

Workforce Innovation and Opportunity Act (WIOA)

WIOA Section Number	Existing State Level Policy	Comments/Questions	Task Force
Introductory			
Sec. 1. Short title, Table of contents			
Sec. 2. Purposes			
Sec. 3. Definitions			
Title I WORKFORCE DEVELOPMENT ACTIVITIES			
Subtitle A—System Alignment	WIA Section 01-2013 Service Integration		
CHAPTER 1—STATE PROVISIONS			
Sec. 101. State workforce development boards.			Governance
Sec. 102. Unified State plan.		Due March 3, 2016	Governance/Policy
Sec. 103. Combined State plan.			Governance
CHAPTER 2—LOCAL PROVISIONS			
Sec. 106. Workforce development areas.	WIA Section 02-2013 Workforce Investment Act Local Governance	Identify regions	Governance/Regionalism
Sec. 107. Local workforce development boards.	Section 02-2013 Workforce Investment Act Local Governance	Number of required members is reduced; roles added for employer engagement, leveraging non-federal resources, promoting promising practices; three required committees: One-Stop operations, youth services, & individuals with disabilities	Governance/Regionalism
Sec. 108. Local plan.	Section 02-2013 Workforce Investment Act Local Governance	WIOA requires a single, unified State plan covering all core programs authorized under the bill. Term is for 4 years, with 2-year update	Governance
CHAPTER 3—BOARD PROVISIONS			
Sec. 111. Funding of State and local boards.			Governance
CHAPTER 4—PERFORMANCE ACCOUNTABILITY			
Sec. 116. Performance accountability system.		New measures. Shared measures for adults across all core programs. New, shared measures across all youth serving programs authorized under the bill.expands use of UI wage records across all programs; requires coordination of state and federal evaluation efforts; and establishes a new Workforce Information Advisory Council. Add measure to be established by DOL for measuring employer services. state may add additional measures. State may add pay for performance incentives from non-federal funds.	Performance Accountability
Subtitle B—Workforce Investment Activities and Providers			
CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS			
			Policy

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Sec. 121. Establishment of one-stop delivery systems.	WIA Section 03-2013/04-2013 One-Stop Delivery System and One-Stop Certification Process	Add criteria (to be set by WAC) for use by local boards to assess the “effectiveness, physical and programmatic accessibility, and continuous improvement” of American Job Centers at least every three years. Add Second Chance and to required partners and address whether TANF is included. Outline process for one-stop partners to reach a voluntary agreement to fund infrastructure costs; or, if local areas fail to come to an agreement, mandate a State funding mechanism. Outline process for core partners to develop an integrated customer flow that offers people the appropriate mix of services. Eliminate the “sequence of services,” and combine core and intensive services into a new “career services” category	Governance/Policy
Sec. 122. Identification of eligible providers of training services.	WIA Title IB Policy Section 02-600 (ETPL)	ETPL policies promote career pathways (including integrated or contextualized ABE, ESL, and occupational training); industry or sector partnership (local WIBs are required to “convene, use, or implement” sector partnerships); and an increased focus on the attainment of industry-recognized certificates and credentials linked to in-demand occupations	Policy
Sec. 123. Eligible providers of youth workforce investment activities.	Currently working on the WIA Title IB Youth Policy		Policy
CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES	Currently working on the WIA Title IB Youth Policy	New allowance for sole-source procurement if insufficient providers to compete. Allows for pay-for-performance contracts.	Policy
Sec. 126. General authorization.			Policy
Sec. 127. State allotments.			Policy
Sec. 128. Within State allocations.			Policy
Sec. 129. Use of funds for youth workforce investment activities.	Currently working on the WIA Title IB Youth Policy	Amended eligibility criteria: OSY aged 16-24. ISY additional barriers. Expanded menu of services for Youth. At least 20% of funds have to be used for work experience. Increased proportion to be used for OSY	Policy
CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES			Policy
Sec. 131. General authorization.			Policy
H. R. 803—2			Policy
Sec. 132. State allotments.			Policy
Sec. 133. Within State allocations.			Fiscal / Policy

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Sec. 134. Use of funds for employment and training activities.	WIA Title IB Policy Section 100 Adult Program and Section 200 Dislocated Workers. In progress: Section 400 Training.	Policies promote career pathways (including integrated or contextualized ABE, ESL, and occupational training); industry or sector partnership; and an increased focus on the attainment of industry-recognized certificates and credentials linked to in-demand occupations. Priority for individuals on public assistance, other low-income individuals, and people who are basic-skills deficient. Local board can reserve 20 percent of funds for incumbent worker training.	Policy
CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS			Governance/Fiscal
Sec. 136. Authorization of appropriations.			Governance/Fiscal
Subtitle C—Job Corps			
Sec. 141. Purposes.		Federal policies - states do not make policies but we may need state/local policies to complement these	
Sec. 142. Definitions.			
Sec. 143. Establishment.			
Sec. 144. Individuals eligible for the Job Corps.			
Sec. 145. Recruitment, screening, selection, and assignment of enrollees.			
Sec. 146. Enrollment.			Policy
Sec. 147. Job Corps centers.			Governance/Policy
Sec. 148. Program activities.			Policy
Sec. 149. Counseling and job placement.			Policy
Sec. 150. Support.			Policy
Sec. 151. Operations.			Policy
Sec. 152. Standards of conduct.			Policy
Sec. 153. Community participation.			Policy
Sec. 154. Workforce councils.			Governance
Sec. 155. Advisory committees.			Governance
Sec. 156. Experimental projects and technical assistance.			Governance
Sec. 157. Application of provisions of Federal law.			Governance
Sec. 158. Special provisions.			Governance
Sec. 159. Management information.			Governance/Performance
Sec. 160. General provisions.			Governance
Sec. 161. Job Corps oversight and reporting.			Governance
Sec. 162. Authorization of appropriations.			Governance
Subtitle D—National Programs			
Sec. 166. Native American programs.			Policy
Sec. 167. Migrant and seasonal farmworker programs.			Policy
Sec. 168. Technical assistance.			Policy
Sec. 169. Evaluations and research.			Policy
Sec. 170. National dislocated worker grants.			Policy
Sec. 171. YouthBuild program.			Policy
Sec. 172. Authorization of appropriations.			Policy

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Subtitle E—Administration			
Sec. 181. Requirements and restrictions.			Fiscal/Governance/Policy
Sec. 182. Prompt allocation of funds.			Fiscal/Governance/Policy
Sec. 183. Monitoring.			Fiscal/Governance/Policy
Sec. 184. Fiscal controls; sanctions.			Fiscal/Governance/Policy
Sec. 185. Reports; recordkeeping; investigations.			Fiscal/Governance/Policy
Sec. 186. Administrative adjudication.			Fiscal/Governance/Policy
Sec. 187. Judicial review.			Fiscal/Governance/Policy
Sec. 188. Nondiscrimination.			Fiscal/Governance/Policy
Sec. 189. Secretarial administrative authorities and responsibilities.			Fiscal/Governance/Policy
Sec. 190. Workforce flexibility plans.			Fiscal/Governance/Policy
Sec. 191. State legislative authority.			Fiscal/Governance/Policy
Sec. 192. Transfer of Federal equity in State employment security agency real property to the States.			Fiscal/Governance/Policy
Sec. 193. Continuation of State activities and policies.			Fiscal/Governance/Policy
Sec. 194. General program requirements.			Fiscal/Governance/Policy
Sec. 195. Restrictions on lobbying activities.			Fiscal/Governance/Policy
TITLE II—ADULT EDUCATION AND LITERACY			
Sec. 201. Short title.	Same		Policy/Governance/Fiscal
Sec. 202. Purpose.	Very similar		Policy/Governance/Fiscal
Sec. 203. Definitions.	Similar	Definition of integrated education and training	Policy/Governance/Fiscal
Sec. 204. Home schools.			Policy/Governance/Fiscal
Sec. 205. Rule of construction regarding postsecondary transition and concurrent enrollment activities.	Existing policy is unclear	WIOA makes it clear that co-enrollment in adult ed and college is appropriate	Policy Performance Accountability
Sec. 206. Authorization of appropriations.		Contains annual increases- still depends on appropriation	Fiscal/Governance/Policy
Subtitle A—Federal Provisions			
Sec. 211. Reservation of funds; grants to eligible agencies; allotments.			Fiscal/Governance/Policy
Sec. 212. Performance accountability system.	Performance measures: employment, enter postsec, obtain secondary diploma, advance academic level; required use of approved standardized pre/post assessment; levels negotiated each year	WIOA refers to Performance Measures in Title 1, Section 116; adds earnings to employment measures; adds employment/ps to obtain secondary diploma; levels are still negotiated each year	Performance Accountability
Subtitle B—State Provisions			
Sec. 221. State administration.			Policy/Governance/Fiscal
Sec. 222. State distribution of funds; matching requirement.			Policy/Governance/Fiscal
Sec. 223. State leadership activities.	WIA policies identify allowable SL activities	WIOA has REQUIRED activities plus additional allowable	Governance/Policy
Sec. 224. State plan.	Adult Education State Plan	WIOA requires adult education in Unified or Combined State Plan; plan includes AEFLA specific elements	Governance/Policy

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Sec. 225. Programs for corrections education and other institutionalized individuals.			Policy
Subtitle C—Local Provisions			
Sec. 231. Grants and contracts for eligible providers.			Policy
Sec. 232. Local application.			Policy
Sec. 233. Local administrative cost limits.			Policy
Subtitle D—General Provisions			
Sec. 241. Administrative provisions.			Governance/Fiscal
Sec. 242. National leadership activities.			Governance/Fiscal
Sec. 243. Integrated English literacy and civics education.	EL/Civics funded separately		Policy/Governance
TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT			
Sec. 301. Employment service offices.	Employment Service (ES) Policy Manual	No changes to policy needed. ES Policy currently refers to employment service offices rather than employment offices. Changes the term “employment offices” to “employment <i>service</i> offices.” ES Policy currently refers to employment service offices rather than employment offices.	Policy/Governance
Sec. 302. Definitions.	ES Policy Manual	Language and definitions in policy may need to be updated.	Policy
Sec. 303. Federal and State employment service offices.	(Wagner-Peyser Act Section 3(c)(2)), (Wagner-Peyser Act Section 3(c)(4)), (Wagner-Peyser Act Section 3(c)(4)(d))	Will need to add to policy once best practices are disseminated. - Policy will be needed to enhance staff development in the area of providing a broad range of career guidance. - Regarding co-location: Will affiliated ES offices still be allowable as described in 20 CFR 652.202? If not, policy revision required. - State policy will be needed to describe the national electronic tools that will be developed.	Policy/Governance
Sec. 304. Allotment of sums.			Policy
Sec. 305. Use of sums.	ES Policy Manual; WIA Fiscal Policy in development	Policy will need to be revised to describe new requirements for UI Claimants. - What is meant by “eligibility assessments”? - Are these provisions required for all UI claimants or only those who are a part of REA/RES programs? Will need to examine if this applies to only those claimants who seek out services or if a requirement will be in place for claimants to seek services.	Policy/Fiscal
Sec. 306. State plan.		ES is currently included in state plan. Will need to review requirements described in section 102-103 of WIOA.	Policy/Governance

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Sec. 307. Performance measures.	ES Policy	Will need to revise policy to align ES performance measures with new WIOA Performance Accountability Measures.	Performance Accountability
Sec. 308. Workforce and labor market information system.			Labor Market Analysis
TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973			
Subtitle A—Introductory Provisions	Federal Level Policies		
Sec. 401. References.			Governance
Sec. 402. Findings, purpose, policy.			Governance
Sec. 403. Rehabilitation Services Administration.			Governance
Sec. 404. Definitions.			Governance
Sec. 405. Administration of the Act.			Governance
Sec. 406. Reports.	State Plan for VR and Supported Employment (SE) - annual report due on 6/30 RSA 911 (programmatic data) - annual report due on 9/30 RSA 2 (fiscal report) - annual report due on 12/31 RSA 704 (Independent Living) - annual report due 12/31 RSA 70B (Independent Living Older Blind) - annual report due on 12/31 State Plan for Independent Living - Triennial report due 10/1 RSA 15 (Business Enterprise Program) annual report due on 12/31		Governance
Sec. 407. Evaluation and information.			Governance
Sec. 408. Carryover.			Governance
Sec. 409. Traditionally underserved populations.			Governance
Subtitle B—Vocational Rehabilitation Services	34 CFR 361		
Sec. 411. Declaration of policy; authorization of appropriations.	Only Designated State Agency has authority to spend dollars Arizona is a "combined agency" serving all individuals including those individuals with blind/visual impairments (other states have 2 separate agencies, one agency dedicated to serving only individuals with blind/visual impairment)		Policy
Sec. 412. State plans.	Due annually by 6/30		Policy/Governance

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Sec. 413. Eligibility and individualized plan for employment.	Only qualified AZRSA staff are allowed to make eligibility and service provision decisions Federal mandated to determine eligibility within 60 days of signed/dated application State level policy that IPE must be completed within 120 days of eligibility determination	Federal policy now that IPE must be completed within 90 days of eligibility determination	Policy
Sec. 414. Vocational rehabilitation services.	Only VR staff can plan and authorize VR services		Policy
Sec. 415. State Rehabilitation Council.	Federally mandated partners with prescribed number and type of members on council	Changes to council members	Governance/Policy
Sec. 416. Evaluation standards and performance indicators.	7 performance indicators - usually required to 1. # of clients who achieved an employment outcome - performance level 55.8% 2. % of clients who exited program who achieved an employment outcome - performance level 55.8% 3. % of clients who exited program who achieved competitive wages - performance level 72.6% 4. % of clients who were identified as having a significant disability - performance level 62.4% 5. ratio of clients who earned a wage similar to the average hourly wage of the state - performance level .52 6. # of individuals who exited the program who reported that their wage earning were the largest single source of support - performance level 53.0 7. % of individuals with a minority background who exited the program and who received services - performance level .80		Performance Accountability
Sec. 417. Monitoring and review.	Federally monitored every 3-5 years; internal review processes		Performance Accountability
Sec. 418. Training and services for employers.	No current policies		Staff Development
Sec. 419. State allotments.	Formulary grant - requires state to provide 21.3% and federal government matches at 78.7%		Governance/Fiscal
Sec. 420. Payments to States.	Annual grants - open for 2 years		Governance/Fiscal
Sec. 421. Client assistance program.	Federally mandated program; third party; assist clients with appeal and advocacy; must offer this program and make available contact information to clients throughout the process		Policy

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Sec. 422. Pre-employment transition services.	No current policies	Currently operate 22 different contracts with school districts statewide to provide pre-employment services to transition age students	Governance
Sec. 423. American Indian vocational rehabilitation services.	Currently have 6 MOU's local 121 American Indian Tribes; work cooperatively outside of MOU's with other tribes		Governance
Sec. 424. Vocational rehabilitation services client information.	Can only share information in connection with the provision of services; may not share 3rd party information		Governance
Subtitle C—Research and Training	Federal Level Policies		
Sec. 431. Purpose.			Policy
Sec. 432. Authorization of appropriations.			Policy/Fiscal
Sec. 433. National Institute on Disability, Independent Living, and Rehabilitation Research		moving to HHS	Policy
Sec. 434. Interagency committee.			Policy/Governance
Sec. 435. Research and other covered activities.			Policy/Governance
Sec. 436. Disability, Independent Living, and Rehabilitation Research Advisory Council		moving to HHS	Policy/Governance
Sec. 437. Definition of covered school.			Policy/Fiscal
Subtitle D—Professional Development and Special Projects and Demonstration	Federal Level Policies		
Sec. 441. Purpose; training.			Staff Development
Sec. 442. Demonstration, training, and technical assistance programs.			Staff Development
Sec. 443. Migrant and seasonal farmworkers; recreational programs.			Staff Development
Subtitle E—National Council on Disability	Federal Level Policies		
Sec. 451. Establishment.			Governance
Sec. 452. Report.			Governance
Sec. 453. Authorization of appropriations.			Governance
Subtitle F—Rights and Advocacy	Federal Level Policies		
Sec. 456. Interagency Committee, Board, and Council.			Governance
Sec. 457. Protection and advocacy of individual rights.			Governance/Policy
Sec. 458. Limitations on use of subminimum wage.			Policy
Subtitle G—Employment Opportunities for Individuals With Disabilities	Federal Level Policies		
Sec. 461. Employment opportunities for individuals with disabilities.			Policy
Subtitle H—Independent Living Services and Centers for Independent Living	34 CFR 364		
CHAPTER 1—INDIVIDUALS WITH SIGNIFICANT DISABILITIES			Policy
SUBCHAPTER A—GENERAL PROVISIONS			Policy
Sec. 471. Purpose.			Policy
Sec. 472. Administration of the independent living program.	Only Designated State Agency has authority to spend dollars; must be approved in State Plan for Independent Living		Policy

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Sec. 473. Definitions.			Policy
Sec. 474. State plan.	Due annually by 12/31		Governance
Sec. 475. Statewide Independent Living Council.	Federally mandated with prescribed membership		Governance
Sec. 475A. Responsibilities of the Administrator.	Receive, account for, and disperse funds	This may change if the Statewide Independent Living Council (SILC) chooses a different Designated State Entity. WIOA offers them this opportunity.	Governance
SUBCHAPTER B—INDEPENDENT LIVING SERVICES	Coordinate with other state programs		Policy
Sec. 476. Administration.			Policy
SUBCHAPTER C—CENTERS FOR INDEPENDENT LIVING			Policy
Sec. 481. Program authorization.			Policy
Sec. 482. Centers.	Currently 6 CILS in AZ		Policy
Sec. 483. Standards and assurances.			Policy
Sec. 484. Authorization of appropriations.			Policy
CHAPTER 2—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND			Policy
Sec. 486. Independent living services for older individuals who are blind.	55+ with visual impairment		Policy
Sec. 487. Program of grants.			Policy
Sec. 488. Independent living services for older individuals who are blind authorization of appropriations			Policy
Subtitle I—General Provisions	Federal Level Policies		
Sec. 491. Transfer of functions regarding independent living to Department of Health and Human Services, and savings provisions.			Policy
Sec. 492. Table of contents.			Policy
TITLE V—GENERAL PROVISIONS			
Subtitle A—Workforce Investment			Fiscal
Sec. 501. Privacy.			Fiscal
Sec. 502. Buy-American requirements.			Fiscal
Sec. 503. Transition provisions.			Fiscal
Sec. 504. Reduction of reporting burdens and requirements.			Fiscal
Sec. 505. Report on data capability of Federal and State databases and data exchange agreements.			Fiscal
Sec. 506. Effective dates.			Fiscal
Subtitle B—Amendments to Other Laws			Fiscal
Sec. 511. Repeal of the Workforce Investment Act of 1998.			Fiscal
Sec. 512. Conforming amendments.			Fiscal
Sec. 513. References.			Fiscal