a political patronage tool by any one elected official. Councilwoman Jordan said that she supported manpower programs that really trained people and would support OIC as long as it did the job.

III. Interpretation of the CETA, 1973.

CETA of 1973 was passed during President Richard Nixon's term of office under the revenue sharing concept of giving the local elected officials control of and input into the spending of federal monies. The Act afforded the opportunity for local elected officials to control the funding of categorical programs and to see that those programs served their areas. It is the purpose of the Act to provide training and employment opportunities for economically disadvantaged unemployed and underemployed persons, and to assure that training services lead to maximum employment opportunities and efficiency.

V. Refer to Documents

Dates	Reference page	Action Taken
February, 1974- through May, 1974	#5-#11	Lubbock OIC was in agreement with SPAG being the prime contractor for Lubbock County. Traditionally, SPAG has been the planning agency for the South Plains area and acted as a pass through agency for Federal or State funds. We wrote letters to local elected officials requesting their opinion of Manpower. Before manpower, SPAG had never set up and hired a staff to operate a Federal or State program.
October 14, 1974	#12-#14	Lubbock OIC contracted with SPAG to provide pre-vocational training, skills training, and service. Our contract was 9½ month contract through June 30, 1975. SPAG did the fiscal checks for bills, and payroll checks for our staff and trainees. I was quite surprised and pleased at how well the accounting went. Jim Crowder, SPAG's previous fiscal officer, was really good.
May , 1975	#15	State printed notice about plan for Balance of State areas. Note that you were supposed to see Regional Council of Governments about plan for your area. I called Anne Brownlow and asked her about the Plan for this area. As I understand it, she told me that we did not have a plan and that SPAG was going to contract out for this year just as they did last year, except for SER because they did not have enough money for OJT. She stated that proposals would be accepted on a bid basis and our contract would be extended to July 31, 1975.
June 10, 1975	#16	Wrote and inquired about extension and procedures for proposals. Anne called and said we would receive proposal request package in a few days.
June 26, 1975	#17-#20	Received proposal request package from Anne. Called to question her about pre-vocational training, remedial education, and services, but Anne was out of town.
June 27, 1975	#21-#22	Staff came in to work on proposal. Received copy of letter from Mayor Roy

June 30, 1975

#23-#32

Bass to Mrs. Jordan. Did not quite understand letter because OIC has always operated on open-entry, open-exit and no-one from OIC had talked to Mayor Bass. I felt that SPAG did not have a plan, so I wondered where he was "quoting" information. Became very angry about inaccurate 25% cost figure quoted for administration because the Mayor is chairman of the Advisory Council and a member of the SPAG Board of Directors. I felt SPAG had complete access to our fiscal records; therefore, so did the Mayor.

Started asking for plan at SPAG office. Asked Anne and Mrs. Jordan about cost figures and neither knew where Mayor Bass obtained figures. Asked Truett Mayes, SPAG's Director, and Pat Martin, SPAG's Planner about plan. Pat gave me a rough draft of the Comprehensive narrative that was still penciled in. Became very concerned so I wrote and asked Anne about narrative. I did not receive answer. Called and asked Rev. Davis about plan. It was his understanding that Task Coordinations Committee authorized staff to write plan and bring it back for review. Called Pat and asked about his understanding. Anne told me Board had approved plan in March. Got Board minutes. We requested to be placed on SPAG's Board of Directors Agenda to present grievance that there was no plan. SPAG's July Board Minutes will reflect this. Did not present grievance to Board because Mrs. Jordan told me she was working it out and proposal period would be extended to July 18, 1975. Anne and staff went to Austin to negotiate prime contract with TDCA. Staff did not get back until July 21, 1975.

July 18, 1975

#33

Submitted proposal for training in amount of \$147,000 to train:
44 clerk-typist \$810/client
75 Textile Mill Tech. \$785/client
20 Medical Records clerk/Medical Secretary-Receptionist. \$815/client
15 Bookkeeper/ Accounting clerk. \$810/client

Pre-vocational (154x\$156)
+ Skills Training= \$146,989

July 23, 1975

Had lunch with Anne and explained that we did not expect to get \$147,000. If

our contract had been for 12 months, we would have been funded \$99,455. Told her our Board would settle for \$95,000 provided our contract was for same training, as last year's except for adding medical receptionist and accountant/bookkeeper, no cost since we would eliminate cashiering. Asked her to call and let me know by Wednesday, July 25, 1975.. She did not call. As I understand it, Anne kept repeating that she did not feel SER was going to be funded. I told her that SER was SPAG's problem and the SER Board should have seen to it that the program was successful. SPAG was going through a hassle with their accounting department during the following weeks, so I did not press for information.

July 29, 1975

#34-#35

Received copy of letter from Mayor Bass to Anne Brownlow. Wondered why SPAG was receiving all these guidelines that affected our total center and why we could not get them too? Really became upset! Note that Mayor Bass did not send me a copy. Rev. Davis came over and questioned me.

July 31, 1975

#36-#38

Last day of our contract. Attended meeting and was officially told that SPAG was only going to contract out \$72,329. Since all of the proposals were higher than OIC and SER, SPAG requested proposals from OIC and SER. Note what services SPAG will provide for classroom training.

August 4, 1975

Had special call Board Meeting. Board voted to initiate grievance process.

August 5, 1975

Went and told Truett and asked for SPAG's Grievance Procedure.

August 6, 1975

#39-#41

Truett brought letter over stating that we would meet the next day. Asked for grievance procedure again in memorandum. Regulations states that you must exhaust all local grievances. We did not want anyone to say we did not follow the guidelines. Besides it did require time to put all of our information together.

August 8, 1975

#42-#43

SPAG requested a proposal from OIC and SER for classroom training.

August 12, 1975

Went to SPAG Board meeting and Rev. Davis requested Grievance Procedure again. SER requested to present alternative. Minutes and tapes of minutes should reflect this.

August 26, 1975

#44-#46

Sent memorandum that our Board still wanted to present a grievance. Called Mayor Bass and he gave us permission to do so.

August 27, 1975

#48

Letter was hand delivered to me from Mrs. Jordan.

August 29, 1975

Went to SPAG Manpower Regional Advisory Committee meeting. Was established that plan had not been approved by the advisory committee or seen by them before that day.

September 2, 1975

Rev. Davis went to talk to Mayor Bass about program.

September 3, 1975

#44-#51

Received letter from Mayor Bass