



**TO:** Adult Career and Continuing Education Services (ACCES)  
Committee

**FROM:** Kevin G. Smith 

**SUBJECT:** New York State Workforce Innovation and Opportunity Act  
Combined State Plan

**DATE:** February 16, 2016

**AUTHORIZATION(S):** 

**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the New York State Workforce Innovation and Opportunity Act (WIOA) Combined State Plan for submission to the U.S. Departments' of Education and Labor on April 1, 2016?

**Reason(s) for Consideration**

Required by federal legislation.

**Proposed Handling**

This item will come before the Board of Regents ACCES Committee at its February 2016 meeting where it will be voted on and action taken.

**Procedural History**

In July, 2014 the WIOA was signed into law. The law supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973.

**Background Information**

WIOA brings together the following core programs of federal investment in skill development and employment and training services:

- Adult, Dislocated Worker and Youth formula programs – administered by the U.S. Department of Labor;
- Wagner-Peyser Act employment services – administered by the U.S. Department of Labor;
- Adult Education and Literacy Act programs – administered by the U.S. Department of Education; and,
- Rehabilitation Act Title 1 Vocational Rehabilitation programs – administered by the U.S. Department of Education.

WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. The purpose is to better align the workforce system with education and economic development in an effort to create a collective response to economic and labor market challenges on the national, state, and local levels. WIOA continues the trend in workforce legislation by further engaging the private sector to lead local workforce development efforts and focuses on introducing increased flexibility and accountability of board members. WIOA encourages an improved response to labor market needs by connecting board performance to outcomes that require an understanding of the correlation between training investments and economic return.

WIOA is a shift from previous law in that it now requires each state to submit a combined state plan. Therefore, staffs from the core programs, NYS DOL, NYS Commission for the Blind, and NYSED (ACCES-VR and Adult Education), have been meeting regularly since February 2015 to draft a New York State WIOA Combined State Plan. The draft Plan was presented for discussion to the Board of Regents' ACCES Committee at its October 2015 meeting. Since that meeting, the draft Plan was posted for public comment for 30 days. The comments received, while very useful for future discussions and decisions, did not substantially alter the Plan.

The Plan reflects WIOA's intent to improve access for individuals with disabilities to high quality workforce services to prepare them for competitive integrated employment. One stop centers must provide physical and programmatic accessibility to employment and training services for individuals with disabilities. The law also calls for investments in serving disconnected youth and other vulnerable populations. In particular, students with disabilities must be provided with extensive pre-employment transition services so they can successfully obtain employment.

ACCES-Adult Education will use the first year of the Combined State Plan to identify effective career pathway or bridge models that could be replicated with Federal funding, for implementation as early as 2017. This includes integrated education and training models that provide instruction with co-teaching or dual enrollment in basics skills and occupational/CTE training with contextualized curriculum specific to a high demand sector.

The Plan reflects goals and strategies to support positive growth in education and employment for all individuals in New York State. However, it is important to be aware that there are some challenges for New York State across all core programs in moving forward to attainment of the goals of the plan. These include:

- Final regulations have not been released.
- A shared data system must be developed or, in the alternative, processes for sharing data must be further enhanced.
- Preparing for new performance measures.
- Identification of methods for sharing in the cost for supporting the infrastructure of the workforce development system.
- Developing the required local memorandums of understanding for service delivery and cost sharing among the core partners.

In States like New York where there is a constitutional or statutory split between the agency overseeing administration of vocational rehabilitation, adult education and family literacy, and postsecondary Perkins CTE, it is the head of that agency with input from the Governor who make the final decision on infrastructure contribution from those programs. Therefore, the Commissioner has authority to determine the level of contribution for these NYSED programs.

In addition, a major challenge specifically for Adult Education is how to align a robust and sophisticated National Reporting System (NRS) accountability system for adult education and family literacy with cross-cutting performance measures under WIOA that all core programs must use to measure and report performance.

Over the next several years, as the core partners continue to work together, issues will be resolved and new opportunities will be identified to strengthen the workforce development system.

### **Recommendation**

Approve the New York State WIOA Combined State Plan for submission to the U.S. Departments' of Education and Labor.

### **Timetable for Implementation**

The approved Plan will be submitted on April 1, 2016 and will become effective July 1, 2016.