



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

**FROM:** Kevin G. Smith 

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

**DATE:** October 19, 2015

**AUTHORIZATION(S):** 

**SUMMARY**

**Issue for Discussion**

To provide the Board of Regents with information on the development of the Combined State Plan as required by the Workforce Innovation and Opportunity Act (WIOA). The Plan is a 4-year workforce strategy for the State.

**Reason(s) for Consideration**

For Information

**Proposed Handling**

This item will come before the Board of Regents ACCES Committee at its October 2015 meeting.

**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 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.

The core programs, in collaboration with the State Workforce Development Board, must identify a workforce vision for the State and must outline the goals and strategies for attainment of the vision. WIOA ensures that employment and training services provided by the core programs are coordinated and complementary so that job seekers acquire skills and credentials that meet employers' needs. 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 I Vocational Rehabilitation programs – administered by the U.S. Department of Education.

At the state level, two of these WIOA core programs – adult education and vocational rehabilitation – are administered by the New York State Education Department (NYSED). Perkins postsecondary Career and Technical Education program, administered by NYSED, must coordinate with the respective core programs under WIOA.

WIOA is a shift from previous law in that instead of allowing, it now requires each state to submit a unified or combined state strategic plan. If a state chooses to include a workforce development program other than those identified as core programs, the strategic plan is referred to as combined rather than unified. New York State will submit a combined plan rather than unified as the Trade Adjustment Assistance Program, administered by the New York State Department of Labor (DOL) in compliance with the Trade Act of 1976 is being included.

Staffs from the NYS DOL, NYS Commission for the Blind, and ACCES-VR and Adult Education have been meeting regularly since January 2015 to draft a Combined State Plan. Five work groups were established: Leadership, Local Operations, Performance, Training, and, Special Populations. These work groups correspond to key focus areas in WIOA.

In addition to work group meetings, the NYS Commission for the Blind, ACCES-VR and Adult Education held public stakeholder hearings throughout the state to seek input into the Plan. Representatives from each core program (including DOL)

participated on a panel at each hearing to engage in a dialogue with attendees. In the fall, DOL will post the entire draft Combined Plan on its website for additional public comment from all stakeholders.

Each core program must consider each issue below and work together on strategies for attainment.

- Better align the workforce, education and economic development systems including funding of the infrastructure.
- Improve the structure of the system and delivery of service through:
  - focus on regional and local connections;
  - attention to special population groups, including students, youth, and individuals with disabilities; and,
  - cross-cutting priority on serving individuals with low literacy or limited English language proficiency.
- Change performance measures, and increase transparency and accountability which include the need for use of common data elements across the core programs.
- Emphasize stronger business engagement.
- States must analyze workforce needs from both the perspective of the job seeker and business. Both the supply and the demand side must be data-driven.
- Programs will be evaluated by independent third parties at least every four years.

ACCES-VR has been ensuring the NYS Combined Plan reflects WIOA's intent with regard to improved 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 years of the Combined State Plan to identify effective career pathway or bridge models that could be replicated with Federal funding that could be competitively bid 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/Career and Technical Education (CTE) training with contextualized curriculum specific to a high demand sector.

In addition, a major challenge specifically for Adult Education is how to align the existing National Reporting System (NRS) accountability system for adult education with the new WIOA requirements. WIOA requires that all core programs report on common performance measures and levels of performance. Measurement of skill gains is included in Title I performance. Participants who obtain a secondary or High School Equivalency diploma will only be included for reporting if they have obtained or retained employment, or are in an education or training program leading to a recognized postsecondary credential within one year after exit from the program. It is not clear whether participants in various immigration statuses will be eligible for service in one-

stop delivery centers nor how they will be included in reporting measures, a major issue since 70 percent of adult education students in New York State are foreign born. Currently, the NRS reporting system does not report immigration status and it is not a factor in eligibility.

Currently, the NYS DOL and NYSED workgroup is finalizing a draft vision. The working draft statement is, “New York State envisions a unified workforce development system that is regionally coordinated and programmatically seamless, delivering workforce training, business services, and statewide job linkages.” The Combined Plan document will reflect goals and strategies to support achievement of the vision.

However, it is important to note there are some challenges for New York State across all core programs as well. These challenges include:

- Final regulations have not been released;
- A shared data system must be developed and processes for sharing data across programs must be further enhanced;
- Preparing for new performance measures; and
- Identification of methods for sharing in the cost for supporting the infrastructure of the workforce development system.

In States like New York where there is a constitutional separation 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 of Education and the Board of Regents have a distinct role in determining appropriate levels of contributions to support the overall system.

### **Recommendation**

ACCES will continue to work with the NYS DOL and the NYS Commission for the Blind to finalize a draft Combined State Plan for review and approval at the December 2015 Board of Regents meeting.

### **Timetable for Implementation**

The approved NYS Combined Plan for Workforce Development System programs will be submitted on March 3, 2016. The Plan will become effective July 1, 2016.