Side-by-Side Comparison of Occupational Training Provisions in House and Senate WIA Reauthorization Bills and the Workforce Innovation and Opportunity Act (WIOA)

May 2014

Introduction

The following summary was prepared by the National Skills Coalition. It compares occupational training and adult education and family literacy provisions¹ in the bipartisan, bicameral Workforce Innovation and Opportunity Act (WIOA) with the House and Senate Workforce Investment Act (WIA) reauthorization proposals, and with current law. The summary, while addressing a number of key provisions, is not exhaustive.

Background

WIA, originally authorized in 1998, is now more than a decade overdue for Congressional reauthorization. In the years since its passage, WIA has failed to keep pace with changing economic conditions. The law's original emphasis on short-term training and rapid reemployment is increasingly inconsistent with growing demands for longer-term training aligned to high-growth and emerging industries. Administrative barriers make it difficult for local providers to help participants who require multiple services, undermining the law's vision for cross-program alignment. Steady declines in funding—formula funding decreased by nearly 30 percent over the last decade—have made it ever more difficult to meet the needs of participants. Many state and local systems have adopted innovative strategies despite the limitations of current law, but these efforts could be greatly strengthened if federal policy was updated to reflect best practices in the field.

In 2013, the House and Senate released WIA reauthorization proposals that were substantially different from one another. In the House, reauthorization efforts focused largely on reducing the number of programs within WIA. In March 2013, the House passed the SKILLS Act (H.R. 803), legislation authored by Higher Education and Workforce Training subcommittee chair Virginia Foxx (R-NC). The SKILLS Act would have eliminated 35 existing programs and consolidate the funding for such programs into a single Workforce Investment Fund. The Senate released its WIA reauthorization bill, the Workforce Investment Act of 2013 (S.1356) in July 2013. S. 1356 cleared the Health, Education, Labor and Pensions (HELP) committee on a

¹ The occupation training provisions fall under Title I and the adult education and family literacy provisions fall under Title II of current law and the House-passed WIA reauthorization bill. The Senate bill creates a new Title I, primarily focused on infrastructure and governance issues. Occupational training issues fall under Title II and adult education and family literacy provisions fall under Title III in the Senate WIA reauthorization bill.



bipartisan basis but was not brought to the Senate floor. The Senate bill—crafted on a bipartisan basis by Senator Patty Murray (D-WA) and Senator Johnny Isakson (R-GA), ranking member of the Employment and Workplace Safety subcommittee—did not include consolidation language similar to the House.

The Workforce Innovation and Opportunity Act (WIOA)

On May 21, Senators Murray (D-WA), Harkin (D-IA), Alexander (R-TN), and Isakson (R-GA), along with Representatives Kline (R-MN), Foxx (R-NC), Miller (D-CA), and Hinojosa (D-TX) introduced the Workforce Innovation and Opportunity Act (WIOA), bipartisan, bicameral legislation reauthorizing the Workforce Investment Act (WIA). WIOA would reauthorize the program for six years, from 2015 through 2020. The bipartisan bill is a product of lengthy "preconference" negotiations between the Committee on Education and the Workforce and HELP.

Though it appears the Senate language was used as a starting point in many places, the final product incorporates substantial portions of both the House and Senate versions of the bill. In general, the bill focuses on streamlining programs, reporting and administration. The bill eliminates 15 existing federal training programs—including WIA incentive grants, WIA Pilots and Demonstration Projects, and the Workforce Innovation Fund (WIF). It creates common measures across "core" programs for both adults and youth, and mandates a single, unified plan for all core programs.

The bill maintains the existing basic structure of WIA (i.e., an occupational training title; an adult basic education [ABE], literacy and English language acquisition [ESL] title; Wagner-Peyser; and Vocational Rehabilitation), and does not create a single block grant or otherwise consolidate current funding streams.

The bill amends current law in a number of ways. Key changes include:

- Workforce Investment Boards (WIBs). WIOA generally maintains the current structure of state and local workforce boards, continuing to require a business majority and chair. However, the number of required members is reduced.
- State and local plans. WIOA requires a single, unified State plan covering all core
 programs authorized under the bill. The plan must describe the State's overall strategy
 for workforce development and how the strategy will meet identified skill needs for
 workers, job seekers and employers. Local plans must be aligned to the strategy
 described in the State plan, and must describe how services provided at the local level
 will be aligned to regional labor market needs.
- Performance measures. WIOA creates a single set of common measures for adults across
 all core programs authorized under the bill, including both occupational training and
 adult education programs, and a similar set of common measures across all youth



serving programs authorized under the bill. Adult measures include: unsubsidized employment; median earnings; receipt of a secondary diploma or recognized postsecondary credential; measurable skills gains toward a credential or employment; and employer engagement.

- American Job Centers (one-stop centers). WIOA requires State boards to establish criteria for use by local boards to assess the "effectiveness, physical and programmatic accessibility, and continuous improvement" of American Job Centers at least every three years. The bill maintains current requirements for mandatory one-stop partners to reach a voluntary agreement to fund infrastructure costs; however, if local areas fail to come to an agreement, a State mandated funding mechanism may be imposed upon those local areas.
- Employment and Training Activities. WIOA codifies the elimination of the original "sequence of services," and combines core and intensive services into a new "career services" category. The bill signals to states and local areas an interest in seeing a number of existing best practices adopted or expanded, including: career pathways (including integrated or contextualized ABE, ESL, and occupational training); industry or sector partnership (local WIBs are required to "convene, use, or implement" sector partnerships); and an increased focus on the attainment of industry-recognized certificates and credentials linked to in-demand occupations.
- *State-wide set aside (i.e. governor's set aside)*. WIOA restores the state-wide set-aside to 15 percent.
- Funding levels. Unlike current law, which simply specifies "such sums as necessary", WIOA includes specific funding levels for each fiscal year (FY) 2015 through 2020 for the WIA Youth, Adult, and Dislocated Worker programs. Funding levels in FY 2015 are consistent with levels established under the Bipartisan Budget Act, which means that the programs would be funded at post-sequester levels. Funding levels are increased each year, and generally reach FY 2010 levels by FY 2017. However, it is important to understand that these are just authorization levels and actual funding levels will continue to be determined through the annual appropriations process. Unless Congress takes steps to undo the existing budget caps and mandatory cuts under sequestration, it is extremely unlikely that programs will be fully funded at these authorized levels.
- Data and accountability issues. WIOA includes a revised performance system, making all
 programs accountable for the same core metrics. The bill also adds requirements for
 performance reporting, expands use of UI wage records across all programs; requires
 coordination of state and federal evaluation efforts; and establishes a new Workforce
 Information Advisory Council.



WIA is more than a decade overdue for reauthorization, and it is important that Congress demonstrate its support for federal investments in a skilled workforce by strengthening and improving the federal workforce development system. Employment, occupational training and adult education programs remain extremely vulnerable to funding cuts so long WIA remains unauthorized. WIOA takes an important step to protect these programs. While National Skills Coalition would have liked to see the bill go further than it does on certain issues, we are supportive of its passage.

Because WIOA is a bipartisan, bicameral bill that has the support of both House and Senate leadership, it is our expectation that the bill will move fairly quickly through both chambers. It is likely that the Senate will try to advance the bill through a unanimous consent (UC) agreement in early June (which means that the bill would not be brought to the floor for debate or amendments). Once the Senate passes the bill, the House would then take it up, possibly on the suspension calendar (an expedited process which requires two-thirds vote for passage, but, again, limits debate and amendments). Although the Administration has offered limited comments on the bill so far, it seems likely that President Obama would sign the bill if it is passed by both chambers. National Skills Coalition will provide updates as they become available.

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Current Law	Senate Bill (S. 1356) ¹	House Bill (H.R. 803)	The Workforce Innovation and Opportunity Act (WIOA; H.R. 803 as amended)
State Boards			
Membership—	Membership —Revises current law	Membership —Revises current law	Membership – revises current law
Governor	as follows:	to require only the governor,	to require:
• Two members of each chamber	Majority of representatives	representatives of business, chief	 Governor
of the state legislature, and	must be employers or	elected officials, a state agency	One member of each chamber
Representatives appointed by	representatives of business or	official responsible for economic	of the State legislature
the governor, including:	trade associations	development and other such	Representatives appointed by
o Business representatives	At least 20 percent must be	representatives as the governor	the Governor, including:
o Chief elected officials	representatives of labor and	should designate to serve on the	o Employers,
(representing both cities and	CBOs or youth serving	board.	representatives of
counties where appropriate)	organizations	 Requires that two-thirds of 	business or trade
o Labor representatives	Adds representatives of a joint	board members be	associations (must be
 Youth organization 	labor-management program or	representatives of the business	majority of board)
representatives	apprenticeship program as a	community	 Representatives of
o Representatives of	required partner		workforce in the state
individuals and			(must be at least 20
organizations with			percent of board),
experience and expertise in			including:
the delivery of workforce			Required: labor

¹ Occupational training provisions can be found in Title I in current law and in the House bill. The Senate bill split the occupational training provisions into two separate titles, Title I and Title II.



investment activities			representatives,
including chief executive			representatives
officers of community			of a joint labor-
colleges and community			management
based organizations			partnership or
 Lead state officials of 			apprenticeship
mandatory partner agencies			program; and
o Other representatives and			o Permissible:
state agency officials that the			representatives of
governor may designate			community-based
 Members must represent 			organizations serving
diverse regions of the state and			individuals with
a majority must be business			barriers to employment,
representatives			and youth organization
 State may use an alternative 			representatives
entity as a state board if it was			Lead state officials of agencies
in existence on December 31,			responsible for core programs
1997; was established under			Chief elected officials
JTPA or is substantially similar			Other representatives and state
to a state board required under			agency officials the governor
WIA; and includes			may designate
representatives of business and			Maintains geographic diversity
labor organizations			requirement
			Prohibits representation of
			multiple categories
			Authorizes governor to select
			chairperson.
State Board Function			
Functions—	Functions—	Functions – Modifies functions of	Functions—largely adopts Senate
Development of the state plan	Development of the state plan	the state board to also include:	bill language.
Development of continuous	Review of statewide policies	Reviewing and developing	Adds requirement that states
improvement of statewide	and programs and	statewide policies and	develop strategies to align



- activities, including linkages to assure coordination and nonduplication of activities and review of local plans
- Commenting at least once annually on Perkins performance measures
- Designation of local areas
- Development of adult and youth allocation formulas
- Development and continuous improvement of comprehensive state performance measures
- Preparation of annual report to Secretary of DOL
- Development of statewide employment statistics system under Wagner-Peyser Act
- Development of application for incentive grants

- development of recommendations on actions that should be taken by state to align core and other programs in a manner that supports a comprehensive system and meets the workforce needs of the state
- Review and provision of comments on state plans for activities and programs of onestop partners that are not core programs
- Development of guidance for the implementation and continuous improvement of the workforce development system (addressing alignment, career pathways, sector partnerships, coordination between states and local areas, identification of regions, technical assistance, case management information systems)
- Development and update of comprehensive state performance accountability measures, including state adjusted levels of performance
- Identification and dissemination on best practices

- programs in a manner that supports a comprehensive statewide workforce development system, including determining whether the state should consolidate additional programs into the Workforce Investment Fund
- Development of a statewide workforce and labor market information system
- Developing strategies across local areas to meet the needs of business and support economic growth
- Identifying and disseminating information on best practices for one-stops
- Program oversight
- Developing comprehensive state performance measures
- Eliminates grandfather clause permitting alternative entities to operate in lieu of state workforce boards

technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures



	 Development and review of statewide policies affecting the coordinated provision of services through the one-stops Development of allocation formulas for distribution of formula funds to local areas Preparation of annual reports Development of statewide workforce and labor market information system 		
Unified State Plan			
Term—Requires a state plan that	Term —Requires single four-year	Term - Requires three-year plan.	Term—Requires single four-year
outlines a five-year strategy for the	plan covering the core programs.		plan covering the core programs.
statewide workforce investment	Requires state board to review the	Contents of Plan—	
system.	plan after two years and the	• Eliminates current requirement	Contents of Plan—
	governor to submit modifications	for detailed plans relating to	Strategic Planning: essentially
Contents of Plan—	to reflect changes in the labor	activities carried out under the	adopts Senate bill language.
Description of the state board	market or economic conditions.	Wagner-Peyser Act	Operational Planning:
Description of the state-		 Adds requirement that state 	Maintains broad requirements
imposed requirements	Contents of Plan—	plan include description of	of Senate bill
Description of the state	Strategic Planning: elements	state criteria for determining	
performance accountability	include analysis of economic	eligibility of training providers	
system	conditions in the state; analysis	 Requires description of 	
Information describing the	of knowledge and skill needs	procedures that will be taken	
needs of the state regarding	of employers; analysis of	by the state to assure	
current and projected	workforce in the state,	coordination of and avoid	
employment opportunities, the	including educational and skill	duplication among programs	
job skills necessary to obtain	levels; analysis of workforce	and a description of common	
such employment, skills and	development activities in the	data collection and reporting	

processes used for such

programs



state, including strengths and

weaknesses; a description of

economic development needs

of the state, and the type and

- availability of workforce investment activities in the state
- Identification of local areas designated in the state
- Identification of the criteria to be used for the appointment of members of local boards
- Detailed plans required under section 8 of the Wagner-Peyser Act
- Description of the procedures that will be taken by the state to assure coordination of and avoid duplication among WIA; Wagner-Peyser; Title I of the Rehabilitation Act; TANF, Food Stamp employment, training and work activities; Older Americans Act programs; Trade Adjustment Assistance, veterans employment and training services, National and Community Service Act activities; CSBG employment and training activities; HUD employment and training activities; and unemployment insurance programs
- Description of common data collection and reporting

- the state's strategic vision and goals for preparing an educated and skilled workforce; and a strategy for aligning core programs and other resources to achieve the strategic vision and goals
- Operational Planning: descriptions of:
 - o How lead state agency responsible for core programs will implement state strategy (including descriptions of activities that will be funded and aligned; how entities will collaborate with entities serving populations covered by different titles; how entities will use career pathways, how community colleges and career and technical education schools will be engaged; how supportive services and technology will be used; how activities will be coordinated with economic development strategies);
 - State operating systems and policies (including descriptions of how state

- Eliminates requirement that state plan provide opportunity for business and labor to comment on plan prior to submission
- Requires state plan to include description of how state will serve certain populations, including low-income individuals, youth, dislocated workers, and others
- Eliminates requirement for state plan to include information on youth activities
- Adds requirement that state plan include description of strategies and services that will more fully engage businesses
- Adds requirement that state plan will convene or help convene sector partnerships
- Adds requirement that state plan include description of how state will utilize technology to facilitate access to services in remote areas
- Adds requirement that state plan include description of state strategy for encouraging regional cooperation within state and across state borders
- Adds requirement that state



- processes for above listed programs
- Description of the public comment and input process
- Information regarding leveraging of resources
- Assurances of fiscal control and fund accounting procedures to ensure the proper disbursement of funds
- Description of the methods and factors state will use to distribute funds to local areas
- Information specifying actions that constitute conflict of interest
- Description of state strategy for assisting local areas in development and implementation of fully operational one-stop delivery system
- Description of the appeals process
- Description of the competitive process for grants and contracts
- Description of adult and dislocated worker training activities to be provided, rapid response activities, procedures the local boards will use to

- will assist local boards and one-stop operators and partners; common data collection reporting process; how core programs and one-stop partner programs will be assessed and results: methods for distributing funds to core programs; how agencies will align and integrate available data; how state will assist local areas in implementing an integrated case management information system)
- o Program-specific requirements (including state policies or guidance; local areas and process for designation; appeals process for designation and infrastructure funding; criteria local boards must use to award youth activities grants; how eligible agencies will align adult education standards with state academic content standards; how state will fund local adult education

- plan include descriptions of actions it will take to foster communication and partnerships with non-profits
- Adds requirement that state plan include a description of process and methodology for determining one-stop partner contributions for cost of onestop infrastructure
- Adds requirement that state plan include description of strategies it will use to assist atrisk and out-of-school youth in acquiring the education and skills to succeed in the labor market
- Adds requirement that state plan include description of how state will furnish employment and training and supportive services to veterans



identify eligible providers of	activities; how agency will		
training services (other than for	assess quality of adult		
on-the-job training and	education providers); and		
customized training)	 Assurances (including that 		
Lists of special populations for	state has established		
which plan must specify how	quality control and		
service needs will be met	administrative policies)		
 Description of the state 			
strategy for providing youth			
activities, criteria local boards			
will use in awarding grants to			
youth providers, how the state			
will coordinate youth activities			
with Job Corps and the youth			
opportunity grant activities			
State Unified Plan/Combined State	Plan ²		,
State Unified Plan—Permits state	Combined State Plan—Permits	State Unified Plan —Permits state	Combined State Plan—Permits
to develop and submit a state	state to develop and submit a	to develop and submit a state	state to develop and submit a
unified plan in lieu of separate	combined state plan for the core	unified plan for programs	combined state plan for the core
plans for all of the programs or	programs and one or more of the	authorized by Titles I and II and	programs and one or more of the
activities covered in the state	following programs, in lieu of	one or more of the following	following programs in lieu of
unified plan.	submitting multiple plans: Carl D.	programs: programs authorized by	submitting multiple plans: Carl D.
• State unified plan must cover:	Perkins Act programs; TANF block	the Rehabilitation Act of 1973;	Perkins Act programs; TANF block
secondary (with approval from	grant programs; SNAP E&T	secondary and postsecondary	grant programs; SNAP E&T
the state legislature) and	programs; Trade Adjustment	career education programs	programs; Trade Adjustment
postsecondary programs under	Assistance activities; VETS	authorized under the Carl D.	Assistance activities; VETS
the Carl D. Perkins Act and	programs; UI programs, SCSEP	Perkins Career and Applied	programs; UI programs; SCSEP
Title I and II activities	programs; CDBG authorized	Technology Education Act; Trade	programs; CDBG authorized
	programs; CSBG authorized	Adjustment Assistance activities;	programs; CSBG authorized

² Titled "State Unified Plan" in current law and in the House bill and "Combined State Plan" in Senate bill.



cover: SNAP E&T programs; Trade Adjustment Assistance activities; programs authorized under the Wagner-Peyser Act; programs authorized under Title I of the Rehabilitation Act of 1973; VETS programs; UI programs; TANF block grant programs; SCSEP programs; CDBG authorized programs; and CSBG authorized programs

• Programs in the state unified plan are subject to the requirements applicable to a plan or application for assistance under the federal authorizing program authorizing the activity or program

programs; or prisoner reentry programs.

 Core programs covered in the combined plan are still subject to the requirements they would be subject to under the state unified plan registered apprenticeship programs; CSBG authorized programs; TANF block grant programs; UI programs; SNAP E&T programs; CDBG authorized programs; programs and activities authorized under the Public Works and Economic Development Act of 1965; and VETS programs

- Permits states to propose to consolidate the amount (in whole or in part) provided for activities or programs dedicated to employment and training into the Workforce Investment Fund
- Requires states, in carrying out consolidation to continue to meet the program requirements, limitations and prohibitions of any federal statute authorizing the activity or program consolidated into the workforce investment fund and to continue meet the intent and purpose of such program³
- Exempts funds allocated under the Carl D. Perkins Career and

programs

 Core programs covered by the combined plan are still subjects to the requirements of the state unified plan

³ It remains unclear how states will be able to demonstrate that they have met the reporting requirements for individual programs if the funds for those programs are consolidated into a single fund. Given that challenge, it appears that this provision may have the effect of "waiving" the requirements of those individual programs.



		Technical Education Act of	
		2006 and the Rehabilitation Act	
		of 1973 from consolidation	
Local Workforce Investment Areas	Local Workforce Development		
Areas ⁴			
Designation of Areas —Requires	Designation of Areas —Requires	Designation of Areas —Makes the	Regions —requires states to
governor in designating local	governor, in designating a local	following changes to current law:	identify regions in consultation
workforce investment areas to	area to consider:	Eliminates provision relating to	with local boards and chief elected
consider:	Extent to which the areas are	automatic and temporary	officials in local areas.
Geographic areas served by	consistent with labor market	designation of local workforce	
local educational agencies and	areas	investment areas	Local Areas —requires Governor to
intermediate educational	The extent to which the areas	Modifies factors a governor	designate local areas through
agencies	are consistent with regional	must use in designating local	consultation with the state board
Geographic areas served by	economic development areas	areas	and after consulting chief elected
postsecondary and area	Whether the areas have the	Authorizes any state to be	officials and local boards.
vocational educational schools;	necessary federal and non-	designated a single workforce	Governor must consider:
The extent to which such local	federal resources to administer	area	Maintains considerations in
areas are consistent with labor	employment and training	Adds provision authorizing	Senate bill language
market areas	activities	states to require local areas in a	Adds provision permitting
The distance individuals will	Permits automatic designation	designated region to prepare a	governor to approve request of
need to travel to receive	of existing local areas	single regional plan in lieu of	any unit of general local
services	Cinal Cial Land Anna	separate local plans	government for designation if state board recommends
• The resources of such local	• Permits continuation of		
areas to effectively administer workforce investment activities			designation
workforce investment activities	designation, provides for		Adds provision requiring state to provide redesignation
Other Means of Designation—	redesignation, describes makeup of the board, and the		to provide redesignation assistance
provides for automatic designation	effect on the local plan and		assisiance
of local areas, temporary and	functions.		Regional Coordination —requires
or rocar areas, temporary and	runcuons.		regional Coordination—requires

⁴ Designated "Local Workforce Development Areas" in S. 1356 and WIOA.



subsequent designation, and			local boards and chief elected
designation on recommendation of	Regional Planning—		officials in each planning region to
the state board.	 Requires state to identify 		engage in a regional planning
	regions in the state and for		process resulting in a regional plan
Regional Planning—Permits state	those regions that cover two or		(that incorporates local plans for
to designate the state as a single	more local areas. Local boards		each area in the planning region),
state local area and permits state to	comprising a region must		establishment of regional service
require regional planning by local	submit regional plans		strategy, the development of sector
boards for a designated region in	describing cooperative		initiatives for in-demand sectors or
the state.	initiatives and incorporating		occupations in the region, the
	local plans		collection and analysis of regional
	If in two years post-enactment		market data, establishment of
	a local area is a member of a		administrative cost arrangements,
	planning region, it must		coordination of supportive
	demonstrate it (1) participated		services, coordination with
	in preparing a regional plan		regional economic development
	and (2) developed and		services, and establishment for an
	implemented regional service		agreement on how planning region
	strategies		will negotiate performance
	Authorizes two or more states		accountability measures with
	to designate interstate regions		governor.
	as planning regions and jointly		
	exercise state functions		Single State Local Areas—permits
			previous designation; requires
			local plan to be submitted as part
			of the state plan
Local Board			
Membership —Must include	Membership—Must include	Membership—	Membership—largely adopts
representatives of:	representatives of:	Eliminates requirement that	Senate bill language.
Business (majority of members	Business (majority of members	local board include	Adds requirement that a
must be business	must be business	representatives from local	representative of a joint labor-
representatives)	representatives)	educational entities, labor	management partnership must



- Local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy, and postsecondary educational institutions (including representatives of community colleges where such entities exist)
- Labor organizations
- Community-based organizations
- Economic development agencies
- Each one-stop partner
- Other entities the chief local elected official determines appropriate

Youth Councils—Requires establishment of Youth Councils as a subgroup of local board to develop portion of local plan relating to youth; recommend providers of youth activities to be awarded grants/contracts, and conduct oversight of providers; coordinate WIA-funded youth activities; other duties determined appropriate by chair of local board.

- Labor, CBOs and youth serving organizations (must make up at least 20 percent of the board)
- Entities administering education and training activities including ABE, higher education, labormanagement programs
- Economic and community development entities including a representative of state employment service and a representative of a local vocational rehabilitation program
- Other entities identified by local chief elected official.

Youth Councils—Eliminates Youth Councils.

Standing Committees—Requires board to establish standing committees that assist with operational and other issues relating to the one-stop delivery system, youth services, and individuals with disabilities.

Board Functions—Maintains existing functions but adds requirements relating to employer

- organizations, communitybased organizations, economic development agencies, and one-stop partners.
- Requires two-thirds business majority on local board.

Youth Councils—Eliminates Youth Councils

Other Changes to Current Law— Eliminates provisions related to concentrated employment programs and authorizing alternative entities in lieu of local boards.

Board Functions—Functions to include:

- Developing and submitting local plan
- Conducting workforce research and labor market analysis, and assisting governor in developing the statewide workforce and labor market information system
- Meeting the needs of business and supporting economic growth by enhancing communication, coordination, and collaboration among

be included among the labor, CBO and youth-serving organization contingent

Standing Committees—Adopts Senate bill language.

Board Functions—Adopts Senate bill language.



Alternative Entities—Allows alternative entities to be grandfathered in as local boards if they 1) existed as of December 31, 1997 and 2) were established under JTPA or are substantially similar to local boards; and 3) include representatives of business and labor.

Board Functions—

- Develop and submit a local plan
- Designate or certify one-stop operators
- Identify eligible providers of youth activities by awarding grants or contracts on a competitive basis
- Identify eligible providers of training services
- If the one-stop operator does not provide intensive services, identify eligible providers of intensive services by awarding contracts
- Develop a budget
- Conduct oversight
- Negotiate and reach agreement on local performance measures
- Assist the governor in

engagement, leveraging of nonfederal resources, and leading efforts to develop career pathways and promote other proven and promising practices (including the establishment of industry or sector partnerships).

- businesses, economic development agencies, and service providers
- Develop a budget for local activities
- Selecting one-stop operators and identifying eligible providers of work-ready and training services
- Negotiating local performance measures
- Developing strategies for technology improvements to facilitate access to services in the local area



developing the statewide employment statistics system under the Wagner-Peyser Act Coordinate workforce investment activities with economic development strategies and develop other employer linkages with such activities Promote the active participation of private sector employers			
Local Plan			
Plan Term —Requires local board	Plan Term —Four years. Local	Plan Term —Three years.	Plan Term—Adopts Senate bill
to develop and submit to governor	board must review two years into		language.
a comprehensive five-year local	the four-year plan and submit	Plan Contents—Must include	
plan in partnership with	modifications to reflect changes in	descriptions of:	Plan Contents —Adopts Senate bill
appropriate chief elected official.	the labor market and economic	 The analysis of local economic 	language.
	conditions.	and workforce conditions	
Plan Contents—		The one-stop delivery system	
Identification of the local	Plan Contents —In addition to	in the local area	
workforce investment needs of	current law, must include	The strategies and services that	
businesses, jobseekers, and	descriptions of:	will be used to more fully	
workers, the current and	Strategic planning elements	engage businesses	
projected employment	Workforce development	How local board will convene	
opportunities, and the job skills	system in the local area	or help convene industry	
necessary to obtain such	How local board will expand	partnerships	
employment opportunities	access to employment, training,	How the local board will	
Description of the one-stop	education and supporting	coordinate local workforce	
system, including how the	services	activities with statewide	
local board will ensure the	The strategies and services that	activities	



- continuous improvement of the eligible providers of services, and a copy of each MOU between the LWIB and each one-stop partner
- Description of the local levels of performance
- Description and assessment of the type and availability of adult and dislocated worker employment and training activities in the area
- Description of how the LWIB will coordinate workforce activities with statewide rapid response activities
- Description of the type and availability of youth services
- Description of the process for public input and comment on the local plan prior to submission
- Identification of the entity responsible for the disbursal of grant funds
- Description of the competitive process to be used to award grants
- Other such information as the governor may require

- will be used to facilitate employer engagement; meet the needs of business; better coordinate programs and economic development; and strengthen linkages between one-stop delivery system and UI
- How local board will coordinate education and workforce activities with secondary and postsecondary programs
- Plans to maximize coordination of services provide by the state employment service
- How board will coordinate with adult education and literacy programs
- How one-stop centers are implementing and transitioning into an integrated, technology enabled intake and case management information system

- How local area will coordinate activities with local area's disability community
- Local levels of performance
- The process used by the board to provide an opportunity for public comment prior to plan submission
- How local area will serve the employment and training needs of certain populations, including dislocated workers, low-income individuals, English learners, and others
- The entity responsible for disbursal of grant funds
- Strategies and services that will be used in the local area to assist at-risk youth and out ofschool youth
- How local area will furnish employment and training and supportive services to veterans
- Eliminates requirement that local plan provide opportunity for business and labor organizations to comment on plan prior to submission

State Performance Accountability System



Core Indicators -5

- Adults and Older Youth (19-21)
 - Entry into unsubsidized employment
 - Retention in unsubsidized employment six months after employment entry
 - Earnings change six months after entry into unsubsidized employment
 - Credential rate among those who enter into unsubsidized employment
 - Excludes individuals who participate in only selfservice and informational activities
- Dislocated Workers
 - Same as for adults except that earnings replacement rate at six months is measured, rather than earnings change.
- Core Indicators for Younger Youth (14-18)
 - o Attainment of basic skills and work readiness or

Core Indicators for Title II, Title III, Title IV and Title V programs —

- Percentage of participants employed during second quarter after exit
- Percentage of participants employed during the fourth quarter after exit
- Median earnings of program participants employed during second quarter after exit
- Percentage of participants who obtain a recognized postsecondary credential, secondary school diploma or equivalent during participation or within one year after program exit
- Percentage of participants who during a program year are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains toward those goals
- Indicators of effectiveness in

Core Indicators for Title I, Title II, and Title IV programs—

- The percentage and number of program participants who are in unsubsidized employment during the second full calendar quarter after exit
- The percentage and number of program participants who are in unsubsidized employment during the fourth full calendar quarter after exit
- The median earnings of participants who are in unsubsidized employment during the second full calendar quarter after exit, compared to median earnings of such participants prior to training
- The percentage and number of participants who obtain a recognized postsecondary credential, including a registered apprenticeship, or a secondary school diploma or equivalent, during participation or within one year after exit
- The percentage and number of

Core Indicators for Title I, Title II, Title III, and Title IV programs—

- The percentage of participants in unsubsidized employment during second quarter after exit
- Percentage of program participants in unsubsidized employment during the fourth quarter after exit
- Median earnings of participants in unsubsidized employment during second quarter after exit
- Percentage of participants who obtain a recognized postsecondary credential, secondary school diploma or equivalent during participation or within 1 year after program exit
- Percentage of participants who during a program year are in education that leads to a recognized postsecondary credential or employment and who are achieving measurable gains towards those goals
- Indicators of effectiveness in

⁵ Most states have adopted the "common measures" (entered employment, employment retention, and average earnings for adults and dislocated workers; placement in employment or education, attainment of a degree or certificate, and literacy and numeracy gains for youth) via waivers.



- occupational skills
- Attainment of high school diplomas and their recognized equivalents
- Placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment, or qualified apprenticeships
- Customer satisfaction indicators
 - Customer satisfaction of employers and participants

State Adjusted Levels of Performance—Set for first three years; adjusted levels for fourth and fifth years set prior to fourth

year. Adjustment factors:

 Extent to which levels will assist state in attaining high level of customer satisfaction

 How levels compare with adjusted levels of other states taking into account factors including differences in economic conditions, participant characteristics at entry, and services to be provided serving employers

Core Indicators for Youth—

- Percentage of program participants who are in education or training or employed during second quarter after exit
- Percentage of participants who are in education or training activities or employed during fourth quarter after exit
- Median earnings of participants who are employed during the second quarter after exit
- Percentage of program participants who during a program year are in education or training program that leads to a postsecondary credential or employment and who are achieving measurable gains toward those goals
- Indicators of effectiveness in serving employers

Indicator Relating to Credential — participants who have earned a credential shall only be included in the percentage counted as meeting the criteria of they have obtained

participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential, a secondary school diploma or equivalent, or unsubsidized employment, and are achieving measurable basic skills gains toward such credential or employment

- The percentage and number of participants who obtain unsubsidized employment in the field relating to the training services received
- Requires the Secretary of Labor to use core indicators of performance to assess the effectiveness of the programs and activities carried out by the one-stop delivery system

Indicator Relating to Credential—participants who have earned a credential shall only be included in the percentage counted as meeting the criteria of they have obtained or retained employment or are in an education or training program leading to a recognized credential within one year of exit.

serving employers

Primary Indicators for Youth—

- Percentage of program participants who are in education or training activities, or in unsubsidized employment during second quarter after exit
- Percentage of participants who are in education or training activities or in unsubsidized employment during fourth quarter after exit
- Median earnings of participants in unsubsidized employment during second quarter after exit
- Percentage of participants who obtain a recognized postsecondary credential, secondary school diploma or equivalent during participation or within 1 year after program exit
- Percentage of participants who during a program year are in education that leads to a recognized postsecondary credential or employment and who are achieving measurable gains towards those goals



Extent to which levels promote continuous improvement in performance and ensure optimal return on investment of federal funds	or retained employment or are in an education or training program leading to a recognized credential within one year of exit. Other Indicators—Requires secretaries of Labor and Education to establish one or more primary indicators of performance that indicate the effectiveness in serving employers. Permits state to identify additional measures in state plan. State Adjusted Levels of Performance—Set for the first two years; adjusted levels for third and fourth years prior to third year.	Other Indicators—permits a state to identify additional indicators. State Adjusted Levels of Performance—eliminates requirement that state levels of performance be negotiated for the fourth and fifth program year.	 Indicators of effectiveness in serving employers Indicator Relating to Credential—Adopts House and Senate bill language. Other Indicators—Adopts Senate bill language. State Adjusted Levels of Performance—Adopts Senate bill language. Definitions of Indicators of Performance—requires DOL and DoEd to issue definitions for performance indicators.
Local Performance Accountability	Measures		
Local performance measures consist of the same core indicators and customer satisfaction indicators required for states.	Core indicators are the same as state indicators; local areas negotiate local levels of performance with governor, chief elected official.	Largely maintains current law. Eliminates language on customer satisfaction indicators.	Adopts Senate bill language.
Evaluation, Sanctions and Perform	1		
Sanctions for State Failure to Meet Performance Measures—If a state fails to meet state adjusted levels of performance relating to core and customer satisfaction	Essentially maintains existing language relating to evaluation of state programs, fiscal and management accountability systems, and state and local failure	Sanctions for State Failure to Meet Performance Measures — Amends current law to require the secretary to reduce a state's grant if it fails to meet its performance	Essentially maintains existing language relating to evaluation of state programs, fiscal and management accountability systems, and state and local failure



indicators for a program for any program year, the secretary shall, upon request provide technical assistance. If such failure continues for a second consecutive year, the secretary may reduce by not more than five percent, the amount of the grant that would be payable for the immediately succeeding program year. Such penalty shall be based on the degree of failure to meet state adjusted levels of performance.

Sanctions for Local Failure to Meet Performance Measures: If a local area fails to meet levels of performance in relation to core and customer satisfaction indicators, the governor, or upon request of the governor, the secretary, shall provide technical assistance. If such failure continues for a second year, the governor shall take corrective actions, which may require appointment of a new local board, prohibit use of eligible providers and one-stop partners identified as achieving a poor level of performance, or take other such actions as the governor determines are appropriate.

to meet performance measures.

Performance Reports—

- Requires secretaries of Labor and Education to develop performance report templates for use by states, local areas, and eligible providers
- State and Local Performance
 Reports: includes level of
 performance under
 accountability measures
 (including with respect to
 individuals with barriers to
 employment disaggregated by
 subpopulation); total number
 of participants served by each
 program (disaggregated); and
 number of participants
 enrolled in more than one
 program
- Eligible Training Provider
 Performance Reports: includes
 levels of performance under
 accountability measures; total
 number of individuals
 engaging in the program of
 study; the total number of
 participants served by each
 adult and dislocated worker
 program (including number of
 individuals w/ barriers to

levels for two consecutive years and to return rescinded grant funds to the Treasury.

Sanctions for Local Failure to

Meet Performance Measures— Amends current law to require a local area to develop a reorganization plan if it fails to meet performance measures for two consecutive years. Requires the governor, if such failure continues for a third consecutive year, to reduce the grant amount, based on the degree of failure to meet local levels of performance. to meet performance measures.

Performance Reports—

- Requires DOL and DoEd to develop performance report templates for use by states, local areas, and eligible providers
- State and Local Performance Reports: includes level of performance under accountability measures (including with respect to individuals with barriers to employment disaggregated by subpopulation); total number of participants served by each program (disaggregated); number of participants receiving career and training services and the funds spent on each type of service; number of participants who exited from career and training services; average cost per participant of participants who received career and training services; the percentage of participants who received training services and obtained unsubsidized employment in field related to that training; percentage of



employment served	state's allotment spent on
disaggregated by	administrative costs; and
subpopulation)	number of participants
Subpopulation)	enrolled in more than one
	program. For local areas
	implementing pay-for-
	performance contract
	strategies: the performance of
	service providers entering into
	contracts for such strategies,
	measured against performance
	specified in their contracts; and
	an evaluation of the design of
	the programs and performance
	of the strategies, and (where
	possible) the level of
	satisfaction with the strategies
	Eligible Training Provider
	Performance Reports: includes
	levels of performance under
	accountability measures; total
	number of individuals exiting
	in the program of study; the
	total number of participants
	served by each adult and
	dislocated worker program
	(including number of
	individuals w/ barriers to
	employment served,
	disaggregated by
	subpopulation); the total
	number of participants who



			exited from training services, disaggregated; and the average cost per participant receiving training services Pay-for-Performance Contract Strategy Incentives — permits Governor to use non-federal funds to establish incentives for local boards to implement pay-for- performance contract strategy for training service delivery.
Workforce Innovation and Replica	tion Grants		
N/A	Requires secretaries of Labor and Education to award on a competitive basis, workforce innovation and replication grants to state partnerships and regional entities. Grants awarded to eligible entities must be used to support innovative new strategies and activities, or the replication and expansion of effective evidence-based strategies and activities that are designed to align and strengthen the state's workforce development system. • Requires a 50 percent match • Three-year non-renewable term	N/A	Not authorized.



Youth Innovation and Replication Grants			
N/A	Requires secretaries of Labor and	N/A	Not authorized.
	Education to award on a		
	competitive basis, innovation and		
	replication grants to eligible		
	entities to support the		
	demonstration of innovative new		
	strategies and activities, or the		
	replication and expansion of		
	effective evidence-based strategies		
	and activities designed to		
	substantially improve education		
	and employment outcomes for		
	eligible youth.		
	Requires 50 percent matching		
	share from non-federal		
	resources, cash or in-kind.		
	Allows financial hardship		
	waiver		
	Grant is three years, non-		
	renewable		
One-Stop Delivery System: Partner	's		
Required Partners—	Required Partners—	Required Partners —Eliminates	Required Partners—Adopts
WIA Title I programs	Partners required under	requirement that the Senior	Senate bill language.
Wagner-Peyser programs	current law	Community Service Employment	
Adult Education and Literacy	Programs under the Second	program and TANF be mandatory	Responsibilities of Required
programs	Chance Act	partner programs and eliminates	Partners—Essentially adopts
Rehabilitation Act programs	TANF (unless the governor)	reference to SNAP E&T and TANF	Senate bill language.
Welfare-to-Work	makes a written determination	as optional partner programs.	
Older Americans Act programs	to exclude TANF)		Additional Partners—Adopts
Perkins postsecondary		Responsibilities of Required	Senate bill language.
vocational education activities	Responsibilities of Required	Partners —Required partners must:	



- Trade Adjustment Assistance and NAFTA-TAA programs
- Veterans Employment and Training
- Community Service Block Grant employment and training activities
- HUD employment and training activities
- Unemployment compensation programs

Responsibilities of Required Partners—Required partners must:

- Make available to participants through a one-stop system the core services applicable to such program or activity
- Participate in the operation of the system consistent with terms of a memorandum of understanding and with the requirements of federal law applicable to the program.

Additional Partners—May add if local board and chief elected official approve participation:

- TANF
- Food Stamp employment, training, and work programs
- National and Community

Partners—Required partners must:

- Make available through the one-stop system the core services applicable to such program or activity
- Use a portion of funds available for the program and activities to maintain the onestop system, including infrastructure costs of one-stop centers
- Enter into a local MOU with the local board, relating to the operation of the one-stop system
- Participate in the operation of the one-stop system, consistent with the MOU and federal law
- Provide representation on the state board

Additional Partners—With approval of local board and chief elected official:

- Employment and training programs administered by the SSA
- SNAP and SNAP E&T programs
- Client assistance programs
- National and Community Service state grants

- Provide access through the one-stop delivery system to programs and activities carried out by the entity
- Use a portion of funds available to the program to maintain the one-stop delivery system, including infrastructure costs
- Enter into a local MOU with the local board
- Participate in the operation of the one-stop system consistent with the MOU

Additional Partners—Eliminates reference to SNAP E&T and TANF as optional partner programs. Adds employment and training programs administered by the Social Security Administration, the Small Business Administration, and public libraries to list of optional partner programs

Memorandum of Understanding—essentially maintains current law. Adds requirement that MOU be reviewed not less than once every three years. Memorandum of Understanding—Adopts Senate bill language.

One-Stop Operators—Adopts Senate bill language.



Service Act programs

• Other federal, state, or local programs, including private sector programs

Memorandum of Understanding

(MOU)—Requires local board and one-stop partners to enter into an MOU concerning the operation of the one-stop delivery system in the local area, that describes:

- The services to be provided through the one-stop delivery system
- How the costs of such services and operating costs will be funded
- Methods of referral of individuals between the onestop operator and one-stop partners for services and activities
- Duration of the MOU

One-Stop Operators—Requires local board, with chief elected official to designate or certify one stop operators and to terminate operators for cause. Eligible entities will be designated or certified by a competitive process in accordance with an agreement

 Other appropriate federal, state or local employment, education and training programs

Memorandum of

Understanding—Largely maintains current law, adding:

- Methods to ensure needs of workers and youth (including individuals with barriers to employment) are addressed
- Procedure for amending and assurances the MOU will be reviewed once every two years

One-Stop Operators—Essentially maintains current law. Adds new requirement that state and local boards ensure one-stop operators do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services.

One-Stop Operators -

- Eliminates option to designate one-stop operators through agreement between local boards and three or more partner programs
- Eliminates provision allowing employment services agencies to serve as one-stop operators
- Eliminates grandfather provision for one-stop delivery systems in place prior to WIA enactment



reached by local board and			
consortium of entities that at a			
minimum includes three or more			
one-stop partners. One stop			
operators may include:			
postsecondary institutions,			
employment service agencies,			
private nonprofits (including			
CBOs), private for-profit entities,			
government agencies, or another			
interested organization or entity			
 Includes grandfather provision 			
for pre-WIA one-stops.			
Establishment of One-Stop Deliver			
Required services—Providing:	Required services—Essentially	Required services—Essentially	Required Services—Essentially
Core services	maintains current law.	maintains current law. Designates	maintains current law.
 Access to intensive services 		core and intensive services as	Consolidates core and intensive
and training services	Service delivery—Essentially	"work ready" services.	services as "career services."
 Access to permissible local 	maintains current law.		
employment and training		Service delivery—Essentially	Service Delivery—Essentially
activities	Co-location—Requires	maintains current law.	maintains current law.
 Access to programs and 	employment services offices to be		
activities carried out by one-	collocated with one-stop centers.	One-stop center certification—	Co-location—Adopts Senate bill
stop partners		Requires state board to establish	language.
Access to national employment	Continuous Improvement—	procedures for certifying on-stop	
statistics and all job search,	Requires state board to establish	centers for purposes of awarding	Continuous Improvement—In
placement, and other labor	objective criteria and processes to	one-stop infrastructure funds.	order to be eligible for
exchange services under the	assess effectiveness, physical and		infrastructure funding, requires
Wagner-Peyser Act	programmatic accessibility, and	Infrastructure Funding—Provides	state board to establish objective
	continuous improvement of one-	that a portion of federal funds be	criteria and processes to assess
Service delivery—The one-stop	stop centers and the one-stop	made available to a state for	effectiveness, physical and



delivery system:

- Must at a minimum make each of these programs, services and activities accessible in not less than one physical center in each local area
- May also make programs and services and activities available through a network of affiliated sites and through a network of eligible one-stop partners
- May have specialized centers to address special needs (i.e. dislocated workers, youth, key industry sectors)

delivery system, including standards relating to service coordination.

Infrastructure Funding—Local areas may fund infrastructure costs through methods described in the MOU or through a new state infrastructure funding method.

- If local areas fail to reach an agreement through MOU, required partner programs most provide the governor with a "covered portion" to assist with one-stop infrastructure costs
- Funds provided for "covered portion" may only come from administrative funds
- Contributions are capped at:
- o Three percent of federal funds provided to a state for a fiscal year for WIA youth, adult, and dislocated worker programs and the Employment Service; and
- 1.5 percent of federal funds provided to a state for a fiscal year for all other required partners
- Federal direct spending programs not required to

partner programs participating in the one-stop delivery systems must be provided by the governors who must then allocate funds to local areas to assist in paying for one-stop infrastructure costs.

 Provides that in addition to infrastructure funds made available, a portion of funds or non-cash resources of participating one-stop partners must be used to cover the costs of infrastructure not covered by the funds made available by the governor programmatic accessibility, and continuous improvement of onestop centers and the one-stop delivery system, including standards relating to service coordination.

Infrastructure Funding—Adopts Senate bill language.



provide more than the cost of
proportionate use of the one-
stop centers for the program in
the state
• Requires a partian of federal

 Requires a portion of federal funds (or non-cash resources) made available to required or additional partners to be used to pay for additional costs for operating the one-stop system that are not covered by infrastructure funds

Eligibility—Maintains current

Eligibility—Maintains current law.

Identification of Eligible Providers of Training Services

Eligibility—To be eligible to receive funds, provider is required to be:

- A postsecondary institution that is eligible to receive federal funds under the Higher Education Act of 1965 and that provides a program that leads to an associate or baccalaureate degree, or certificate
- A registered apprenticeship program
- Another public or private provider of a program of training services (conditional eligibility)
- Providers of on-the-job or customized training shall not

Eligibility—Maintains current law.

State Criteria -

- Requires governor in developing criteria a range of factors, including:
 - Performance of training providers with respect to performance accountability measures
 - The need to ensure access to training services throughout the state
 - Ability of providers to offer programs leading to recognized postsecondary credentials

State Criteria —

law.

- Must take into account:
 - Performance of training providers respect to performance accountability measures
 - Whether the training programs of such providers relate to in-demand occupations
 - The need to ensure access to training throughout the state
 - The ability of providers to offer programs leading to a recognized postsecondary

State Criteria —

 Largely maintains Senate language. Adds requirement that state consider the degree to which the training programs of such providers relate to indemand industry sectors and occupations in the state.

State Information

Requirements—largely adopts Senate bill language. Adds requirement that providers may receive initial eligibility for only 1 year for a particular program.



be subject to these requirements

State Criteria—automatic initial eligibility for postsecondary educational institutions and registered apprenticeship programs. For other eligible providers, governor shall establish a procedure for local boards to determine initial eligibility.

- In establishing subsequent eligibility procedures, local boards must consider the specific economic, geographic and demographic factors in the local area and the characteristics of the populations served by providers seeking eligibility
- Requires training providers to submit information on performance and performance cost and training services information for all participants who received assistance

- o Program quality
- The ability of providers to provide training to individuals who are employed and those with barriers to employment
- Allows local areas to establish additional criteria and information requirements or require higher levels of performance than required under state criteria
- Requires training providers to submit information on provider performance, postsecondary credentials received by participants, program costs for participants, program completion rate
- Establishes factors governor should consider in devising criteria for initial eligibility

State Information Requirements—

 Requires training service provider to submit information to the State, including: information on the performance of the provider with respect to the performance accountability

- credential
- Information that providers are requires to report to state agencies with respect to federal and state programs
- Other factors deemed appropriate
- Requires that training providers submit information to the state on degree and industry-recognized certifications received by participants, cost of attendance, program completion rate, provider performance and other information
- Provides for review and renewal of provider eligibility every three years
- Permits local areas to establish additional criteria



	measures; information on		
	recognized postsecondary		
	credentials received by		
	participants; information on		
	cost of attendance; information		
	on program completion rates;		
	and information on state		
	criteria.		
	Permits local board to establish		
	criteria and information		
	requirements		
	Permits providers to seek		
	initial eligibility by providing		
	program-specific information		
	based on criteria established by		
	the state.		
Eligible Providers of Youth Activit			
Requires local board to award	Requires local board to award	H.R. 803 repeals the Youth Activities	Largely adopts Senate bill
Requires local board to award grants and contracts to eligible	Requires local board to award grants to providers based on	section of the Workforce Investment	language.
Requires local board to award grants and contracts to eligible providers on a competitive basis	Requires local board to award grants to providers based on criteria set forth in the state	1	language. • Adds requirement that local
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the	Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight	section of the Workforce Investment	language.Adds requirement that local board should consider the
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set	Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers.	section of the Workforce Investment	language.Adds requirement that local board should consider the ability of the providers to meet
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local 	section of the Workforce Investment	 language. Adds requirement that local board should consider the ability of the providers to meet performance accountability
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award 	section of the Workforce Investment	language.Adds requirement that local board should consider the ability of the providers to meet
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are 	section of the Workforce Investment	 language. Adds requirement that local board should consider the ability of the providers to meet performance accountability
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are insufficient providers to award 	section of the Workforce Investment	 language. Adds requirement that local board should consider the ability of the providers to meet performance accountability
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to providers.	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are insufficient providers to award grants on a competitive basis. 	section of the Workforce Investment	 language. Adds requirement that local board should consider the ability of the providers to meet performance accountability
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to providers. State Allotments for Youth Workford	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are insufficient providers to award grants on a competitive basis. rce Investment Activities 	section of the Workforce Investment Act.	language. • Adds requirement that local board should consider the ability of the providers to meet performance accountability measures
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to providers. State Allotments for Youth Workford State Allotment Formula—	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are insufficient providers to award grants on a competitive basis. Investment Activities 	section of the Workforce Investment Act. H.R. 803 repeals the Youth Activities	language. • Adds requirement that local board should consider the ability of the providers to meet performance accountability measures State Allotment Formula—
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to providers. State Allotments for Youth Workfor State Allotment Formula— • 33 1/3 percent based on relative	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are insufficient providers to award grants on a competitive basis. rce Investment Activities State Allotment Formula — 33 1/3 percent based on relative 	section of the Workforce Investment Act. H.R. 803 repeals the Youth Activities section of the Workforce Investment	language. • Adds requirement that local board should consider the ability of the providers to meet performance accountability measures State Allotment Formula— • Maintains current law
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to providers. State Allotments for Youth Workford State Allotment Formula—	 Requires local board to award grants to providers based on criteria set forth in the state plan and to conduct oversight with respect to providers. Adds authorization for local boards to sole-source award grants if it determines there are insufficient providers to award grants on a competitive basis. Investment Activities 	section of the Workforce Investment Act. H.R. 803 repeals the Youth Activities	language. • Adds requirement that local board should consider the ability of the providers to meet performance accountability measures State Allotment Formula—



- substantial unemployment
- 33 1/3 percent based on relative excess number of unemployed individuals
- 33 /13 percent based on relative number of disadvantaged youth
- Hold harmless and small state minimum provisions
- Outlying areas: requires secretary to reserve no more than .25 percent of funds made available for states and outlying areas for outlying areas
- Requires secretary to, in fiscal years in which appropriations for youth activities are equal to or less than \$1B, reserve a portion of the amount appropriated for youth opportunity grants (capped at \$250M) and youth activities under migrant and seasonal farmworker programs (capped at four percent of funding for youth activities in excess of \$1B)
- Requires secretary to make funds available for Native American programs

- 33 1/3 percent based on relative number of unemployed individuals
- 33 1/3 percent based on relative number of disadvantaged youth ages 16-21
- Hold harmless and small minimum state provisions
- Maintains current law regarding outlying areas
- Eliminates requirement that secretary reserve excess funding for youth opportunity grants. Caps funding for youth activities under migrant and seasonal farmworker programs at \$10M
- Caps total allotment for Native American youth workforce investment activities at 1.5 percent

- concentrated employment programs and disadvantaged youth)
- e Changes hold harmless to require that no state receive less than the greater of either 90 percent of the previous year's allotment or 100 percent of the FY 2014 allotment.

 Maintains current law provision on small state minimum.
- Maintains current law regarding minimum and maximum allotment percentages
- Requires DOL, in years for which appropriations for youth activities exceeds \$925,000,000 to reserve a portion (not more than \$10M) for youth activities for migrant and seasonal farmworkers
- Adopts Senate bill language regarding Native American youth
- Maintains current law regarding outlying areas



		T	
Within-State Allocations for Youth	Activities		
Not more than 15 percent of youth formula funds can be reserved at the state level. Funds allocated to local areas based on each of the three factors used by secretary to determine state allocation. Allows states to in lieu of the formula allocation to reserve not less than 70 percent for the formula allocation and use the remainder on the basis of a formula that incorporates additional factors relating to excess youth poverty and unemployment. Sets administrative cost limits at 10 percent.	Essentially maintains current law. Adds requirement that not less than 80 percent of the remaining allotment using the same state allocation formula (including minimum and maximum percentages) and not more than 20 percent as a "youth discretionary allocation" to local boards with a significant number of eligible youth. Limits local administrative costs to ten percent of local allocation.	H.R. 803 repeals the Youth Activities section of the Workforce Investment Act.	Maintains current law regarding within state allocations.
Youth Activities			
 Required Statewide Activities— Disseminating a list of eligible providers of youth activities Carrying out same activities described under required adult activities (below) Providing additional assistance to local areas that have high concentrations of eligible youth Allowable Statewide Activities— Carrying out same activities 	Required Statewide Activities— No required activities. Allowable Statewide Activities — Funds may be used for: • Conducting evaluations, research or demonstrations relating to meeting the education and employment needs of youth • Providing assistance to local areas coordinating local	H.R. 803 repeals the Youth Activities section of the Workforce Investment Act.	 Required Statewide Activities— Conducting evaluations of youth investment activities, in coordination with federal evaluations Disseminating a list of eligible providers of youth activities Providing assistance to local areas for local coordination Operating a fiscal management accountability information system



- described as allowable statewide adult activities (below)
- Carrying out, on a statewide basis, programs that incorporate local elements and requirements

Local Elements and Requirements

- _
- Provide objective assessment of the academic/skill/service levels and needs of each participant
- Develop service strategies for each participant that are directly linked to the indicators of performance and that identify career pathways
- Provide activities leading to the attainment of a secondary school diploma or postsecondary credential, preparation for postsecondary opportunities that have strong linkages between academic instruction opportunities, preparing students for unsubsidized learning opportunities, and effective connections to employers
- Provide elements consisting of

- activities
- Providing technical assistance
- Operating a fiscal and management accountability information system
- Carrying out monitoring and oversight activities
- Supporting the development of alternative programs and activities that enhance choices available to eligible youth
- Supporting the provision of core services
- Supporting financial literacy
- Requires at least 75 percent of available statewide funds and 75 percent of funds made available to local areas to be used to provide workforce investment activities for out-ofschool youth (exception available for states receiving the minimum allotment)
- Limits administrative set aside to 5 percent of allocation
- Local Elements and
 Requirements —essentially
 maintains current law.
 Includes additional local
 elements: Adds to current
 program elements under

- Carrying out monitoring and oversight activities
- Providing additional assistance to local areas that have high concentrations of eligible youth

Allowable Statewide Activities –

- Conducting research and demonstrations relating to meeting the education and employment needs of youth
- Supporting the development of alternative, evidence-based programs to enhance choices for eligible youth
- Supporting the provision of career services via the one-stop delivery system
- Supporting financial literacy
- Providing technical assistance

Local Elements and Requirements—

- Largely adopts Senate bill language regarding program design and elements
- Adds provision allowing local board to implement a pay-forperformance contract strategy for the local elements. Allows board to use 10 percent of the funds



tutoring, alternative secondary school services, summer employment opportunities, internships, occupational skills training, leadership development, supportive services, adult mentoring, follow-up services, and comprehensive guidance and counseling current law, including: paid and unpaid work experiences, contextualized education, financial literacy education, entrepreneurial skills training, services that provide labor market and employment information in in-demand industry sectors, and services that help youth prepare and transition to postsecondary education and training

State Allotments for Adult and Dislocated Worker Employment and Training Activities

Adult State Allotment Formula-

- 33 1/3 percent based on relative number of unemployed individuals in areas of substantial unemployment (at least 6.5 percent)
- 33 1/3 percent based on relative excess number of unemployed individuals (number above 4.5 percent)
- 33 1/3 percent based on relative number of disadvantaged adults
- Hold harmless and small state minimum provisions
- Requires secretary to reserve

Adult State Allotment Formula -

- 40 percent based on relative number of unemployed individuals in areas of substantial unemployment
- 25 percent based on relative number of individuals in the civilian labor force
- 35 percent based on relative number of disadvantaged adults
- Maintains current law regarding hold harmless and small state minimum allotments.
- Maintains current law

Adult State Allotment Formula—Creates a Workforce Investment

Creates a Workforce Investment fund.25 percent based on relative

- 25 percent based on relative number of unemployed individuals in areas of substantial unemployment
- 25 percent based on relative number of individuals in the civilian labor force
- 25 percent based on the relative number of individuals in the state who have been unemployed for 15 weeks or more
- 25 percent based on the relative

Adult State Allotment Formula— Maintains current law.

Dislocated Worker State Allotment—Adopts Senate bill language.

Appropriations—authorized:

- Youth workforce investment activities:
 - 0 2015: \$820,430,000
 - 0 2016: \$883,800,000
 - 0 2017: \$902,139,000
 - 2018: \$922,148,000
 - 2019: \$943,828,000
 - 0 2020: \$963,837,000



not more than ¼ of one percent for outlying areas

Dislocated Worker State Allotment—

- 33 1/3 percent based on relative number of unemployed individuals
- 33 1/3 percent based on relative excess number (number above 4.5 percent) of unemployed individuals
- 33 1/3 percent based on relative number of individuals in each state who have been unemployed for 15 weeks or more
- 20 percent of funds reserved by secretary for technical assistance, demonstration projects, National Emergency Grants, and assistance to outlying areas

Appropriations—Such sums as may be necessary for fiscal years 1998-2003.

regarding outlying areas

Dislocated Worker State Allotment –

- Largely maintains current law. Provides for reallocation of unobligated balance of adult or dislocated worker funds.
- Provides for minimum (100 percent) and maximum (130 percent) allotment percentages
- Requires secretary to reserve .25 percent for assistance in outlying areas.

Appropriations—Such sums as may be necessary for fiscal years FY 2014-2018.

- number of disadvantaged youth in each state
- Requires secretary to reserve 0.5 percent for technical assistance and evaluations (divided equally)
- Requires secretary to reserve not more than one percent for Native American programs
- Requires secretary to reserve not more than 25 percent for Job Corps
- Requires secretary to reserve 3.5 percent for emergency grants
- Hold harmless provision

Appropriations--\$6,245,318,000 for FY 2014 and each of the six succeeding fiscal years.⁶

- Adult employment and training activities:
 - 0 2015: \$766,080,000
 - 2016: \$825,252,000
 - 0 2017: \$842,376,000
 - 0 2018: \$861,060,000
 - 0 2019: \$881,303,000
 - 2020: \$899,987,000
- Dislocated worker employment and training activities:
 - 0 2015: \$1,222,457,000
 - 0 2016: \$1,316,880,000
 - 0 2017: \$1,344,205,000
 - 2018: \$1,374,019,000
 - 0 2019: \$1,406,322,000
 - 0 2020: \$1,436,137,000

Within-State Allocations for Adult and Dislocated Worker Employment and Training Activities



⁶ Effectively caps funding at this level for FY 2014 and each of the six succeeding fiscal years.

Adult Activities -

- Requires governor to reserve not more than 15 percent of adult, dislocated worker, and youth funds for statewide workforce investment activities⁷
- Requires governor to reserve not more than 25 percent of allotment for statewide rapid response activities
- Formula allocation for withinstate adult activities is identical to statewide formula allocation
- Provides states the option to disburse 70 percent of allocation in accordance with formula and allocating the remaining portion incorporating additional factors such as excess poverty or unemployment.

Dislocated Worker Activities –

- Requires state to allocate funds according based on allocation formula prescribed by the governor
- Allows governor to reserve 15

Adult Activities—Essentially maintains current law.

Dislocated Worker Activities— Essentially maintains current law. Amends provision regarding transfer authority to allow the governor to move up to 100 percent of funds between adult and dislocated worker programs.

Within State Allocations—

- Requires governor to reserve up to 15 percent of total amount for statewide activities (not more than 25 percent of which must be reserved for statewide rapid response activities)
- Requires governor to reserve 15 percent for "individuals with barriers to employment" grants
- Requires governor to allocate remaining Workforce
 Investment Fund allotment funds (after all required reservations to local areas) according to the same formula used to determine state allotments.
- Eliminates references to separate adult and dislocated worker funding

Adult Activities—essentially maintains current law.

- Requires governor to reserve not more than 15 percent of adult, dislocated worker, and youth funds for statewide workforce investment activities
- Adds provision clarifying that allocations should be used to contribute to the cost of the one-stop delivery system and to provide employment and training services.
- Adds provision increasing amount available for reallocation from 10 percent to 20 percent (available from the prior year allocation).

Dislocated Worker Activities -

Essentially maintains current law. Amends provision regarding transfer authority to allow the governor to move up to 100 percent of funds between adult and dislocated worker programs.

 Adds provision clarifying that allocations should be used to contribute to the

⁷ Provisions included in the FY 2011 and FY 2012 appropriations bills reduced the governor's set-aside to five percent. The 2014 omnibus increased the set aside to 8.75 percent.



percent of funds for statewide	
workforce investment activities	3
and an additional 25 percent	
for statewide rapid response	
activities	

 Provides governor with transfer authority to move up to 20 percent of funds between adult and dislocated worker programs

- cost of the one-stop delivery system and to provide employment and training services.
- Adds provision increasing amount available for reallocation from 10 percent to 20 percent (available from the prior year allocation).

Statewide Activities for Adults and Dislocated Workers

Required Statewide Activities –

- Statewide rapid response activities
- Disseminating state list of eligible providers, performance and program cost information
- Conducting evaluations
- Providing incentive grants to local areas for regional cooperation, local coordination of activities, and exemplary performance on local performance measures
- Providing technical assistance to local areas that fail to meet local performance measures
- Assisting in the establishment and operation of one-stop delivery systems
- Operating a fiscal and

Required Statewide Activities -

- Statewide rapid response activities
- Building capacity by providing assistance to state entities and agencies, local areas, one-stop partners and operators for a range of activities
- Operating a fiscal and management accountability system
- Carrying out monitoring and oversight activities
- Disseminating state list of eligible providers
- Conducting evaluations
- Developing strategies that lead to comparable pay for men and women

Required Statewide Activities—

- Disseminating state list of eligible training providers
- Supporting provision of workready services in the one-stop delivery system
- Implementing strategies and services that will be used to serve at-risk and out-of-school youth
- Conducting evaluations
- Providing technical assistance to local areas that fail to meet performance measures
- Operating a fiscal and management accountability system
- Carrying out monitoring and oversight of these activities

Required Statewide Activities –

 Adopts Senate bill language (with exception of provision requiring state to develop strategies that lead to comparable pay for men and women)

Allowable Statewide Activities — largely adopts Senate bill language, except:

- Eliminates provision regarding displaced homemakers
- Adds development or identification of education or training programs that respond to real time data analysis, utilize direct and prior learning assessment, that evaluate skills, and ensure that credits are portable and stackable



management accountability information system

Allowable Statewide Activities –

- Not more than five percent can be used for administrative activities
- Providing capacity building and technical assistance
- Research and demonstrations
- Innovative incumbent worker training programs
- Programs targeted to empowerment zones and enterprise communities
- Programs to increase the number of individuals training for and placed in nontraditional employment
- Other activities

Allowable Statewide Activities -

- Implementing innovative programs and strategies designed to meet the needs of all employers in the state
- Developing strategies for effectively serving individuals with barriers to employment
- Programs to increase the number of individuals training for and placed in nontraditional employment
- Carrying out activities to facilitate remote access to services provided through the one-stop delivery system
- Other activities

Allowable Statewide Activities –

- Implementing innovative programs and strategies designed to meet the needs of all employers in the state
- Providing incentive grants to local areas for regional cooperation among local boards
- Developing strategies for effectively integrating programs and services among one-stop partners
- Carrying out activities to facilitate remote access to services provided through the one-stop delivery system
- Incorporation of pay-forperformance contracting strategies
- Other activities

Statewide Grants for Individuals with Barriers to Employment—

reserves two percent of Workforce Investment Fund for grants awarded by governors to eligible entities to carry out employment and training activities for individuals with barriers to employment. Adds providing technical assistance to local areas implementing pay-forperformance strategies



Local Activities for Adults and Dislocated Workers

Required Local Activities -

- Establish a one-stop delivery system
- Provide core services through one-stop delivery system (which include determination of eligibility, outreach, intake, initial skills assessment, job search and placement assistance, provision of employment statistics information; provision of performance information and cost and other services)
- Provide intensive services (which include comprehensive and specialized skills assessments; development of an individual employment plan; counseling; case management; and short-term pre-vocational services)
- Provide training services
 (which includes occupational skills training, OJT, private-sector training; skills upgrading; entrepreneurial training; job readiness training; customized training; adult education and literacy activities)

Required Local Activities -

- Establish and provide services through one-stop delivery system
- Provide core services
- Provide intensive services
- Designate a dedicated business liaison
- Requires priority for individuals on public assistance, other low-income individuals, and individuals who are basic skills deficient.
- Permits governor or local board to increase OJT reimbursement to an amount up to 75 percent above the wage rate

Sequence of Services—Clarifies that individuals are not required to receive core or intensive services prior to receiving training services

Permissible Local Activities—

- Discretionary one-stop delivery activities
- Supportive services
- Needs-related payments
- Incumbent worker training programs (requires employers

Required Local Activities—

- Establish a one-stop delivery system
- Provide work ready services (core and intensive services under current law)
 - Amends current law to eliminate separate references to adults and dislocated workers
 - o Adds new activities to current law, including assistance in obtaining eligibility determinations under the one-stop partner programs through activities; provision of labor exchange services; administration of the work test for the unemployment compensation system; assistance establishing eligibility for programs of financial aid assistance: the provision of information regarding federal tax credits available to individuals relation to education, job training and employment; comprehensive and specialized assessments of

Required Local Activities —

Largely adopts Senate bill language

- Consolidates core and intensive services as "career services"
- Adds requirement for local area to establish and develop relationships and networks with small employers and their intermediaries
- Adds requirement to develop, convene, or implement industry or sector partnerships
- Allows training contracts to be used for pay-for-performance contracts

Sequence of Services—Adopts Senate bill language.

Permissible Local Activities— Largely adopts Senate bill language.

- Adds implementation of payfor-performance contract strategy.
- Increases amount local board can reserve for incumbent worker training from Senate bill (20 percent versus 15



Sequence of Services—

- Requires intensive services to be provided only to those adults and dislocated workers who are unemployed and are unable to obtain employment through core services and who have been determined by the onestop operator to be in need of more intensive services to obtain employment; or who are employed but who are determined by one-stop operator to be in need of intensive services in order to obtain/retain employment that allows self-sufficiency
- Requires training services only to be provided to adults and dislocated workers who have met the eligibility requirements for intensive services but who are unable to obtain employment through such services; who after an interview, evaluation or assessment and case management, have been determined by a one-stop operator or partner to be in

to pay for non-federal share)

• Transitional jobs (not more than 10 percent of funds allocated)

Use of Individual Training

Accounts—Maintains requirement that training services be provided through ITAs.

- Expands current list of exceptions where training may be provided through contracts for services
- Increases reimbursement level for OJT to 75 percent of a participants wage rate
- Expands the list of permissible local employment and training activities
- Allows local areas to provide work support activities to help low-wage workers retain and enhance employment
- Maintains current language allowing local areas to provide needs-related payments to adults or dislocated workers who are unemployed and do not qualify for unemployment compensation
- Allows local boards to reserve

the skill levels and service needs of workers; development of an individual employment plan; counseling; case management; short-term pre-career services; internships and work experience; and literacy activities

- Eliminates references to youth activities
- Provide training services
- Eliminates provision relating to supportive services and needs-related payments
- Requires board to employ a veteran employment specialist

Permissible Local Activities—

- Discretionary one-stop delivery activities
- Incumbent worker training programs

Use of Individual Training Accounts/Career Enhancement Accounts—

Redesignates individual training accounts as "career enhancement accounts." Authorizes local boards to coordinate career percent)



need of training services; who select programs of training services that are directly linked to employment opportunities in the local area; who are unable to obtain other grant assistance, or require assistance beyond what is available under other grant programs; and who are determined to be eligible in accordance with the priority system (giving priority to lowincome individuals and recipients of public assistance

up to 15 percent of adult and dislocated worker funds for incumbent worker training (can be increased to 20 percent upon determination by local board) enhancement accounts with other federal, state, local, or private job training programs or sources. Authorizes local boards to help individuals establish "enhanced career accounts" that include funds from other programs and sources beyond the regular career enhancement account.

- Maintains exceptions in current law
- Adds exception allowing for training to be provided through a contract with an institution of higher education to facilitate the training of multiple individuals in indemand sectors and occupations

Permissible Local Activities—

- Discretionary one-stop delivery activities
- Supportive services
- Needs related payments

Use of Individual Training Accounts—

- Requires training services be provided through ITAs
- Exceptions:
 - On-the-job training provided by an employer or customized training
 - o If local board determines there are an insufficient



number of training providers in the local area to accomplish the purposes of an ITA system o If local board determines there is a training services program of demonstrated effectiveness operated by a CBO or other private organization to serve individuals with barriers to employment Requires training services to be linked to in-demand occupations in the local area			
Job Corps		A d 1 d 1 d 2	
Authorizes the Job Corps program.	Authorizes the Job Corps program.	Authorizes the Job Corps program.	Authorizes the Job Corps program.
National Programs			
Native American Programs —	Native American Programs—	Repealed —	Native American Programs —
authorizes a competitive grant	Largely retains previsions under	 Native American programs 	Adopts Senate bill language.
program to award grants, or enter	current law except:	 Migrant and seasonal 	Authorization of



into contracts or cooperative agreements with Indian tribes, tribal organizations, Alaska native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out workforce investment activities and supplemental services.

Migrant and Seasonal Farmworker Programs— authorizes a competitive grant program to award grants to eligible entities to carry out workforce investment activities and provide related assistance for eligible migrant and seasonal farmworkers.

Veterans' Workforce Investment Programs — Authorizes secretary to conduct either directly, or through grants and contracts, programs to meet the needs for workforce investment activities of veterans with service-connected disabilities, who have significant barriers to employment, who served on active duty during a war, and recently separated veterans.

- Requires secretary to award grants every four years (instead of two years)
- Adds new requirements related to the primary indicators of performance

Migrant and Seasonal
Farmworker Programs—Largely
retains provisions under current
law except:

- Requires secretary to award grants every four years (instead of two years)
- Adds new requirements related to the primary indicators of performance
- Adds customized career and technical education to the list of authorized activities
- Requires secretary to reserve up to one percent of funds appropriated for discretionary purposes

Veterans' Workforce Investment
Programs — Largely retains
provisions under current law.
Adds new provision requiring that
performance accountability
measures for grant and contract
recipients include the primary

farmworker programs

- Veterans' workforce investment programs
- Youth opportunity grant program

Appropriations:

- o 2015: \$46,082,000
- 0 2016: \$49,641,000
- 0 2017: \$50,671,000
- 0 2018: \$51,795,000
- 2019: \$53,013,000
- 0 2020: \$54,137,000

Migrant and Seasonal Farmworker Programs — Adopts

Senate bill language.

- Authorization of Appropriations:
 - o 2015: \$81,896,000
 - o 2016: \$88,222,000
 - o 2017: \$90,052,000
 - o 2018: \$92,050,000
 - 0 2019: \$94,214,000
 - 0 2020: \$96,211,000

Veterans Workforce Investment Program—repealed.

Youth Opportunity Grants—repealed.

Technical Assistance—Adopts Senate bill language.

- Authorization of Appropriations:
 - 0 2015: \$3,000,000
 - 0 2016: \$3,232,000



	I		2017 #2 200 000
	indicators of performance, and		0 2017: \$3,299,000
Youth Opportunity Grants—	agreements on adjusted levels of		0 2018: \$3,372,000
establishes a grant program to	performance with respect to those		0 2019: \$3,451,000
provide activities for youth to	indicators.		0 2020: \$3,524,000
increase long-term employment			
for youth who live in	Youth Opportunity Grants—		
empowerment zones, enterprise	repealed.		
communities, and high-poverty	Technical Assistance—		
areas and who seek assistance.	 Adds requirement that the 		
	secretary provide technical		
Technical Assistance —Requires	assistance in the development		
secretary to provide, coordinate	and implementation of an		
and support the development of	integrated technology-enabled		
training, technical assistance, staff	intake and case management		
development and other activities	information for programs		
to states.	carried out under this act		
 Requires secretary to reserve 	 Adds to the list of technical 		
no more than five percent of	assistance activities that may		
funds reserved for dislocated	be provided by the secretary		
worker national activities to	 Requires secretary to establish 		
provide technical assistance to	new system through which		
states that	states can share information on		
fail to meet the state	promising and proven		
performance accountability	practices.		
measures			
Demonstration, Pilot, Research and	l l Multistate Projects		
Demonstration and Pilot	Demonstration and Pilot	Repealed.	Evaluations — Adopts Senate bill
Projects —Secretary is required to	Projects—Eliminates		language.
carry out, through grants and	Demonstration and Pilot Projects		Authorization of
contracts, demonstration and pilot	section. Replaced with Evaluations		Appropriations:



projects that include provision of direct services to individuals to enhance employment opportunities and an evaluation component.

Research Projects—Requires secretary to carry out research projects, through grants and contracts that will contribute to the solution of employment problems in the U.S. In addition, requires a two-year study on formula improvement for distribution of adult employment and training funds.

Multiservice Projects, Research Projects, and Multistate

Projects—Requires secretary to conduct, through grants or contracts, multiservice and research projects. Permits secretary to carry out through grants and contracts, multistate projects.

Dislocated Worker Projects -

Requires secretary to use not more than ten percent of funds for demonstration and pilot projects to

carry out projects relating to the

and Research section.

Evaluations—Requires secretary to continually evaluate programs and activities, addressing: general effectiveness of programs and activities in relation to their cost; the effectiveness of the performance accountability measures relating to those activities; the effectiveness of the mechanisms for delivery of service; the impact of programs and activities on the participants and the community; the impact on related programs; the extent to which programs and activities meet the needs of various demographic groups.

Research, Studies and Multistate Projects—Requires secretary to every two years publish a plan that describes the research, studies, and multistate project priorities of the Department for employment and training activities over the five years following submission.

Dislocated Worker Projects— Essentially maintains current law.

0 2015: \$91,000,000

o 2016: \$98,029,000

0 2017: \$100,063,000

0 2018: \$102,282,000

0 2019: \$104,687,000

0 2020: \$106,906,000

Research, Studies and Multistate

Projects — Essentially adopts Senate bill language.

Dislocated Worker Projects—

Essentially maintains current law.

Community-Based Job Training— *Repealed.*



	,	
employment and training needs of	Energy Efficiency and Renewable	
dislocated workers.	Energy Worker Training	
	Program—Maintains current law	
Evaluations —Requires secretary	requiring secretary to establish an	
to provide for the continuing	energy efficiency and renewable	
evaluation of the programs and	energy worker training program	
activities carried out under the	that includes a grant program and	
Workforce Investment Act.	a national research program.	
	Integrated Workforce Training	
	Programs for Adults Who are	
	English Language Learners—	
	Requires secretary to establish and	
	implement a national	
	demonstration project designed to	
	analyze and provide data on	
	workforce training programs that	
	integrate English language	
	acquisition and occupational	
	training.	
	Community-Based Job Training—	
	Authorizes secretaries of Labor	
	and Education to establish and	
	implement a national	
	demonstration project designed to	
	(a) develop local innovative	
	solutions to the workforce	
	challenges facing in-demand	
	industry sectors with labor	
	shortages and (b) increase	
	employment opportunities for	



	workers by establishing partnerships among education entities, workforce development systems, and businesses in indemand industry sectors.		
National Emergency Grants/Nation Authorizes secretary to award	Redesignates national emergency	Repealed.	Adopts Senate bill language.
national emergency grants to provide employment and training assistance affected by major economic dislocations; to provide assistance to a state in which there is an area that has suffered a major emergency or disaster; and to provide additional assistance to a state or local board for eligible dislocated workers where the state or local board has expended the funds provided and can demonstrate the need for additional funds.	grants as "national dislocated worker grants." Defines "emergency or disaster" and "disaster area." Expands secretary's authority to provide assistance to such states.		
YouthBuild			
YouthBuild was transferred from the US Department of Housing and Urban Development to the Employment and Training Administration in 2007.	Largely maintains current law, except: • Adds new purpose "to improve the quality and energy efficiency of	Repealed.	Largely adopts Senate bill language.Expands list of industry sectors for apprenticeship programs
	community and other nonprofit facilities"		Authorization of Appropriations: • 2015: \$77,534,000



Requires secretary to establish	• 2016: \$83,523,000
expected levels of performance	• 2017: \$85,256,000
relating to each of the primary	• 2018: \$87,147,000
indicators of performance for	• 2019: \$89,196,000
eligible youth activities and	• 2020: \$91,087,000
permits the secretary to	
establish additional indicators	
Requires secretary to reserve	
five percent of funds for	
management and technical	
assistance	

Side-by-Side Comparison of Adult Education & Family Literacy Provisions in House and Senate WIA Reauthorization Bills⁸

Current Law	Senate Bill (S. 1365)	House Bill (H.R. 803)	WIOA (H.R. 803 as amended)
Federal Provisions			
Reservation of Funds—Secretary	Reservation of Funds—Secretary	Reservation of Funds —Secretary	Authorization of
must reserve:	must reserve:	must reserve two percent for	Appropriations—
• 1.5 percent for the National	 Two percent for national 	national activities	• 2015: \$ 577,667,000
Institute for Literacy ⁹	leadership activities		• 2016: \$ 622,286,000
• 1.5 percent for national	• 12 percent for grants to states	Allotments —Essentially maintains	• 2017: \$ 635,198,000
leadership activities	to support integrated English	current law.	• 2018: \$ 649,287,000
Requires secretary to make	literacy and civics education		• 2019: \$ 664,552,000
available 1.72 percent to the			• 2020: \$ 678,640,000
Secretary of Labor for incentive	Allotments—Largely maintains		
grants	current law, except:		Reservation of Funds—Adopts

⁸ Title II under current law and in the House Bill. Title III in the Senate bill.



⁹ The National Institute for Literacy was closed out in 2009.

Allotments—

- Initial Allotments: Requires secretary to allot \$100,000 to an eligible agency in an outlying area and \$250,000 to any other eligible agency
- Additional Allotments:
 requires secretary to allot all
 remaining funds to eligible
 agencies according to a
 formula that reflects the
 number of "qualifying adults"
 in each state or outlying area
 compared with the total
 number of such adults in all
 states and outlying areas
- Hold harmless: Provides that no eligible agency may receive less than 90 percent of the allotment received for the preceding fiscal year

Performance Accountability establishes a comprehensive performance accountability system for adult education and literacy programs and activities.

- Requires that eligible agencies that only receive an initial allotment shall receive 100 percent of their initial allotment in the subsequent year
- Requires secretary, from the national leadership activities reserve, make grants to eligible agencies to provide state activities

Performance accountability—

Aligns Title III (adult education) programs and activities to the performance accountability provisions described in Title I.

Senate bill language.

Allotments— Largely maintains current law, except:

- Requires that eligible agencies that only receive an initial allotment shall receive 100 percent of their initial allotment in the subsequent year
- Requires secretary, from the national leadership activities reserve, make grants to eligible agencies to provide state activities

Performance Accountability—

Aligns Title III (adult education) programs and activities to the performance accountability provisions described in Title I.

State Provisions

State Administration—Requires

State Administration—Essentially

State Administration—Essentially

State Administration—Essentially



eligible agencies to be responsible for state administration of activities including: development and implementation of the state plan; consultation with other appropriate agencies, groups, and individuals; and coordination and non-duplication with other federal programs.

State Distribution of Funds—

Requires eligible agencies:

- To use not less than 82.5 percent of grant funds to award grants and contracts to local providers and to carry out correctional programs
- To use not more than 12.5 percent of grant funds to carry out state leadership activities
- To use not more than five percent for administrative expenses
- To provide non-federal match of 25 percent (12 percent for outlying areas)

State Leadership Activities —

Requires eligible agencies to use funds for one or more of the following activities: establishment or operation of professional maintains current law.

State Distribution of Funds—Requires eligible agencies:

- To use not less than 80 percent to award grants and contracts to local providers and carry out corrections education programs (not more than 20 percent for corrections education)
- To use not more than 15 percent to carry out state leadership activities
- To use not more than five percent for administrative expenses (or \$85,000, whichever is greater)
- Maintains matching requirement in current law

State Leadership Activities –

- Required activities: alignment of adult education and literacy activities other core programs and one stop-partners; professional development; technical assistance; monitoring and evaluation of adult education and literacy activities.
- Permissible activities include:

maintains current law.

State Distribution of Funds— Maintains current law.

State Leadership Activities — makes state leadership allowable rather than required. Allowable activities include:

- The establishment or operation of professional development programs
- Technical assistance to eligible providers
- Coordination with other public programs (including welfareto-work, workforce development, and job training programs)
- Development and implementation of a system to assist in the transition from adult basic education to postsecondary education
- Integration of literacy, instructional, and occupational skills training and promotion of linkages with employees.

State Plan—Requires eligible agencies to submit three-year state

maintains current law.

State Distribution of Funds—

Requires eligible agencies:

- To use not less than 82.5
 percent to award grants and
 contracts to local providers and
 to carry out corrections
 education programs (not more
 than 20 percent for corrections
 education)
- To not use more than 12.5 percent to carry out state leadership activities
- To use not more than 5 percent for administrative expenses (or \$85,000, whichever is greater)
- Maintains matching requirement in current law

State Leadership Activities –

Essentially maintains same required activities as Senate bill.

State Plan—Adopts Senate bill language.

Corrections Education—Adopts changes made by House and Senate bills.



development programs; technical assistance to eligible providers; technology assistance; support of state or regional networks of literacy resource centers; monitoring and evaluation of the quality and improvement in adult education and literacy activities; incentives for program coordination and performance awards; developing and disseminating curricula; coordination with existing support services; integration of literacy instruction and occupational skills training; linkages with postsecondary.

State Plan—Requires eligible agency to establish a five-year state plan. Plan must include:

- An objective assessment of the needs of individuals in the state or outlying area for adult education and literacy activities, including individuals most in need or hardest to serve
- A description of the adult education and literacy activities to be carried out
- A description of how the

support of state or regional networks of literacy resource centers; development and implementation of technology applications; developing and disseminating curricula; developing content and models for integrated education and training and career pathways; developing a system to assist with the transition from adult education to postsecondary; integration of literacy and English language instruction and occupational skills training and linkages to employers; activities to promote workplace adult education and literacy activities; identifying curriculum frameworks and aligning rigorous content standards; development and piloting of new and promising assessment tools and strategies and options for improving teacher quality and retention.

State Plan — Eliminates current state plan requirements and requires state plan to be approved as part of a unified or combined state plan under Title I. plans. Provides that state plan can be submitted as part of a state unified plan. state plan must include:

- An objective assessment of the needs of individuals in the state or outlying area for adult and family literacy education programs, including individuals most in need or hardest to serve
- A description of the adult and family literacy education programs to be carried out
- An assurance that funds will not be expended for any purpose other than for activities under Title II
- A description of how the eligible agency will annually evaluate and measure the effectiveness and improvement of Title II programs using the indicators of performance described in sec. 136
- A description of how the eligible agency will fund local activities in accordance with measurable goals described in sec. 231
- An assurance that the eligible agency will expend funds in a



- eligible agency will evaluate the effectiveness of programs
- A description of the performance measures and how such performance measures will improve adult education activities in the state
- An assurance that the eligible agency will award not less than one grant under this subtitle to an eligible provider who offers flexible schedules and necessary support services
- An assurance that the funds received under this subtitle will not be expended for any other purpose
- A description of how the eligible agency will fund local activities
- An assurance that the eligible agency will expend funds in a manner consistent with fiscal requirements provided
- A description of the process that will be used for public participation and comment with respect to the state plan
- Description of how eligible agencies will develop program strategies for certain populations

Corrections Education—Requires eligible agencies to carry out academic programs, including: adult education and literacy activities; special education; secondary school credit; integrated education and training; career pathways; concurrent enrollment, peer tutoring; and transfer to reentry initiatives.

- manner consistent with fiscal requirements under sec. 241
- A description of the process that will be used for public participation and comment with respect to the state plan. Mandates consultation with a range of entities, including the state workforce investment board, the state board responsible for community or technical colleges, the governor, state educational agency, and others. Lists optional entities for consultation.
- A description of the eligible agency's strategy for serving populations that include, at a minimum: low-income individuals; individuals with disabilities; the unemployed; and individuals with multiple barriers to educational enhancement, including English learners;
- A description of how adult and family literacy education programs will be integrated with other adult education, career development, and employment and training



- A description of how the activities carried out under this title will be integrated with other adult education and literacy activities going on in the state
- A description of the steps the eligible agency will take to ensure direct and equitable access

Corrections Education—Requires eligible agency to carry out corrections education or education for other institutionalized individuals, including basic education, special education programs; English literacy programs; and secondary school credit programs.

- activities;
- A description of how the state will provide direct and equitable access for eligible providers;
- An assessment of the adequacy of the state or outlying area system to ensure teacher quality, and a description of how the state or outlying area will improve teacher quality; and
- A description of how the eligible agency will consult with any state agency responsible for postsecondary education to prepare students to enter postsecondary education without the need for remediation

Corrections Education—Largely maintain current law, but expands use of funds provision to include: basic skills education, special education programs, reading, writing, speaking, and math programs, secondary school credit or diploma programs, or equivalent, and integrated education and training.



Grants and Contracts for Eligible Providers

Grants and Contracts—Requires eligible agencies to award multiyear grants or contracts on a competitive basis within the state or outlying area. Eligible providers must provide instruction in one or more of the following categories:

- Adult education and literacy services (including workplace literacy services)
- Family literacy services
- English literacy programs

Considerations—In awarding grants, eligible agencies must consider several factors, including: degree to which provider will establish measurable goals for participant outcomes; past effectiveness of eligible provider; commitment of eligible provider to serve community members most in need; whether the program is of sufficient intensity and duration and uses instructional practices; whether activities are researchbased; whether activities provide learning in real life contexts; whether activities coordinate with other available community resources; and whether the

Grants and Contracts — Requires eligible agencies to award multiyear grants or contracts on a competitive basis within the state or outlying area. Requires eligible providers to establish or operate programs that provide adult education and literacy activities.

Considerations—In awarding grants, eligible agencies must consider a range of factors, including: degree to which the eligible provider would be responsible to regional needs, and serving community members most in need; capacity, including past effectiveness on primary indicators of performance; whether provider demonstrates alignment between proposed activities and the strategies and goals of the local plan; whether provider's program is of sufficient intensity and quality; whether activities provide learning in context; whether activities coordinate with other resources in the community; and provider's capacity to provide integrated education and training.

Grants and Contracts—Essentially maintains current law.

Measurable Goals—Builds upon the Considerations requirements in current law by adding:

• The activities of the eligible provider employ advances in technology; the activities provide instruction in real-life contexts; the activities are staffed by well-trained instructors, counselors and administrators; the activities are coordinated with other available resources in the community; the activities offer flexible schedules and support services: the activities include a high-quality information management system; the local communities have a demonstrated need for additional English language acquisition programs; the capacity of the eligible provider to produce valid information on performance results: adult education and family literacy education programs offer rigorous

Grants and Contracts—Adopts Senate bill language.

Considerations—Essentially adopts Senate bill language.

Local Application—Adopts Senate bill language.

Administrative Costs— Essentially maintains current law.



activities offer flexible schedules and support systems.

Local application—Requires provider to submit an application to eligible agency that includes a description of how funds awarded will be spent and a description of any cooperative arrangements the provider has with other agencies or institutions for the provision of adult education and delivery services.

Administrative Costs—Requires no more than five percent set aside for administrative costs.

Local Application — Expands upon current law to require provider to also describe: how they will provide services in alignment with the local plan (including how provider will promote coenrollment with Title II programs); how they will meet state adjusted levels of performance; how they will fulfill one-stop partners responsibilities; and how they will provide services to meet the needs of eligible individuals.

Administrative Costs—Essentially maintains current law.

content that is evidence-based; the application of technology and services provided are of sufficient intensity and duration

Local application—Builds on current law by adding a requirement that providers also describe how they would meet the measurable goals.

Administrative Costs—Essentially maintains current law.

General Provisions

Administrative Provisions —

- Requires funds under this title supplement and not supplant other state or local public funds expended for such activities.
- Maintenance of Effort: Eligible agencies may receive funds under this title if the secretary finds that spending per student or aggregate spending by eligible agency during the second preceding fiscal year was not less than 90 percent of

Administrative Provisions —

Essentially maintains current law.

National Institute for Literacy— Removes existing language authorizing a National Institute fo

authorizing a National Institute for Literacy.

National Leadership Activities—

Required activities: assistance with performance indicators; assistance in using performance accountability measures; research

Administrative Provisions —

largely maintains current law. Eliminates current maintenance of effort provisions.

National Institute for Literacy—

Removes existing language authorizing a National Institute for Literacy.

National Activities—Requires secretary to carry out a program of national activities that may

Administrative Provisions -

Essentially maintains current law.

National Institute for Literacy—

Removes existing language authorizing a National Institute for Literacy.

${\bf National\ Leadership\ Activities} -$

largely adopts Senate bill language.

 Adds required activity of carrying out an independent



spending during third preceding fiscal year. Provides procedures and formulas to be used where eligible agencies fail to meet MOE requirements.

National Institute for Literacy— Establishes a National Institute for Literacy.

National Leadership Activities -

Requires secretary to establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs. Allowable activities include: technical assistance; funding activities through grants to develop or improve strategies for educating adults, improving the quality of adult literacy, or carrying out research or demonstration projects.

and evaluation. Allowable activities: technical assistance; disbursement of competitive grants and contracts to national networks of nonprofits, institutions of higher education, and libraries to build capacity of networks' members to meet the performance requirements of eligible providers; other national leadership activities, through grants or contracts.

Integrated English Literacy and Civics Education—Requires secretary to award by formula, grants to states for integrated English literacy and civics education. Formula: 65 percent on basis of state need for services; 35 percent on basis of whether the state experienced growth in LPRs.

include: providing technical assistance upon request to eligible entities; providing for the conduct of research on national literacy basic skill acquisition levels among adults, including English learners; improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national, state, and local levels; determining how participation in adult education, English language acquisition, and family literacy education prepares individuals for entry into and success in postsecondary education and employment, and the effect of prison-based services on recidivism; evaluating how different types of providers measurably improve the skills of participants in adult education, English language acquisition, and family literacy programs; identifying model integrated basic and workplace skills education program and effective strategies for serving adults with disabilities;

and other activities.

evaluation of programs and activities under this title every 4 years.

Integrated English Literacy and Civics Education—largely maintains Senate language.

- Adds requirement that integrated education must be done in combination with integrated education and training activities
- Adds reporting requirement



