



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Provisions		Workforce Innovation and Opportunity Act of 2014
WIOA Purpose & Definitions		
Purpose of Workforce System		Title I Sec. 2 (1) (Pg. 6.) To increase, for individuals in the United States, <i>particularly those individuals with barriers to employment</i> , access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market.
Definition of Basic Skills Deficient		Title I Sec. 3 (5) (Pg. 9.) BASIC SKILLS DEFICIENT. —The term “basic skills deficient” means, with respect to an individual— (A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or (B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.
Definition of Career Pathway		Title I Sec. 3 (7) (Pg. 10.) CAREER PATHWAY. —The term “career pathway” means a combination of rigorous and high-quality education, training, and other services that— (A) aligns with the skill needs of industries in the economy of the State or regional economy involved; (B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an “apprenticeship”, except in section 171);



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(C) includes counseling to support an individual in achieving the individual’s education and career goals;</p> <p>(D) includes, as appropriate, <i>education offered concurrently with and in the same context as workforce preparation activities</i> and training for a specific occupation or occupational cluster;</p> <p>(E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;</p> <p>(F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and</p> <p>(G) helps an individual enter or advance within a specific occupation or occupational cluster.</p>
Definition of Customized Training	<p>Title I Sec. 3 (14) (Pg. 13.) CUSTOMIZED TRAINING.—The term “customized training” means training—</p> <p>(A) that is designed to meet the specific requirements of an employer (including a group of employers);</p> <p>(B) that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and</p> <p>(C) for which the employer pays— (i) a significant portion of the cost of training, as determined by the local board involved, taking into account the size of the employer and such other factors as the local board determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and (ii) in the case of customized training (as defined in subparagraphs (A) and (B)) involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate.</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Definition of Disadvantaged Adult	Title I Sec. 132 (a) (B) (v) (IV)) (Pg. 240.) DISADVANTAGED ADULT. —Subject to subclause (V), the term “disadvantaged adult” means an adult who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of— (aa) the poverty line; or (bb) 70 percent of the lower living standard income level.
Definition of Disadvantaged Youth	Title I Sec. 127 (2) (C) (i-ii)) (Pg. 206.) DISADVANTAGED YOUTH. —Subject to paragraph (3), the term “disadvantaged youth” means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of— (i) the poverty line; or (ii) 70 percent of the lower living standard income level.
Definition of Eligible Youth	Title I Sec. 3 (18) (Pg. 18.) ELIGIBLE YOUTH. —Except as provided in subtitles C and D of title I, the term “eligible youth” means an in-school youth or out-of-school youth.
Definition of Individual with Barrier to Employment	Title I Sec. 3 (24) (Pg. 20.) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT. —The term “individual with a barrier to employment” means a member of 1 or more of the following populations: (A) Displaced homemakers. (B) Low-income individuals. ⁱ (C) Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166 (D) Individuals with disabilities, including youth who are individuals with disabilities. (E) Older individuals. (F) Ex-offenders. ⁱⁱ (G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C.



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>14043e-2(6)))ⁱⁱⁱ, or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).</p> <p>(H) Youth who are in or have aged out of the foster care system.</p> <p>(I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.</p> <p>(J) Eligible migrant and seasonal farm workers, as defined in section 167(i).</p> <p>(K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).</p> <p>(L) Single parents (including single pregnant women).</p> <p>(M) Long-term unemployed individuals.</p> <p>(N) Such other groups as the Governor involved determines to have barriers to employment.</p>
Integrated Education and Training	<p>Title II Sec. 203 (11) (Pg. 501) INTEGRATED EDUCATION AND TRAINING.— The term “integrated education and training” means a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.</p>
Low-Income Individual	<p>Title I Sec. 3 (36) (Pg. 25.) LOW-INCOME INDIVIDUAL.— IN GENERAL.—The term “low-income individual means an individual who—</p> <p>(i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;</p> <p>(ii) is in a family with total family income that does not exceed the higher of— (I) the poverty line; or (II) 70 percent of the lower living standard income level;</p> <p>(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C.14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));</p> <p>(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);</p> <p>(v) is a foster child on behalf of whom State or local government payments are made; or</p> <p>(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.</p>
Definition of Offender	<p>Title I Sec. 3 (38) (Pg. 27.) OFFENDER – The term “offender means and adult or juvenile (A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.</p>
Definition of In-School Youth	<p>Title I Sec. 129 (a) (1) (C)) (Pg. 217.) IN-SCHOOL YOUTH.—In this section, the term “in-school youth” means an individual who is—(i) attending school (as defined by State law); (ii) not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21; (iii) a low-income individual; and (iv) one or more of the following:</p> <p>(I) Basic skills deficient.</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(II) An English language learner.</p> <p>(III) An offender.</p> <p>(IV) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.</p> <p>(V) Pregnant or parenting.</p> <p>(VI) A youth who is an individual with a disability.</p> <p>(VII) An individual who requires additional assistance to complete an educational program or to secure or hold employment.</p>
Definition Of Out-of-School Youth	<p>Title I Sec. 129 (a) (1) (B)) (Pg. 215.) OUT-OF-SCHOOL YOUTH.—In this title, the term “out-of-school youth” means an individual who is—(i) not attending any school (as defined under State law); (ii) not younger than age 16 or older than age 24; and (iii) one or more of the following:</p> <p>(I) A school dropout.</p> <p>(II) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.</p> <p>(III) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is— (aa) basic skills deficient; or (bb) an English language learner.</p> <p>(IV) An individual who is subject to the juvenile or adult justice system.</p> <p>(V) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement. (VI) An individual who is pregnant or parenting. (VII) A youth who is an individual with a disability. (VIII) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.
Definition of Poverty Line	Title I Sec. 3 (49) (Pg. 31.) POVERTY LINE .—The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.
Definition of Public Assistance	Title I Sec. 3 (50) (Pg. 31.) PUBLIC ASSISTANCE .—The term “public assistance” means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.
Definition of School Dropout	Title I Sec. 3 (54) (Pg. 33.) SCHOOL DROPOUT .—The term “school dropout” means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.
Supportive Services	Title I Sec. 3 (59) (Pg. 34.) SUPPORTIVE SERVICES .—The term “supportive services” means services such as transportation, child care, dependent care, housing, and needs related payments, that are necessary to enable an individual to participate in activities authorized under this Act.
State and Local Workforce Boards	
State & Local Boards	Title I (Sec. 101 (b)(C)(ii)(III)) (Pg. 39.) and Title I (Sec. 107 (b) (2) (B) (iii) (Pg. 85.) STATE BOARDS & LOCAL BOARDS . May include representatives of community-based organizations that have demonstrated experience and



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Voluntary representation from groups demonstrated experience addressing the needs of people with barriers to employment	<p>expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities.</p> <p>Title I (Sec. 107 (b) (2) (B) (iii)) (Pg. 87.) LOCAL BOARDS. May include representatives of agencies or entities administering programs serving the local area related to transportation, housing, and public assistance.</p>
State Board Functions	<p>Title I (Sec. 101 (d) (1-12) (Pg. 42.) FUNCTIONS – The State board shall assist the Governor in—</p> <p>(1) the development, implementation, and modification of the State plan;</p> <p>(2) consistent with paragraph (1), the review of statewide policies, of statewide programs, and of recommendations on actions that should be taken by the State to align workforce development programs in the State in a manner that supports a comprehensive and streamlined workforce development system in the State, including the review and provision of comments on the State plans, if any, for programs and activities of one-stop partners that are not core programs;</p> <p>(3) the development and continuous improvement of the workforce development system in the State, including—</p> <p>(A) the identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;</p> <p>(B) the development of strategies to support the use of <i>career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment</i> (including individuals with disabilities), with workforce investment activities, education, and supportive services to enter or retain employment;</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

(C) the development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;

(D) the development and expansion of strategies for meeting the needs of employers, workers, and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;

(E) the identification of regions, including planning regions, for the purposes of section 106(a), and the designation of local areas under section 106, after consultation with local boards and chief elected officials;

(F) the development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to local boards, one-stop operators, one-stop partners, and providers with planning and delivering services, including training services and supportive services, to support effective delivery of services to workers, jobseekers, and employers; and

(G) the development of strategies to support staff training and awareness across programs supported under the workforce development system;

(4) the development and updating of comprehensive State performance accountability measures, including State adjusted levels of performance, to assess the effectiveness of the core programs in the State as required under section 116(b);(5) the identification and dissemination of information on best practices, including best practices for—

(A) the effective operation of one-stop centers, relating to the use of ***business outreach, partnerships, and service delivery strategies, including strategies for serving individuals with barriers to employment;***

(B) the development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated local levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

(C) effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies, and experiences, and that evaluate such skills, and competencies for adaptability, to support efficient placement into employment or career pathways; (6) the development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system described in section 121(e), including the development of—

(A) objective criteria and procedures for use by local boards in assessing the effectiveness and continuous improvement of one-stop centers described in such section;

(B) guidance for the allocation of one-stop center infrastructure funds under section 121(h);

(C) policies relating to the appropriate roles and contributions of entities carrying out one stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation in such system;

(7) the development of strategies for technological improvements to facilitate access to, and improve the quality of, services and activities provided through the one-stop delivery system, including such improvements to—

(A) enhance digital literacy skills (as defined in section 202 of the Museum and Library Services Act (20 U.S.C. 9101); referred to in this Act as "digital literacy skills");

(B) accelerate the acquisition of skills and recognized postsecondary credentials by participants;

(C) strengthen the professional development of providers and workforce professionals; and

(D) ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;

(8) the development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(including the design and implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation, to improve coordination of services across one19 stop partner programs);</p> <p>(9) the development of allocation formulas for the distribution of funds for employment and training activities for adults, and youth workforce investment activities, to local areas as permitted under sections 24 128(b)(3) and 133(b)(3);</p> <p>(10) the preparation of the annual reports described in paragraphs (1) and (2) of section 116(d);</p> <p>(11) the development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)); and</p> <p>(12) the development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.</p>
State & Local Plans	<p>Title I (Sec. 102 (b) (1) (B)) (Pg. 51.) and Title I (Sec. 108 (b) (1) (C)) (Pg. 112.) STRATEGIC PLAN. State and local plans <i>shall</i> include an analysis of the <i>current workforce, employment and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment.</i></p> <p>Title 1 (Sec. 102 (b) (1) (D)) (Pg. 52.) and Title I (Sec. 108 (b) (1) (E)) (Pg. 114.)STRATEGIC PLAN. State and local plans <i>shall</i> include a description of the <i>State's strategic vision and goals for preparing an dedicated and skilled workforce (including preparing youth ad individuals with barriers to employment)</i> and for meeting the skilled workforce needs of employers, including goals relating to performance accountability measures based on</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>primary indicators of performance described in section 116(b)(2)(A) in order to support regional economic growth and economic self-sufficiency.</p> <p>Title I (Sec. 108 (b) (1) (F) (3)) (Pg. 116.) LOCAL BOARDS <i>will provide a description of how the local board, working with entities carrying out core programs, will expand access to employment, training education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the local board will facilitate the development of career pathways and co-enrollment, as appropriate, in core programs.</i></p>
Combined State Plan	<p>Title I Sec. 103 (a) (1) (2) (A-K)) (Pg. 68.) PROGRAMS.—The programs and activities referred to in paragraph(1) are as follows:</p> <p>(A) Career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).</p> <p>(B) Programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).</p> <p>(C) Programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)).</p> <p>(D) Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)).</p> <p>(E) Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.).</p> <p>(F) Activities authorized under chapter 41 of title 38, United States Code.</p> <p>(G) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).</p> <p>(H) Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).</p> <p>(I) Employment and training activities carried out by the Department of Housing and Urban Development.</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(J) Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).</p> <p>(K) Programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).</p>
Local Board Functions	<p>Title I (Sec. 107 (d)(5)) (Pg. 94.) CAREER PATHWAYS DEVELOPMENT. – The local board, with representatives of secondary and postsecondary education programs, <i>shall</i> lead efforts in the local area to develop and implement career pathways within the local area <i>by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.</i></p> <p>Title I (Sec. 107 (d) (6) (A-B)) (Pg. 98.) PROVEN AND PROMISING PRACTICES. – The local board <i>shall</i> lead efforts in the local area to –</p> <p>(A) <i>identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers (including individuals with barriers to employment)</i> in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) to the one-stop delivery system; and</p> <p>(B) identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.</p> <p>Title I (Sec. 107 (d) (7) (C)) (Pg. 99.) TECHNOLOGY – identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills.</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Performance Accountability	
Primary Indictors of Performance (Adults)	<p>Title I (Sec. 116) (b) (2) (A) (i) (I-VI)) (Pg. 126.) PRIMARY INDICATORS OF PERFORMANCE.—(i) IN GENERAL.—The State primary indicators of performance for activities provided under the adult and dislocated worker programs authorized under chapter 3 of subtitle B, the program of adult education and literacy activities authorized under title II, the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (except that subclauses (IV) and (V) shall not apply to such program), and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of—</p> <p>(I) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;</p> <p>(II) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;</p> <p>(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;</p> <p>(IV) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause(iii)), during participation in or within 1 year after exit from the program;</p> <p>(V) the percentage of program participants who, during a program year, are in an education or training program</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and</p> <p>(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).</p>
Agreement on State Adjusted Levels of Performance	<p>Tile I (Sec. 116 (3) (A) (iv)(I-II)) (Pg. 132.) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE.—</p> <p>(I) FIRST 2 YEARS.—The State shall reach agreement with the Secretary of Labor, in conjunction with the Secretary of Education on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the first 2 program years covered by the State plan. In reaching the agreement, the State and the Secretary of Labor in conjunction with the Secretary of Education shall take into account the levels identified in the State plan under clause (iii) and the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan prior to the approval of such plan.</p> <p>(II) THIRD AND FOURTH YEAR.—</p> <p>The State and the Secretary of Labor, in conjunction with the Secretary of Education, shall reach agreement, prior to the third program year covered by the State plan, on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretary of Labor, in conjunction with the Secretary of Education, shall take into account the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan as a modification to the plan.</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>Title I (Sec. 116 (3) (A) (iv) (II) (v)) (Pg. 134) FACTORS.—In reaching the agreements described in clause (iv), the State and Secretaries shall—</p> <p>(I) take into account how the levels involved compare with the State adjusted levels of performance established for other States;</p> <p>(II) ensure that the levels involved are adjusted, using the objective statistical model established by the Secretaries pursuant to clause(viii), based on—</p> <p>(aa) the differences among States in actual economic conditions (including differences in unemployment rates and job losses or gains in particular industries);and</p> <p>(bb) the <i>characteristics of participants when the participants entered the program involved, including indicators of poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency;</i></p> <p>(III) take into account the extent to which the levels involved promote continuous improvement in performance accountability on the performance accountability measures by such State and ensure optimal return on the investment of Federal funds; and</p> <p>(IV) take into account the extent to which the levels involved will assist the State in meeting the goals described in clause (vi).</p>
Revisions Based Economic Conditions and Individuals Served During Program Year	<p>Title I (Sec. 116 (3) (A) (vii)) (Pg. 135.) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS SERVED DURING THE PROGRAM YEAR.—The Secretary of Labor, in conjunction with the Secretary of Education, shall, in accordance with the objective statistical model developed pursuant to clause (viii), revise the State adjusted levels of performance applicable for each of the programs described in clause (ii), for a program year and</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	a State, to reflect the actual economic conditions and characteristics of participants (as described in clause (v)(II)) in that program during such program year in such State.
Definitions of Indicators of Performance	<p>Title I (Sec. 116 (4) (A and B)) (Pg. 137.) DEFINITIONS OF INDICATORS OF PERFORMANCE.— (A) IN GENERAL.—In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, after consultation with representatives described in subparagraph (B), shall issue definitions for the indicators described in paragraph(2).</p> <p>(B) REPRESENTATIVES.—The representatives referred to in subparagraph (A) are representatives of States and political subdivisions, business and industry, employees, eligible providers of activities carried out through the core programs, educators, researchers, participants, the lead State agency officials with responsibility for the programs carried out through the core programs, <i>individuals with expertise in serving individuals with barriers to employment</i>, and other interested parties.</p>
Local Performance Accountability Measures	<p>Title I (Sec. 116) (c) (1-3)) (Pg. 137.) LOCAL PERFORMANCE ACCOUNTABILITY MEASURES FOR SUBTITLE B.— (1) IN GENERAL.—For each local area in a State designated under section 106, the local performance accountability measures for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) shall consist of— (A)(i) the primary indicators of performance described in subsection (b)(2)(A) that are applicable to such programs; and (ii) additional indicators of performance, if any, identified by the State for such programs under subsection (b)(2)(B); and (B) the local level of performance for each indicator described in subparagraph (A).</p> <p>(2) LOCAL LEVEL OF PERFORMANCE.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance established</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>under subsection (b)(3)(A).</p> <p>(3) ADJUSTMENT FACTORS.—In negotiating the local levels of performance, the local board, the chief elected official, and the Governor shall make adjustments for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(A)(viii). In addition, the <i>negotiated local levels of performance applicable to a program year shall be revised to reflect the actual economic conditions experienced and the characteristics of the populations served in the local area</i> during such program year using the statistical adjustment model.</p>
Contents of State Performance Reports	<p>Title I (Sec. 116 (2) (A-H)) (Pg. 139.) CONTENTS OF STATE PERFORMANCE REPORTS.—The performance report for a State shall include, subject to paragraph (5)(C)—</p> <p>(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) and the State adjusted levels of performance with respect to such indicators for each program;</p> <p>(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age;</p> <p>(C) the total number of participants served by each of the programs described in subsection (b)(3)(A)(ii);</p> <p>(D) the number of participants who received career and training services, respectively, during the most recent program year and the 3 preceding program years, and the amount of funds spent on each type of service;</p> <p>(E) the number of participants who exited from career and training services, respectively, during the most recent program year and the preceding program years;</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(F) the average cost per participant of those participants who received career and training services, respectively, during the most recent program year and the 3 preceding program years;</p> <p>(G) the percentage of participants in a program authorized under this subtitle who received training services and obtained unsubsidized employment in a field related to the training received;</p> <p>(H) the number of individuals <i>with barriers to employment served by each of the programs described in subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;</i></p>
Contents of Local Area Performance Reports	<p>Title I (Sec. 116) (3) (A-C)) (Pg. 142.) CONTENTS OF LOCAL AREA PERFORMANCE REPORTS.—The performance reports for a local area shall include, subject to paragraph (6)(C)—</p> <p>(A) the information specified in subparagraphs (A) through (L) of paragraph (2), for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii);</p> <p>(B) the percentage of the local area’s allocation under sections 128(b) and 133(b) that the local area spent on administrative costs; and</p> <p>(C) other information that facilitates comparisons of programs with programs in other local areas (or planning regions, as appropriate).</p>
Contents of Eligible Training Providers Performance Reports	<p>Title I (Sec. 116) (4) (A-F)) (Pg. 142.) CONTENTS OF ELIGIBLE TRAINING PROVIDERS PERFORMANCE REPORTS.—The performance report for an eligible provider of training services under section 122 shall include, subject to paragraph(6)(C), with respect to each program of study (or the equivalent) of such provider—</p> <p>(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) with respect to all individuals engaging in the program of study (or the equivalent);</p> <p>(B) the total number of individuals exiting from the program of study (or the equivalent);</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(C) the total number of participants who received training services through each of the adult program and the dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;</p> <p>(D) the total number of participants who exited from training services, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;</p> <p>(E) the average cost per participant for the participants who received training services, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years; and</p> <p>(F) the number of <i>individuals with barriers to employment served by each of the adult program and the dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age.</i></p>
Local Board Memorandum of Understanding	<p>Title I (Sec. 121) (c) (1 and 2) (A) (i-v)) (Pg. 159.) MEMORANDUM OF UNDERSTANDING.—</p> <p>(1) DEVELOPMENT.—The local board, with the agreement of the chief elected official, shall develop and enter into a memorandum of understanding (between the local board and the one-stop partners), consistent with paragraph (2), concerning the operation of the one-stop delivery system in the local area.</p> <p>(2) CONTENTS.—Each memorandum of understanding shall contain—</p> <p>(A) provisions describing—</p> <p>(i) the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated and delivered through such system;</p> <p>(ii) how the costs of such services and the operating costs of such system will be funded, including—(I) funding through cash and in-kind contributions (fairly evaluated), which contributions may include funding from philanthropic organizations or other private entities, or through other alternative financing options, to provide a</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>stable and equitable funding stream for ongoing one-stop delivery system operations; and (II) funding of the infrastructure costs of one-stop centers in accordance with subsection (h);</p> <p>(iii) methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities;</p> <p>(iv) methods to ensure the needs of workers and youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one-stop delivery system; and</p> <p>(v) the duration of the memorandum of understanding and the procedures for amending the memorandum during the duration of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services; and</p> <p>(B) such other provisions, consistent with the requirements of this title, as the parties to the agreement determine to be appropriate.</p>
Youth Employment and Training Activities	
Out of School Youth Priority	<p>Title I (Sec. 129 (a) (4) (A))(Pg. 219.) OUT-OF-SCHOOL PRIORITY.—(A) IN GENERAL.—For any program year, not less than 75 percent of the funds allotted under section 127(b)(1)(C), reserved under section 128(a), and available for statewide activities under subsection (b), and not less than 75 percent of funds available to local areas under subsection (c), shall be used to provide youth workforce investment activities for out-of-school youth.</p>
Youth Activities – Program Elements	<p>Title I (Sec. 129 (c) (2) (A-N)) (Pg. 228.) PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

for participants, the programs described in paragraph (1) shall provide elements consisting of—

- (A) tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;
- (B) alternative secondary school services, or dropout recovery services, as appropriate;
- (C) ***paid and unpaid work experiences that have as a component academic and occupational education, which may include—(i) summer employment opportunities and other employment opportunities available throughout the school year; (ii) pre-apprenticeship programs; (iii) internships and job shadowing; and (iv) on-the-job training opportunities;***
- (D) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;
- (E) ***education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;***
- (F) leadership development opportunities, which may include community service and peer centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
- (G) supportive services;
- (H) adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- (I) follow up services for not less than 12 months after the completion of participation, as appropriate;
- (J) comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>appropriate;</p> <p>(K) financial literacy education;</p> <p>(L) entrepreneurial skills training;</p> <p>(M) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and</p> <p>(N) activities that help youth prepare for and transition to postsecondary education and training.</p>
Adult and Dislocated Worker Employment and Training Activities	
Statewide Employment and Training Activities	<p>Title I (Sec. 134 (a)(2)(B) (i-vi)) (Pg. 260.) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Funds reserved by a Governor under sections 128(a)(1) and 133(a)(1) and not used under paragraph (1)(A) (regardless of whether the funds were allotted to the States under section 127(b)(1)(C) or paragraph (1)(B) or (2)(B) of section 132(b)) shall be used for statewide employment and training activities, including—</p> <p>(i) providing assistance to—</p> <p>(I) State entities and agencies, local areas, and one-stop partners in carrying out the activities described in the State plan, including the coordination and alignment of data systems used to carry out the requirements of this Act;</p> <p>(II) local areas for carrying out the regional planning and service delivery efforts required under section 106(c);</p> <p>(III) local areas by providing information on and support for the effective development, convening, and implementation of industry or sector partnerships; and</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

(IV) local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, which may include the ***development and training of staff to provide opportunities for individuals with barriers to employment*** to enter in-demand industry sectors or occupations and nontraditional occupations, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance accountability measures described in section 116(c);

(ii) providing assistance to local areas as described in section 106(b)(6);

(iii) operating a fiscal and management accountability information system in accordance with section 116(i);

(iv) carrying out monitoring and oversight of activities carried out under this chapter and chapter 2;

(v) disseminating—

(I) the State list of eligible providers of training services, including eligible providers of nontraditional training services and eligible providers of apprenticeship programs described in section 122(a)(2)(B);

(II) information identifying eligible providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or ***transitional jobs***;

(III) information on effective outreach to, partnerships with, and services for, business;

(IV) information on effective service delivery strategies to serve workers and job seekers;

(V) performance information and information on the cost of attendance(including tuition and fees) for participants in applicable programs, as described in subsections (d) and (h) of section 122; and

(VI) information on physical and programmatic accessibility, in accordance with section 188, if applicable, and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), for individuals with disabilities; and

(vi) conducting evaluations under section 116(e) of activities authorized under this chapter and chapter 2 in coordination with evaluations carried out by the Secretary under section 169(a).



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Allowable Statewide Employment and Training Activities

Title I (Sec. 134 (a)(3)(A) (i-xiv)) (Pg. 264). **ALLOWABLE STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.**— (A) IN GENERAL.—Funds reserved by a Governor under sections 128(a)(1) and 133(a)(1) and not used under paragraph (1)(A) or (2)(B) (regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or paragraph (1)(B) or (2)(B) of section 132(b)) may be used to carry out additional statewide employment and training activities, which may include—

- (i) implementing innovative programs and strategies designed to meet the needs of all employers (including small employers) in the State, which programs and strategies may include incumbent worker training programs, customized training, sectoral and industry cluster strategies and implementation of industry or sector partnerships, career pathway programs, microenterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, layoff aversion strategies, activities to improve linkages between the one-stop delivery system in the State and all employers (including small employers) in the State, and other business services and strategies that better engage employers in workforce investment activities and make the workforce development system more relevant to the needs of State and local businesses, consistent with the objectives of this title;
- (ii) developing strategies for effectively **serving individuals with barriers to employment** and for coordinating programs and services among one-stop partners;
- (iii) the development or identification of education and training programs that respond to real-time labor market analysis, that utilize direct assessment and prior learning assessment to measure and provide credit for prior knowledge, skills, competencies, and experiences, that evaluate such skills and competencies for adaptability, that ensure credits are portable and stackable for more skilled employment, and that accelerate course or credential completion;



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

(iv) implementing programs to increase the number of individuals training for and placed in nontraditional employment;

(v) carrying out activities to facilitate remote access to services, including training services described in subsection (c)(3), provided through a one-stop delivery system, including facilitating access through the use of technology;

(vi) supporting the provision of career services described in subsection (c)(2) in the one-stop delivery systems in the State;

(vii) coordinating activities with the child welfare system to facilitate provision of services for children and youth who are eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677);

(viii) activities—

(I) to improve coordination of workforce investment activities with economic development activities;

(II) to improve coordination of employment and training activities with— (aa) ***child support services, and assistance provided by State and local agencies carrying out part D of title IV of the Social Security Act*** (42 U.S.C. 651 et seq.); (bb) cooperative extension programs carried out by the Department of Agriculture; (cc) programs carried out in local areas for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d), programs funded under part B of chapter 1 of title VII of such Act (29 U.S.C. 796e et seq.), and activities carried out by centers for independent living, as defined in section 702 of such Act (29 U.S.C. 796a); (dd) adult education and literacy activities, including those provided by public libraries; (ee) activities in the corrections system that assist ex-offenders in reentering the workforce; and (ff) financial literacy activities including those described in



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>section 129(b)(2)(D); and (III) consisting of development and dissemination of workforce and labor market information;</p> <p>(ix) conducting research and demonstration projects related to meeting the employment and education needs of adult and dislocated workers;</p> <p>(x) implementing promising services for workers and businesses, which may include providing support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising;</p> <p>(xi) providing incentive grants to local areas for performance by the local areas on local performance accountability measures described in section 116(c);</p> <p>(xii) adopting, calculating, or commissioning for approval an economic self-sufficiency standard for the State that specifies the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;</p> <p>(xiii) developing and disseminating common intake procedures and related items, including registration processes, materials, or software; and</p> <p>(xiv) providing technical assistance to local areas that are implementing pay-for-performance contract strategies, which technical assistance may include providing assistance with data collection, meeting data entry requirements, identifying levels of performance, and conducting evaluations of such strategies.</p>
Removal of “Sequence of Services”	Title I (Sec. 134 (c) (3) (A) (iii)) (Pg. 283.) Rule of Construction. – Nothing in this subparagraph <i>shall</i> be construed to mean an individual is required to receive career services prior to receiving training services.
Eligible Training Services	Title I (Sec. 134) (c) (3) (D) (i-xi)) (Pg. 284.) TRAINING SERVICES. —Training services may include— (i) occupational skills training, including training for nontraditional employment;



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<ul style="list-style-type: none">(ii) on-the-job training;(iii) incumbent worker training in accordance with subsection (d)(4);(iv) programs that combine workplace training with related instruction, which may include cooperative education programs;(v) training programs operated by the private sector;(vi) skill upgrading and retraining;(vii) entrepreneurial training;(viii) transitional jobs in accordance with subsection (d)(5);(ix) job readiness training provided in combination with services described in any of clauses (i) through (viii);(x) adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (i) through (vii); and(xi) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.
Priority of Service for Low-Income Individuals	Title I (Sec. 134 (c) (3) E)) (Pg. 286.) PRIORITY. – With respect to funds a located to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b), <i>priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient</i> for receipt of career services described in paragraph (2)(A)(xii) and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Use of Individual Training Accounts

Title I (Sec. 134 (3) (G)) (i-iv)) (Pg. 287.) **USE OF INDIVIDUAL TRAINING ACCOUNTS.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), training services provided under this paragraph shall be provided through the use of individual training accounts in accordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.

(ii) **TRAINING CONTRACTS.**—Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if—

(I) the requirements of subparagraph (F) are met;

(II) such services are ***on-the-job training, customized training, incumbent worker training, or transitional employment;***

(III) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts;

(IV) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment;

(V) the local board determines that—(aa) it would be most appropriate to award a contract to an institution of higher education or other eligible provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations; and (bb) such contract does not limit customer choice; or (VI) the contract is a pay-for-performance contract.

(iii) **LINKAGE TO OCCUPATIONS IN DEMAND.**—Training services provided under this paragraph shall be directly linked to an in-demand industry sector or occupation in the local area or the planning region, or in another area to



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.</p> <p>(iv) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the combined use of individual training accounts and contracts in the provision of training services, including arrangements that allow individuals receiving individual training accounts to obtain training services that are contracted for under clause (ii).</p>
Reimbursement for On-the-Job Training	<p>Title I (Sec. 134 (a) (3) (H)) (i-ii)) (Pg. 290.) REIMBURSEMENT FOR ON-THE-JOB TRAINING.—</p> <p>(i) REIMBURSEMENT LEVEL.—For purposes of the provision of on-the-job training under this paragraph, the Governor or local board involved may increase the amount of the reimbursement described in section 3(44) to an amount of up to 75 percent of the wage rate of a participant for a program carried out under chapter 2 or this chapter, if, respectively—(I) the Governor approves the increase with respect to a program carried out with funds reserved by the State under that chapter, taking into account the factors described in clause (ii); or (II) the local board approves the increase with respect to a program carried out with funds allocated to a local area under such chapter, taking into account those factors.</p> <p>(ii) FACTORS.—For purposes of clause (i), the Governor or local board, respectively, shall take into account factors consisting of—(I) the characteristics of the participants; (II) the size of the employer; (III) the quality of employer-provided training and advancement opportunities; and (IV) such other factors as the Governor or local board, respectively, may determine to be appropriate, which may include the number of employees participating in the training, wage and benefit levels of those employees (at present and anticipated upon completion of the training),</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	and relation of the training to the competitiveness of a participant.
Permissible Local Employment and Training Activities	<p>Title I (Sec. 134) (d) (1) (A)) (i –xii)) (Pg. 297.) ACTIVITIES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide, through the one-stop delivery system involved (and through collaboration with the local board, for the purpose of the activities described in clauses (vii) and (ix))—</p> <ul style="list-style-type: none">(i) customized screening and referral of qualified participants in training services described in subsection (c)(3) to employers;(ii) customized employment-related services to employers, employer associations, or other such organizations on a fee-for-service basis;(iii) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under paragraph (2) or (3) of section 133(b);(iv) customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities for such populations;(v) technical assistance for one-stop operators, one-stop partners, and eligible providers of training services, regarding the provision of services to individuals with disabilities in local areas, including the development and training of staff, the provision of outreach, intake, assessments, and service delivery, the coordination of services across providers and programs, and the development of performance accountability measures;(vi) employment and training activities provided in coordination with—(I) child support enforcement activities of the State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.); (II) child support services, and assistance, provided by State and local agencies carrying out part D of title IV of the



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>Social Security Act (42 U.S.C. 651 et seq.); (III) cooperative extension programs carried out by the Department of Agriculture; and (IV) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;</p> <p>(vii) activities—(I) to improve coordination between workforce investment activities and economic development activities carried out within the local area involved, and to promote entrepreneurial skills training and microenterprise services; (II) to improve services and linkages between the local workforce investment system (including the local one-stop delivery system) and employers, including small employers, in the local area, through services described in this section; and (III) to strengthen linkages between the one-stop delivery system and unemployment insurance programs;</p> <p>(viii) training programs for displaced homemakers and for individuals training for nontraditional occupations, in conjunction with programs operated in the local area;</p> <p>(ix) activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the local board, consistent with the local plan under section 108, which services—(I) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board; and (II) may include—</p> <p>(aa) developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships); (bb) developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area</p>
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Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>employers and workers; (cc) assistance to area employers in managing reductions in force in coordination with rapid response activities provided under subsection (a)(2)(A) and with strategies for the aversion of layoffs, which strategies may include early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors; and (dd) the marketing of business services offered under this title, to appropriate area employers, including small and midsize employers;</p> <p>(x) activities to adjust the economic self-sufficiency standards referred to in subsection (a)(3)(A)(xii) for local factors, or activities to adopt, calculate, or commission for approval, economic self-sufficiency standards for the local areas that specify the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;</p> <p>(xi) improved coordination between employment and training activities and programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d), programs funded under part B of chapter 1 of title VII of such Act (29 U.S.C. 796e et seq.), and activities carried out by centers for independent living, as defined in section 702 of such Act (29 U.S.C. 796a); and</p> <p>(xii) implementation of promising services to workers and businesses, which may include support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising.</p>
Work Support Activities for Low-Wage	<p>Title I (Sec. 134) (d) (1) (B) (i and ii)) (Pg. 299) WORK SUPPORT ACTIVITIES FOR LOW-WAGE WORKERS.—</p> <p>(i) IN GENERAL.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Workers	<p>section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide, through the one-stop delivery system involved, <i>work support activities designed to assist low-wage workers in retaining and enhancing employment.</i> The one-stop partners of the system shall coordinate the appropriate programs and resources of the partners with the activities and resources provided under this subparagraph.</p> <p>(ii) ACTIVITIES.—The work support activities described in clause (i) may include the provision of activities described in this section through the one-stop delivery system in a manner that enhances the opportunities of such workers to participate in the activities, such as the provision of activities described in this section during non-traditional hours and the provision of on-site child care while such activities are being provided.</p>
Supportive Services	<p>Title I (Sec. 134) (2) (A and B)) (Pg. 300.) SUPPORTIVE SERVICES. –Funds allocated to a local area for adults under paragraph (2) (A) or (3), as appropriate, of section 133 (b), and funds allocated to the local areas for dislocated workers under section 133 (b)(2)(B), <i>may be used to provide supportive services to adults and dislocated workers,</i> respectively –</p> <p>(A) who are participating in programs with activities authorized in paragraph (2) or (3) of subsection (c); and (B) who are unable to obtain such supportive services through other programs providing such services.</p>
Definition and use of Transitional Jobs for jobseekers with barriers to employment	<p>Title I (Sec. 134 (d) (5) (A-C)) (Pg. 306.) TRANSITIONAL JOBS.— The local board may use not more than 10 percent of the funds allocated to the local area involved under section 133(b) to provide <i>transitional jobs</i> under subsection (c)(3) that—</p> <p>(A) are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history; (B) are combined with comprehensive employment and supportive services; and</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	(C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the work place, and develop the skills that lead to entry into and retention in unsubsidized employment.
Job Corps	
Establishment of Job Corps	Title I Subtitle C (Sec. 143) (Pg. 311.) Establishment. – There shall be within the Department of Labor a “Job Corps.”
Individuals Eligible for Job Corps	Title I Subtitle C (Sec. 144 (a) (1) (A-B) (Pg. 311.) INDIVIDUALS ELIGIBLE FOR THE JOB CORPS. (a) IN GENERAL.—To be eligible to become an enrollee, an individual shall be— (1) not less than age 16 and not more than age 21 on the date of enrollment, except that— (A) not more than 20 percent of the individuals enrolled in the Job Corps may be not less than age 22 and not more than age 24 on the date of enrollment; and (B) either such maximum age limitation may be waived by the Secretary, in accordance with regulations of the Secretary, in the case of an individual with a disability;
Civilian Conservation Corps Centers	Title I Subtitle C (Sec. 147 (d) (1)) (Pg. 329.) CIVILIAN CONSERVATION CENTERS.— (1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall provide, in addition to academics, career and technical education and training, and workforce preparation skills training, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.
Job Corp Program	Title I Subtitle C (Sec. 148 (a) (1-3)) (Pg. 333.) ACTIVITIES PROVIDED BY JOB CORPS CENTERS.—



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

Activities	(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, well organized, and fully supervised program of education, including English language acquisition programs, career and technical education and training, work experience, work-based learning, recreational activities, physical rehabilitation and development, driver's education, and counseling, which may include information about financial literacy. Each Job Corps center shall provide enrollees assigned to the center with access to career services described in clauses (i) through (xi) of section 134(c)(2)(A).
Job Corps Counseling and Job Placement	Title I Subtitle C (Sec. 149 (a-d)) (Pg. 337.) COUNSELING AND JOB PLACEMENT. (a) ASSESSMENT AND COUNSELING.—The Secretary shall arrange for assessment and counseling for each enrollee at regular intervals to measure progress in the academic and career and technical education and training programs carried out through the Job Corps. (b) PLACEMENT.—The Secretary shall arrange for assessment and counseling for enrollees prior to their scheduled graduations to determine their capabilities and, based on their capabilities, shall place the enrollees in employment leading to economic self-sufficiency for which the enrollees are trained or assist the enrollees in participating in further activities described in this subtitle. In arranging for the placement of graduates in jobs, the Secretary shall utilize the one-stop delivery system to the maximum extent practicable. (c) STATUS AND PROGRESS.—The Secretary shall determine the status and progress of enrollees scheduled for graduation and make every effort to assure that their needs for further activities described in this subtitle are met. (d) SERVICES TO FORMER ENROLLEES.—The Secretary may provide such services as the Secretary determines to be appropriate under this subtitle to former enrollees.
Job Corps Support	Title I Subtitle C (Sec. 150 (a-c)) (Pg. 338.) SUPPORT. (a) PERSONAL ALLOWANCES.—The Secretary may provide enrollees assigned to Job Corps centers with such



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>personal allowances as the Secretary may determine to be necessary or appropriate to meet the needs of the enrollees.</p> <p>(b) TRANSITION ALLOWANCES.—The Secretary shall arrange for a transition allowance to be paid to graduates. The transition allowance shall be incentive-based to reflect a graduate’s completion of academic, career and technical education or training, and attainment of recognized post-secondary credentials.</p> <p>(c) TRANSITION SUPPORT.—The Secretary may arrange for the provision of 3 months of employment services for former enrollees.</p>
National Programs	
Research, Studies, and Multi-State Projects Including projects focusing on disconnected youth, job training for individuals in public housing, and low-income older individuals.	<p>Title I Subtitle D (Sec. 169 ((b) (1)) (Pg. 391.) IN GENERAL.—After consultation with States, localities, and other interested parties, the Secretary shall, every 2 years, publish in the Federal Register, a plan that describes the research, studies, and multistate project priorities of the Department of Labor concerning employment and training for the 5-year period following the submission of the plan.</p> <p>STUDY ON RESOURCES AVAILABLE TO:</p> <p>(B) STUDY ON RESOURCES AVAILABLE TO ASSIST DISCONNECTED YOUTH.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the characteristics of eligible youth that result in such youth being significantly disconnected from education and workforce participation, the ways in which such youth could have greater opportunities for education attainment and obtaining employment, and the resources available to assist such youth in obtaining the skills, credentials, and work experience necessary to</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

become economically self-sufficient.

(C) **STUDY OF EFFECTIVENESS OF WORKFORCE DEVELOPMENT SYSTEM IN MEETING BUSINESS NEEDS.**—Using funds available to carry out this subsection jointly with funds available to the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, the Secretary of Labor, in coordination with the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, may conduct a study of the effectiveness of the workforce development system in meeting the needs of business, such as through the use of industry or sector partnerships, with particular attention to the needs of small business, including in assisting workers to obtain the skills needed to utilize emerging technologies.

(D) **STUDY ON PARTICIPANTS ENTERING NONTRADITIONAL OCCUPATIONS.**—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the number and percentage of individuals who receive employment and training activities and who enter nontraditional occupations, successful strategies to place and support the retention of individuals in nontraditional employment (such as by providing post-placement assistance to participants in the form of exit interviews, mentoring, networking, and leadership development), and the degree to which recipients of employment and training activities are informed of the possibility of, or directed to begin, training or education needed for entrance into nontraditional occupations.

(E) **STUDY ON PERFORMANCE INDICATORS.**—The Secretary of Labor, in coordination with the Secretary of Education, may conduct studies to determine the feasibility of, and potential means to replicate, measuring the compensation, including the wages, benefits, and other incentives provided by an employer, received by program



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

participants by using data other than or in addition to data available through wage records, for potential use as a performance indicator.

(F) **STUDY ON JOB TRAINING FOR RECIPIENTS OF PUBLIC HOUSING ASSISTANCE.**—The Secretary of Labor, in coordination with the Secretary of Housing and Urban Development, may conduct studies to assist public housing authorities to provide, to recipients of public housing assistance, job training programs that successfully upgrade job skills and employment in, and access to, jobs with opportunity for advancement and economic self-sufficiency for such recipients.

G) **STUDY ON IMPROVING EMPLOYMENT PROSPECTS FOR OLDER INDIVIDUALS.**—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, may conduct studies that lead to better design and implementation of, in conjunction with employers, local boards or State boards, community colleges or area career and technical education schools, and other organizations, effective evidence-based strategies to provide services to workers who are low-income, low-skilled older individuals that increase the workers' skills and employment prospects.

(H) **STUDY ON PRIOR LEARNING.**—The Secretary of Labor, in coordination with other heads of Federal agencies, as appropriate, may conduct studies that, through convening stakeholders from the fields of education, workforce business, labor, defense, and veterans services, and experts in such fields, develop guidelines for assessing, accounting for, and utilizing the prior learning of individuals, including dis24 located workers and veterans, in order to provide the individuals with postsecondary educational credit for such



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>prior learning that leads to the attainment of a recognized postsecondary credential identified under section 122(d) and employment.</p> <p>(I) STUDY ON CAREER PATHWAYS FOR HEALTH CARE PROVIDERS AND PROVIDERS OF EARLY EDUCATION AND CHILD CARE.—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, shall conduct a multistate study to develop, implement, and build upon career advancement models and practices for low-wage health care providers or providers of early education and child care, including faculty education and distance education programs.</p> <p>(J) STUDY ON EQUIVALENT PAY.—The Secretary shall conduct a multistate study to develop and disseminate strategies for ensuring that programs and activities carried out under this Act are placing individuals in jobs, education, and training that lead to equivalent pay for men and women, including strategies to increase the participation of women in high-wage, high-demand occupations in which women are underrepresented.</p>
Multi-State Projects	<p>Sec. 169 ((b) (5) (A)) (Pg. 398.) AUTHORITY^{iv}.—The Secretary may, through grants or contracts, carry out multistate projects that require demonstrated expertise that is available at the national level to effectively disseminate best practices and models for implementing employment and training services, address the specialized employment and training needs of particular service populations, or address industry-wide skill shortages, to the extent such projects are consistent with the priorities specified in the plan published under paragraph (1).</p>
Youthbuild Program Purpose	<p>Title I Subtitle D (Sec. 171(a) (1-4)) (Pg. 410.) STATEMENT OF PURPOSE.—The purposes of this section are— (1) to enable disadvantaged youth to obtain the education and employment skills necessary to achieve economic</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>self-sufficiency in occupations in demand and postsecondary education and training opportunities;</p> <p>(2) to provide disadvantaged youth with opportunities for meaningful work and service to their communities;</p> <p>(3) to foster the development of employment and leadership skills and commitment to community development among youth in low-income communities;</p> <p>(4) to expand the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth; and</p>
Youthbuild Eligible Activities	<p>Title I Subtitle D (Sec. 171 (c) (2) (A-H) (Pg. 414.) ELIGIBLE ACTIVITIES.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out a YouthBuild program, which may include the following activities:</p> <p>(A) Education and workforce investment activities including— (i) work experience and skills training (coordinated, to the maximum extent feasible, with <i>pre-apprenticeship and registered apprenticeship</i> programs) in the activities described in subparagraphs (B) and (C) related to rehabilitation or construction, and, if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates; (ii) occupational skills training; (iii) <i>other paid and unpaid work experiences, including internships and job shadowing</i>; (iv) services and activities designed to meet the educational needs of participants, including—</p> <p>(I) basic skills instruction and remedial education;</p> <p>(II) language instruction educational programs for participants who are English language learners;</p> <p>(III) secondary education services and activities, including tutoring, study skills training, and school drop-out prevention and recovery activities, designed to lead to the attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>disabilities);</p> <p>(IV) counseling and assistance in obtaining postsecondary education and required financial aid; and</p> <p>(V) alternative secondary school services; (v) counseling services and related activities, such as comprehensive guidance and counseling on drug and alcohol abuse and referral; (vi) activities designed to develop employment and leadership skills, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, and activities related to youth policy committees that participate in decision-making related to the program; (vii) supportive services and provision of need-based stipends necessary to enable individuals to participate in the program and to assist individuals, for a period not to exceed 12 months after the completion of training, in obtaining or retaining employment, or applying for and transitioning to postsecondary education or training; and (viii) job search and assistance.</p> <p>(B) Supervision and training for participants in the rehabilitation or construction of housing, including residential housing for homeless individuals or low-income families, or transitional housing for homeless individuals, and, if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates.</p> <p>(C) Supervision and training for participants— (i) in the rehabilitation or construction of community and other public facilities, except that not more than 15 percent of funds appropriated to carry out this section may be used for such supervision and training; and (ii) if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates.</p> <p>(D) Payment of administrative costs of the applicant, including recruitment and selection of participants, except that not more than 10 percent of the amount of assistance provided under this subsection to the grant recipient may be used for such costs.</p>
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Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(E) Adult mentoring.</p> <p>(F) <i>Provision of wages, stipends, or benefits to participants</i> in the program.</p> <p>(G) Ongoing training and technical assistance that are related to developing and carrying out the program.</p> <p>(H) Follow-up services.</p>
Eligible Participants	<p>Title I Subtitle D (Sec. 171 (e) (1) (A and B) (Pg. 428.) ELIGIBLE PARTICIPANTS.—</p> <p>(A) IN GENERAL.—Except as provided in subparagraph (B), an individual may participate in a YouthBuild program only if such individual is— (i) not less than age 16 and not more than age 24, on the date of enrollment; (ii) a member of a low-income family, a youth in foster care (including youth aging out of foster care), a youth offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth; and (iii) a school dropout, or an individual who was a school dropout and has subsequently reenrolled.</p> <p>(B) EXCEPTION FOR INDIVIDUALS NOT MEETING INCOME OR EDUCATIONAL NEED REQUIREMENTS.—Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of clause (ii) or (iii) of subparagraph (A), but who— (i) are basic skills deficient, despite attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities); or (ii) have been referred by a local secondary school for participation in a YouthBuild program leading to the attainment of a secondary school diploma.</p>
Adult Education and Literacy	
Purpose	Title II (Sec. 202 (1-4) (Pg. 495.) –PURPOSE It is the purpose of this title to create a partnership among the



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—</p> <p>(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;</p> <p>(2) assist adults who are parents or family members to obtain the education and skills that—</p> <p>(A) are necessary to becoming full partners in the educational development of their children; and</p> <p>(B) lead to sustainable improvements in the economic opportunities for their family;</p> <p>(3) assist adults in attaining a secondary school diploma and in the transition to postsecondary education and training, including through career pathways; and</p> <p>(4) assist immigrants and other individuals who are English language learners in— (A) improving their—</p> <p>(i) reading, writing, speaking, and comprehension skills in English; and</p> <p>(ii) mathematics skills; and (B) acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship.</p>
Adult Education and Literacy Activities	<p>Title II (Sec. 203 (2) (Pg. 497.) ADULT EDUCATION AND LITERACY ACTIVITIES.—The term “adult education and literacy activities” means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or <i>integrated education and training</i>.</p>
Eligible Individual	<p>Title II (Sec. 203 (4) (A-C) (Pg. 497.) ELIGIBLE INDIVIDUAL.—The term “eligible individual” means an individual—</p> <p>(A) who has attained 16 years of age;</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	(B) who is not enrolled or required to be enrolled in secondary school under State law; and (C) who— (i) is basic skills deficient; (ii) does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or (iii) is an English language learner.
Rule of Construction Postsecondary Transition and Concurrent Enrollment Activities	Title II (Sec. 205) (Pg. 504.) RULE OF CONSTRUCTION –Nothing in this title shall be construed to prohibit or discourage the use of funds provided under this title for adult education and literacy activities that help eligible individuals transition to postsecondary education and training or employment, or for concurrent enrollment activities.
State Leadership Activities	Title II Subtitle B (Sec. 223 (a) (1) (A-D) (Pg. 511) STATE LEADERSHIP ACTIVITIES. (a) ACTIVITIES.— (1) REQUIRED.—Each eligible agency shall use funds made available under section 222(a)(2) for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area: (A) The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 102 or the combined State plan under section 103, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities. (B) The establishment or operation of high quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.</p> <p>(C) The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including—</p> <p>(i) the development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;</p> <p>(ii) the role of eligible providers as a one-stop partner to provide access to employment, education, and training services; and</p> <p>(iii) assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.</p> <p>(D) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.</p>
Permissible Activities	<p>Title II Subtitle B (Sec. 223 (a) (2) (A-M) (Pg. 513.) PERMISSIBLE ACTIVITIES.—Each eligible agency may use funds made available under section 16 222(a)(2) for 1 or more of the following adult education and literacy activities:</p> <p>(A) The support of State or regional networks of literacy resource centers.</p> <p>(B) The development and implementation of technology applications, translation technology, or distance education, including professional development to support the use of instructional technology.</p> <p>(C) Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.</p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

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| | <p>(D) Developing <i>content and models for integrated education and training and career pathways</i>.</p> <p>(E) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 116(b)(3).</p> <p>(F) The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.</p> <p>(G) Integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.</p> <p>(H) Activities to promote workplace adult education and literacy activities.</p> <p>(I) Identifying curriculum frameworks and aligning rigorous content standards that—</p> <p>(i) specify what adult learners should know and be able to do in the areas of reading and language arts, mathematics, and English language acquisition; and (ii) take into consideration the following:</p> <p>(I) State adopted academic standards.</p> <p>(II) The current adult skills and literacy assessments used in the State or outlying area.</p> <p>(III) The primary indicators of performance described in section 116.</p> <p>(IV) Standards and academic requirements for enrollment in non-remedial, for-credit courses in postsecondary educational institutions or institutions of higher education supported by the State or outlying area.</p> <p>(V) Where appropriate, the content of occupational and industry skill standards widely used by business and industry in the State or outlying area.</p> |
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Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>(J) Developing and piloting of strategies for improving teacher quality and retention.</p> <p>(K) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessment tools and strategies that are based on scientifically valid research, where appropriate, and identify the needs and capture the gains of such students at the lowest achievement levels.</p> <p>(L) Outreach to instructors, students, and employers.</p> <p>(M) Other activities of statewide significance that promote the purpose of this title.</p>
Programs for Corrections Education – Uses of Funds	<p>Title II Subtitle B (Sec. 225 (b) (1-8) (Pg. 517.) USES OF FUNDS.— The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—</p> <ol style="list-style-type: none">(1) adult education and literacy activities;(2) special education, as determined by the eligible agency;(3) secondary school credit;(4) integrated education and training;(5) career pathways;(6) concurrent enrollment;(7) peer tutoring; and(8) transition to re-entry initiatives and other post release services with the goal of reducing recidivism.
Priority	<p>Title II Subtitle B (Sec. 225 (c) (Pg. 518.) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution <i>within 5 years of participation in the</i></p>



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<i>program.</i>
Definition – Correctional Institution	Title II Subtitle B (Sec. 225 (e) (1) (A-F) (Pg. 518.) CORRECTIONAL INSTITUTION.—The term “correctional institution” means any— (A) prison; (B) jail; (C) reformatory; (D) work farm; (E) detention center; or (F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.
Amendments to the Rehabilitation Act of 1973	
Competitive Integrated Employment Definition – Amended	Title IV (Sec. 404) (5-7) (Pg. 560.) COMPETITIVE INTEGRATED EMPLOYMENT.— The term ‘competitive integrated employment’ means work that is performed on a full-time or part-time basis (including self-employment)— (A) for which an individual— (i) is compensated at a rate that—(I) (ii) (aa) shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State or local minimum wage law; and (bb) is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	<p>employer and who have similar training, experience, and skills; or (II) in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and (ii) is eligible for the level of benefits provided to other employees;</p> <p>(B) that is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and</p> <p>(C) that, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.</p> <p>(7) by inserting after paragraph (6) the following:</p> <p>“(7) CUSTOMIZED EMPLOYMENT.—The term ‘customized employment’ means competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and is carried out through flexible strategies, such as—</p> <p>“(A) job exploration by the individual;</p> <p>“(B) working with an employer to facilitate placement, including—</p> <p>“(i) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;</p> <p>“(ii) developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including</p>
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Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	performance evaluation and review), and determining a job location; “(iii) representation by a professional chosen by the individual, or self-representation of the individual, in working with an employer to facilitate placement; and “(iv) providing services and supports at the job location.”
Supported Employment	Title IV (Sec. 404) (38) (Pg. 568.) SUPPORTED EMPLOYMENT. —The term ‘supported employment’ means competitive integrated employment, including customized employment, or employment in an integrated work setting in which individuals are working on a short-term basis toward competitive integrated employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities— (A)(i) for whom competitive integrated employment has not historically occurred; or (ii) for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and (B) who, because of the nature and severity of their disability, need intensive supported employment services and extended services after the transition described in paragraph (13)(C), in order to perform the work involved.
Supported Employment Services	Title IV (Sec. 404) (39) (Pg. 569.) SUPPORTED EMPLOYMENT SERVICES. —The term ‘supported employment services’ means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in supported employment, that— (A) are provided singly or in combination and are organized and made available in such a way as to assist an eligible individual to achieve competitive integrated employment; (B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

	(C) are provided by the designated State unit for a period of not more than 24 months, except that period may be extended, if necessary, in order to achieve the employment outcome identified in the individualized plan for employment.
WIA Programs Eliminated	<p>The following 15 programs were eliminated from WIA:</p> <ul style="list-style-type: none">Youth Opportunity Grants21st Century Workforce CommissionNational Institute for LiteracyHealth Gap Coverage for TAA participantsWIA Incentive GrantsWIA Pilots and Demonstration ProjectsCommunity based Job Training GrantsGreen Jobs ActProjects with Industry under the Rehabilitation Act amendmentsRecreation Programs under the Rehabilitation AmendmentsIn-service Training under the Rehabilitation AmendmentsMigrant Season Farmworker Program under the rehabilitation AmendmentsWIA Veterans Workforce Investment ProgramWIA Workforce Innovation FundGrants to States for Workplace and Community Transition Training for Incarcerated Individuals



Workforce Innovation and Opportunity Act (WIOA) of 2014

A Preliminary Analysis of Provisions Related to Employment, Training, Education, Supports, and Prioritization of Workforce Services for Adults and Youth with Barriers to Employment

July 2014

i WIOA (Sec. 3 (36)) **LOW-INCOME INDIVIDUAL.**—(A) **IN GENERAL.**—The term “low-income individual means an individual who— (i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance; (ii) is in a family with total family income that does not exceed the higher of— (I) the poverty line; or (II) 70 percent of the lower living standard income level; (iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C.14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))); (iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); (v) is a foster child on behalf of whom State or local government payments are made; or (vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

ii WIOA (Sec. 3 (38)) **OFFENDER** – The term “offender means and adult or juvenile (A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

iii Violence Against Women Act (Sec. 41403(6)) **HOMELESS, HOMELESS INDIVIDUAL, HOMELESS PERSON.**—The terms ‘homeless’, ‘homeless individual’, and ‘homeless person’— “(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and “(B) includes—“(i) an individual who— (I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; (II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations; (III) is living in an emergency or transitional shelter; (IV) is abandoned in a hospital; or (V) is awaiting foster care placement; (ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or (iii) migratory children (as defined in 15 section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph.

iv Authorization for RExO Projects.