



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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

**FROM:** Kevin G. Smith 

**SUBJECT:** Workforce Innovation and Opportunity Act

**DATE:** March 23, 2017

**AUTHORIZATION(S):** 

**SUMMARY**

### Issue for Discussion

To provide the Board of Regents with information on the status of the implementation of the Workforce Innovation and Opportunity Act (WIOA) regulations for ACCES participation in the workforce development system.

### Reason(s) for Consideration

For Information

### Proposed Handling

This item will come before the Board of Regents ACCES Committee at its April 2017 meeting.

### Procedural History

On July 22, 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 through a nationwide system for workforce development. This is known as the American Job Center network.

In 2015, the core programs, in collaboration with the State Workforce Investment Board, identified a workforce vision and it was included in the Combined State Plan (Plan) submitted in April 2016 (effective July 2016). The Plan had been approved by the Board of Regents and the Governor in December 2015. The Plan also outlines the goals, strategies, and actions necessary to ensure attainment of the vision. Core programs are mandated to coordinate services and create seamless processes so that job seekers acquire skills and credentials that meet employers' needs. In addition, they are expected to provide support, including infrastructure funding, to the system.

The foundation of this system in New York State is the 33 local comprehensive workforce development areas. Each area must include at least one comprehensive center. A key requirement for qualification as a comprehensive center is that it must include access to every core partner. It is also allowable for a state to establish affiliate or specialized centers that offer some, but not necessarily all services. There are over 100 affiliate and specialized centers in New York State.

Each local workforce area must develop a Memorandum of Understanding (MOU) that articulates the specific strategies and collaborative partnerships for implementing the workforce vision in that area. The MOU must be signed by the core State partners and mandated local partners. In addition to the Service Delivery MOU, a second MOU must be developed to addresses infrastructure funding.

The Interagency Team with staffs from ACCES, the NYS Department of Labor, NYS Commission for the Blind, the Office of Temporary and Disability Services, and the Office for the Aging, with input from the State Workforce Investment Board, that originally convened to develop the Plan has continued to meet bi-weekly to implement actions and assess local progress. The Interagency Team is charged with ensuring that the commitments expressed in the Plan are realized.

Examples of the Interagency Team work over the past year includes, but is not limited to:

- Provided joint presentations about the WIOA system at the annual conferences of New York State Association of Employment and Training Professionals and New York State Rehabilitation Association.

- Identified questions and stakeholders to participate in information sessions conducted by the Department of Labor related to experiences with use of the American Job Centers.
- Provided guidance and support for a consultant to conduct 9 Customer Focus Groups with participants of Vocational Rehabilitation, Adult Education (English as a second language), and Temporary Assistance for Needy Families (TANF) programs. The Focus Groups asked a set of questions designed to determine each participant's knowledge about and use of the American Job Centers. The focus group findings will assist the Interagency Team with improving service delivery of the system.
- Hired a national consultant to assist the Team with developing a Service Delivery MOU template for local areas. The consultant provided 3 day-long information sessions. He provided information about how other states were approaching the same key requirements, and provided structure and guidance for the process.
- Identified required individual partner system information to contribute to the development of a statewide WIOA information directory.
- Identified the applicable career services for each partner program and began to clarify how those could be provided in a joint approach.
- Assessed training needs of core partners, particularly front line staff to assist in ensuring the delivery seamless service.
- Identified business engagement performance measures for New York State.

Currently, a significant priority for the Interagency Team is providing the local workforce development boards with the information and support they need to develop the mandatory MOUs.

Additionally, it is critical that a mechanism to support data sharing be established so New York State can report the mandatory performance data to the Federal Departments of Education and Labor. Failure to attain, or to document attainment of, certain levels of performance can result in sanctions. ACCES is working with the Department of Labor on a data sharing agreement to address this issue in the short-term. However, the partners are working to establish a data warehouse as a longer-term mechanism for addressing the data integration issues across the full workforce system. Challenges to the establishment of the data warehouse include: maintaining confidentiality of the individual data elements, ensuring security of the data as it moves from system to system, and the multiple and varied data collection systems of each partner.

In July 2018, a 2-year update of the Plan is required. The Interagency Team is currently identifying areas that need revision. In August 2017, the partners will hold public hearings to solicit input. The updated Plan will come before the Board of Regents for approval in December.

### **Related Regent's Items**

[http://www.regents.nysed.gov/common/regents/files/216accesa1\\_0.pdf](http://www.regents.nysed.gov/common/regents/files/216accesa1_0.pdf)  
<http://www.regents.nysed.gov/common/regents/files/215ACCESd1.pdf>

## **Recommendation**

ACCES will continue to work with Interagency Team partners on building a seamless workforce system; will offer guidance on the development of the MOUs and on providing leadership for the delivery of service to individuals with disabilities and to individuals in need of adult education and literacy skills training; will continue to assess data sharing options; and, will update the Plan.

## **Timetable for Implementation**

The Service Delivery MOU for each area must be approved by June 30, 2017. The Infrastructure Agreement MOU for each area must be approved by December 31, 2017. The updated Combined State Plan will be submitted in March 2018.