SIDE-BY-SIDE COMPARISON of OCCUPATIONAL TRAINING and ADULT EDUCATION & FAMILY LITERACY PROVISIONS in the

WORKFORCE INVESTMENT ACT (WIA)

and the

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

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Side-by-Side Comparison of Occupational Training and Adult Education & Family Literacy Provisions in the Workforce Investment Act (WIA) and the Workforce Innovation and Opportunity Act (WIOA)[1]

In July 2014, the Workforce Innovation and Opportunity Act (WIOA), legislation reauthorizing the Workforce Investment Act (WIA), was signed into law. The legislation, authored by Senators Murray (D-WA), Harkin (D-IA), Alexander (R-TN), and Isakson (R-GA), along with Representatives Kline (R-MN), Foxx (R-NC), Miller (D-CA), and Hinojosa (D-TX) was passed by both the House and the Senate on an overwhelmingly bipartisan basis.

WIOA is the product of lengthy "pre-conference" negotiations between the House Committee on Education & the Workforce and the Senate Health, Education, Labor and Pensions (HELP) committee. The new law maintains the basic structure of WIA (i.e., an occupational training title; an adult basic education [ABE], literacy and English language acquisition [ESL] title; Wagner-Peyser; and Vocational Rehabilitation), and does not create a single block grant or otherwise consolidate current funding streams.

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

- WORKFORCE INVESTMENT BOARDS (WIBS). WIOA generally maintains the current structure of state and local workforce boards, continuing to require a business majority and chair. However, the number of required members is reduced.
- STATE AND LOCAL PLANS. WIOA requires a single, unified State plan covering all core programs authorized under the bill. The plan must describe the State's overall strategy for workforce development and how the strategy will meet identified skill needs for workers, job seekers and employers. Local plans must be aligned to the strategy described in the State plan, and must describe how services provided at the local level will be aligned to regional labor market needs.
- PERFORMANCE MEASURES. WIOA creates a single set of common measures for adults across all core programs authorized under the bill, including both occupational training and adult education programs, and a similar set of common measures across all youth serving programs authorized under the bill. Adult measures include: unsubsidized employment; median earnings; receipt of a secondary diploma or recognized postsecondary credential; measurable skills gains toward a credential or employment; and employer engagement.
- AMERICAN JOB CENTERS (ONE-STOP CENTERS). WIOA requires State boards to establish criteria for use by local boards to assess the "effectiveness, physical and programmatic accessibility, and continuous improvement" of American Job Centers at least every three years. The bill maintains current requirements for mandatory one-stop partners to reach a voluntary agreement to fund infrastructure costs; however, if local areas fail to come to an agreement, a State mandated funding mechanism may be imposed upon those local areas.
- EMPLOYMENT AND TRAINING ACTIVITIES. WIOA codifies the elimination of the original "sequence of services," and combines core and intensive services into a new "career services" category. The bill signals to states and local areas an interest in seeing a number of existing best practices adopted or expanded, including: career pathways (including integrated or contextualized ABE, ESL, and occupational training); industry or sector partnership (local WIBs are required to "convene, use, or implement" sector partnerships); and an increased focus on the attainment of industry-recognized certificates and credentials linked to in-demand occupations.
- STATE-WIDE SET ASIDE (I.E. GOVERNOR'S SET ASIDE). WIOA restores the state-wide set-aside to 15 percent.
- FUNDING LEVELS. Unlike current law, which simply specifies "such sums as necessary," WIOA includes specific funding levels for each fiscal year (FY) 2015 through 2020 for the WIA Youth, Adult, and Dislocated Worker programs. Funding levels in FY 2015 are consistent with levels established under the Bipartisan Budget Act, which means that the programs would be funded at post-sequester levels. Funding levels are increased each year, and generally reach FY 2010 levels by FY 2017. However, it is important to understand that these are just authorization levels and actual funding levels will continue to be determined through the annual appropriations process. Unless Congress takes steps to undo the existing budget caps and mandatory cuts under sequestration, it is extremely unlikely that programs will be fully funded at these authorized levels.
- DATA AND ACCOUNTABILITY ISSUES. WIOA includes a revised performance system, making all programs accountable for the same core metrics. The bill also adds requirements for performance reporting, expands use of UI wage records across all programs; requires coordination of state and federal evaluation efforts; and establishes a new Workforce Information Advisory Council.

[1] The analysis addresses a number of key provisions within the laws but is not exhaustive.

Side-by-Side Comparison of Title I: Occupational Training Provisions

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
State Boards	
MEMBERSHIP— • Governor • Two members of each chamber of the state legislature, and • Representatives appointed by the governor, including: » Business representatives » Chief elected officials (representing both cities and counties where appropriate) » Labor representatives » Youth organization representatives » Representatives of individuals and organizations with experience and expertise in the delivery of workforce investment activities including chief executive officers of community colleges and community based organizations » Lead state officials of mandatory partner agencies » Other representatives and state agency officials that the governor may designate • Members must represent diverse regions of the state and a majority must be business representatives • State may use an alternative entity as a state board if it was in existence on December 31, 1997; was established under JTPA or is substantially similar to a state board required under WIA	MEMBERSHIP— • Governor • One member of each chamber of the state legislature • Representatives appointed by the governor, including: » Employers, representatives of business or trade associations (must be majority of board) » Representatives of workforce in the state (must be at least 20 percent of board), including: » Required: labor representatives, representatives of a joint labor-management partnership or apprenticeship program; and » Permissible: representatives of community-based organizations serving individuals with barriers to employment, and youth organization representatives • Lead state officials of agencies responsible for core programs • Chief elected officials • Other representatives and state agency officials the governor may designate • Maintains geographic diversity requirement • Prohibits representation of multiple categories • Authorizes governor to select chairperson
State Board Function	
FUNCTIONS— • Development of the state plan • Development of continuous improvement of statewide activities, including linkages to assure coordination and non-duplication of activities and review of local plans • Commenting at least once annually on Perkins performance measures • Designation of local areas • Development of adult and youth allocation formulas • Development and continuous improvement of comprehensive state performance measures • Preparation of annual report to DOL • Development of statewide employment statistics system under the Wagner-Peyser Act • Development of application for incentive grants	FUNCTIONS— • Development of the state plan • Review of statewide policies and programs and development of recommendations on actions state should take to align core and other programs in a manner that supports a comprehensive system, including the review and provision of comments on state plans for activities and programs of one-stop partners that are not core programs • Development of guidance for the implementation and continuous improvement of the workforce development system (addressing alignment, career pathways, sector partnerships, coordination between states and local areas, identification of regions, technical assistance, case management information systems) • Development and updating of comprehensive state performance accountability measures, including state adjusted levels of performance • Identification and dissemination of best practices • Development and review of statewide policies affecting the coordinated provision of services through the one-stops • Development of strategies for technological improvements • Development of allocation formulas for distribution of formula funds to local areas • Preparation of annual reports • Development of statewide workforce and labor market information system

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Unified State Plan	
TERM—Requires a state plan that outlines a five-year strategy for the statewide workforce investment system. CONTENTS OF PLAN— • Description of the state board • Description of the state-imposed requirements • Description of the state performance accountability system • Description of the needs of the state regarding current and projected employment opportunities, the job skills necessary to obtain such employment, skills and economic development needs of the state, and the type and availability of workforce investment activities in the state • Identification of local areas • Identification of criteria to be used to appoint local board members • Detailed plans required under section 8 of the Wagner-Peyser Act • Description of action the state will take to assure coordination of and avoid duplication between WIA and other programs • Description of common data collection and reporting processes • Description of the public comment and input process • Information regarding leveraging of resources • Assurances of fiscal control and fund accounting procedures to ensure the proper disbursement of funds • Description of the methods and factors state will use to distribute funds to local areas • Description of state strategy for assisting local areas in development and implementation of one-stop delivery system • Description of the appeals process • Description of the competitive process for grants and contracts • Description of adult and dislocated worker training activities to be provided, rapid response activities, procedures the local boards will use to identify eligible providers of training services (other than for on-the-job training and customized training) • Lists of special populations for which plan must specify how service needs will be met • Description of the state strategy for providing youth activities, criteria local boards will use in awarding grants to youth providers, how the state will coordinate youth activities with Job Corps and the youth opportunity grant activities	TERM—Requires single four-year plan covering the core programs. CONTENTS OF PLAN— • Strategic Planning Elements: an analysis of economic conditions in the state; analysis of the workforce in the state, including educational and skill levels; analysis of workforce development activities in the state; a description of the state's strategic vision and goals for preparing an educated and skilled workforce; and a strategy for aligning core programs and other resources • Operational Planning Elements: » Implementation of state strategy: (including descriptions of activities that will be funded and aligned; how activities will be aligned with other core and non-core program activities; how community and technical colleges will be engaged; how activities will be coordinated with economic development strategies; and how strategy will improve access to activities leading to a recognized postsecondary credential); » State operating systems and policies (including descriptions of the state board, including activities to assist board members in staff in carrying out board functions; how core and other one-stop partner programs will be assessed; the results of an assessment of the core and other one-stop partner programs in the preceding 2 year period; methods and factors state will use to distribute funds to core programs; how lead state agencies will align and integrate workforce education data and measure progress; how state will implement veterans' priority of service; and how one-stop system will comply with the ADA) » Program-specific requirements (including a description of state policies or guidance; local areas and process for designation; appeals process for designation and infrastructure funding; criteria local boards must use to award youth funding; how eligible agencies will align adult education standards with state academic content standards; how state will fund local adult education activities; how agency will assess quality of adult education providers); and » Assurances (including that state has established quality control and administrative policies)

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
State Unified Plan/Combined State Plan	
STATE UNIFIED PLAN—Permits state to develop and submit a state unified plan in lieu of separate plans for all of the programs or activities covered in the state unified plan. • State unified plan must cover: secondary (with approval from the state legislature) and postsecondary programs under the Carl D. Perkins Act and Title I and II activities • State unified plan may also cover: SNAP E&T programs; Trade Adjustment Assistance activities; programs authorized under the Wagner-Peyser Act; programs authorized under Title I of the Rehabilitation Act of 1973; VETS programs; UI programs; TANF block grant programs; SCSEP programs; CDBG authorized programs; and CSBG authorized programs • Programs in the state unified plan are subject to the requirements applicable to a plan or application for assistance under the federal authorizing program authorizing the activity or program	COMBINED STATE PLAN—Permits state to develop and submit a combined state plan for the core programs and one or more of the following programs in lieu of submitting multiple plans: Carl D. Perkins Act programs; TANF block grant programs; SNAP E&T programs; Trade Adjustment Assistance activities; VETS programs; UI programs; SCSEP programs; CDBG authorized programs; CSBG authorized programs • Core programs covered by the combined plan are still subject to the requirements of the state unified plan
Local Workforce Investment Areas/Local Workforce Development Areas[2]	
DESIGNATION OF AREAS—Requires governor in designating local workforce investment areas to consider: • Geographic areas served by local and intermediate educational agencies • Geographic areas served by postsecondary and area vocational educational schools; • The extent to which such local areas are consistent with labor market areas • The distance individuals will need to travel to receive services • The resources of such local areas to effectively administer workforce investment activities OTHER MEANS OF DESIGNATION—Provides for automatic designation of local areas, temporary and subsequent designation, and designation on recommendation of the state board. REGIONAL PLANNING—Permits state to designate the state as a single state local area and permits state to require regional planning by local boards for a designated region in the state.	REGIONS—Requires state to identify regions in consultation with local boards and chief elected officials in local areas. LOCAL AREAS—Requires governor to designate local areas in consultation with the state board, chief elected officials and local boards. Governor must consider: • Extent to which the areas are consistent with labor market areas • The extent to which the areas are consistent with regional economic development areas • Whether the areas have the necessary federal and non-federal resources to administer employment and training activities • Permits automatic designation of existing local areas • Governor may approve request of any unit of general local government for designation if state board recommends designation • State must provide redesignation assistance REGIONAL COORDINATION—Requires local boards and chief elected officials in each planning region to engage in a regional planning process resulting in a regional plan (that incorporates local plans for each area in the planning region), establishment of regional service strategy, the development of sector initiatives for in-demand sectors or occupations in the region, the collection and analysis of regional market data, establishment of administrative cost arrangements, coordination of supportive services, coordination with regional economic development services, and establishment of an agreement on how planning region will negotiate performance accountability measures with governor. SINGLE STATE LOCAL AREAS—Permits previous designation; requires local plan to be submitted as part of the state plan

[2] Designated as "Local Workforce Development Areas" in WIOA.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Local Board	
MEMBERSHIP—Must include representatives of: • Business (majority of members must be business representatives) • Local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy, and postsecondary educational institutions (including representatives of community colleges where such entities exist) • Labor organizations • Community-based organizations (CBO) • Economic development agencies • Each one-stop partner • Other entities the chief local elected official determines appropriate YOUTH COUNCILS—Requires establishment of youth councils as a subgroup of local board to develop portion of local plan relating to youth; recommend providers of youth activities to be awarded grants/contracts, and conduct oversight of providers; coordinate WIA-funded youth activities; and other duties. ALTERNATIVE ENTITIES—Allows alternative entities to be grandfathered in as local boards if they 1) existed as of December 31, 1997 and 2) were established under JTPA or are substantially similar to local boards; and 3) include representatives of business and labor. BOARD FUNCTIONS— • Develop and submit a local plan • Designate or certify one-stop operators • Identify eligible providers of youth activities by awarding grants or contracts on a competitive basis • Identify eligible providers of training services • If the one-stop operator does not provide intensive services, identify eligible providers of intensive services by awarding contracts • Develop a budget • Conduct oversight • Negotiate and reach agreement on local performance measures • Assist the governor in developing the statewide employment statistics system under the Wagner-Peyser Act • Coordinate workforce investment activities with economic development strategies and develop other employer linkages with such activities • Promote the active participation of private sector employers	MEMBERSHIP—Must include representatives of: • Business (majority of members must be business representatives) • The workforce (must include labor and representative of a labor-management apprenticeship program, may include CBOs and organizations serving out-of-school youth) • Local education and training activities (must include representatives of adult education providers, institutions of higher education providing workforce investment activities; may include representatives of local educational agencies and CBOs working with individuals with barriers to employment) • Governmental and economic and community development entities (must include representatives of economic and community development activities, the state employment office, vocational rehabilitation programs; may include agencies administering supportive service programs or philanthropic organizations) STANDING COMMITTEES—Requires board to establish standing committees that assist with operational and other issues relating to the one-stop delivery system, youth services, and individuals with disabilities. BOARD FUNCTIONS—Maintains existing functions but adds requirements relating to employer engagement, leveraging non-federal resources, and leading efforts to develop career pathways and promote other proven and promising practices (including the establishment of industry or sector partnerships).

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Local Plan	
PLAN TERM—Requires a comprehensive five-year local plan developed by the local board in partnership with appropriate chief elected official. PLAN CONTENTS— • Identification of the local workforce investment needs of businesses, jobseekers, and workers, the current and projected employment opportunities, and the job skills necessary to obtain such employment opportunities • Description of the one-stop system, including how the local board will ensure the continuous improvement of the eligible providers of services, and a copy of each memorandum of understanding (MOU) between the local board and each one-stop partner • Description of the local levels of performance • Description and assessment of the type and availability of adult and dislocated worker employment and training activities in the area • Description of how the local board will coordinate workforce activities with statewide rapid response activities • Description of the type and availability of youth services • Description of the process for public input and comment on the local plan prior to submission • Identification of the entity responsible for the disbursal of grant funds • Description of the competitive process to be used to award grants • Other such information as the governor may require	PLAN TERM—Four year plan term. Local board must review every two years and submit modifications to reflect changes in the labor market and economic conditions. PLAN CONTENTS—In addition to requirements under WIA, must include descriptions of: • Strategic planning elements • Workforce development system in the local area • How local board will expand access to employment, training, education and supporting services • The strategies and services that will be used to facilitate employer engagement; meet the needs of business; better coordinate programs and economic development; and strengthen linkages between one-stop delivery system and UI • How local board will coordinate education and workforce activities with secondary and postsecondary programs • Plans to maximize coordination of services provide by the state employment service • How board will coordinate with adult education and literacy programs • How one-stop centers are implementing and transitioning into an integrated, technology-enabled intake and case management information system

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
State Performance Accountability System	
CORE INDICATORS—[3] • Adults and Older Youth (19-21) » Entry into unsubsidized employment » Retention in unsubsidized employment six months after employment entry » Earnings change six months after entry into unsubsidized employment » Credential rate among those who enter into unsubsidized employment » Excludes individuals who participate in only self-service and informational activities • Dislocated Workers » Same as adult indicators except that earnings replacement rate at six months is measured, rather than earnings change. • Core Indicators for Younger Youth (14-18)— » Attainment of basic skills and work readiness or occupational skills » Attainment of high school diplomas and their recognized equivalents » Placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment, or qualified apprenticeships • Customer satisfaction indicators » Customer satisfaction of employers and participants STATE ADJUSTED LEVELS OF PERFORMANCE—Set for first three years; adjusted levels for fourth and fifth years set prior to fourth year. Adjustment factors: • Extent to which levels will assist state in attaining high level of customer satisfaction • How levels compare with adjusted levels of other states taking into account factors including differences in economic conditions, participant characteristics at entry, and services to be provided • Extent to which levels promote continuous improvement in performance and ensure optimal return on investment of federal funds	CORE INDICATORS FOR TITLE I, TITLE II, TITLE III, AND TITLE IV PROGRAMS— • The percentage of participants in unsubsidized employment during second quarter after exit • Percentage of program participants in unsubsidized employment during the fourth quarter after exit • Median earnings of participants in unsubsidized employment during second quarter after exit • Percentage of participants who obtain a recognized postsecondary credential, secondary school diploma or equivalent during participation or within one year after program exit • Percentage of participants who during a program year are in education that leads to a recognized postsecondary credential or employment and who are achieving measurable gains towards those goals • Indicators of effectiveness in serving employers PRIMARY INDICATORS FOR YOUTH— • Percentage of program participants who are in education or training activities, or in unsubsidized employment during second quarter after exit • Percentage of participants who are participating in education or training activities or in unsubsidized employment during fourth quarter after exit • Median earnings of participants in unsubsidized employment during second quarter after exit • Percentage of participants who obtain a recognized postsecondary credential, secondary school diploma or equivalent during participation or within 1 year after program exit • Percentage of participants who during a program year are in education that leads to a recognized postsecondary credential or employment and who are achieving measurable gains towards those goals • Indicators of effectiveness in serving employers INDICATOR RELATING TO CREDENTIAL—Participants who have earned a credential shall only be included in the percentage counted as meeting the criteria of they have obtained or retained employment or are in an education or training program leading to a recognized credential within one year of exit. OTHER INDICATORS—Requires secretaries of Labor and Education to establish one or more primary indicators of performance that indicate the effectiveness in serving employers. Permits state to identify additional measures in state plan. STATE ADJUSTED LEVELS OF PERFORMANCE—Set for the first two years; adjusted levels for third and fourth years prior to third year. DEFINITIONS OF INDICATORS OF PERFORMANCE—Requires DOL and DoEd to issue definitions for performance indicators.

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

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Local Performance Accountability Measures	
Local performance measures consist of the same core indicators and customer satisfaction indicators required for states.	Core indicators are the same as state indicators; local areas negotiate local levels of performance with governor, chief elected official.
Evaluation, Sanctions and Performance Reports	
SANCTIONS FOR STATE FAILURE TO MEET PERFORMANCE MEASURES—If a state fails to meet state adjusted levels of performance relating to core and customer satisfaction indicators for a program for any program year, the secretary shall upon request provide technical assistance. If such failure continues for a second consecutive year, the secretary may reduce the following year's grant award by up to 5 percent. Such penalty will be based on the degree of failure to meet state adjusted levels of performance. SANCTIONS FOR LOCAL FAILURE TO MEET PERFORMANCE MEASURES—If a local area fails to meet levels of performance in relation to core and customer satisfaction indicators, the governor, or upon request of the governor, the secretary, shall provide technical assistance. If such failure continues for a second year, the governor shall take corrective actions, which may require appointment of a new local board, prohibit use of eligible providers and one-stop partners identified as achieving a poor level of performance, or take other such actions as the governor determines are appropriate.	Essentially maintains language in WIA relating to evaluation of state programs, fiscal and management accountability systems, and state and local failure to meet performance measures. PERFORMANCE REPORTS— • Requires DOL and DoEd to develop performance report templates for use by states, local areas, and eligible providers • State and Local Performance Reports: includes level of performance under accountability measures (including with respect to individuals with barriers to employment disaggregated by subpopulation); total number of participants served by each program (disaggregated); number of participants receiving career and training services and the funds spent on each type of service; number of participants who exited from career and training services; average cost per participant; the percentage of participants who received training services and obtained unsubsidized employment in field related to that training; percentage of state's allotment spent on administrative costs; and number of participants enrolled in more than one program. For local areas implementing pay-for-performance contract strategies: the performance of service providers entering into contracts for such strategies, measured against performance specified in their contracts; and an evaluation of the design of the programs and performance of the strategies, and (where possible) the level of satisfaction with the strategies • Eligible Training Provider Performance Reports: includes levels of performance under accountability measures; total number of individuals exiting in the program of study; the total number of participants served by each adult and dislocated worker program (including number of individuals w/ barriers to employment served, disaggregated); the total number of participants who exited from training services, disaggregated; and the average cost per participant receiving training services PAY-FOR-PERFORMANCE CONTRACT STRATEGY INCENTIVES—Permits governor to use non-federal funds to establish incentives for local boards to implement pay-for-performance contract strategies for training service delivery.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
One-Stop Delivery System: Partners	
REQUIRED PARTNERS— • WIA Title I programs • Wagner-Peyser programs • Adult Education and Literacy programs • Rehabilitation Act programs • Welfare-to-Work • Older Americans Act programs • Perkins postsecondary vocational education activities • Trade Adjustment Assistance and NAFTA-TAA programs • Veterans Employment and Training • Community Service Block Grant employment and training activities • HUD employment and training activities • Unemployment compensation programs RESPONSIBILITIES OF REQUIRED PARTNERS—Required partners must: • Make available to participants through a one-stop system the core services applicable to such program or activity • Participate in the operation of the system consistent with terms of a MOU with the requirements of federal law applicable to the program. ADDITIONAL PARTNERS—May add if local board and chief elected official approve participation: • TANF • Food Stamp employment, training, and work programs • National and Community Service Act programs • Other federal, state, or local programs, including private sector programs MEMORANDUM OF UNDERSTANDING—Requires local board and one-stop partners to enter into an MOU concerning the operation of the one-stop delivery system in the local area, that describes: • The services to be provided through the one-stop delivery system • How the costs of such services and operating costs will be funded • Methods of referral of individuals between the one-stop operator and one-stop partners for services and activities • Duration of the MOU ONE-STOP OPERATORS—Requires local board, with chief elected official to designate or certify one stop operators and to terminate operators for cause. Eligible entities will be designated or certified by a competitive process in accordance with an agreement reached by local board and consortium of entities that at a minimum includes three or more one-stop partners. One stop operators may include: postsecondary institutions, employment service agencies, private nonprofits (including CBOs), private for-profit entities, government agencies, or another interested organization or entity • Includes grandfather provision for pre-WIA one-stops.	REQUIRED PARTNERS— • Partners required under WIA • Second Chance Act programs • TANF (unless the governor makes a written determination to exclude TANF) RESPONSIBILITIES OF REQUIRED PARTNERS—Required partners must: • Make available through the one-stop system the career services applicable to such program or activity • Use a portion of funds available for the program and activities to maintain the one-stop system, including infrastructure costs of one-stop centers • Enter into a local MOU with the local board, relating to the operation of the one-stop system • Participate in the operation of the one-stop system, consistent with the MOU and federal law • Provide representation on the state board ADDITIONAL PARTNERS—With approval of local board and chief elected official: • Employment and training programs administered by the SSA • SNAP and SNAP E&T programs • Client assistance programs • National and Community Service state grants • Other appropriate federal, state or local employment, education and training programs MEMORANDUM OF UNDERSTANDING—Largely maintains requirements under WIA, adding: • Methods to ensure needs of workers and youth (including individuals with barriers to employment) are addressed • Procedure for amending and assurances the MOU will be reviewed once every two years ONE-STOP OPERATORS—Essentially maintains requirements under WIA. Adds new requirement that state and local boards ensure one-stop operators do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Establishment of One-Stop Delivery System	
REQUIRED SERVICES—Providing: • Core services • Access to intensive services and training services • Access to permissible local employment and training activities • Access to programs and activities carried out by one-stop partners • Access to national employment statistics and all job search, placement, and other labor exchange services under the Wagner-Peyser Act SERVICE DELIVERY—The one-stop delivery system: • Must at a minimum make each of these programs, services and activities accessible in not less than one physical center in each local area • May also make programs and services and activities available through a network of affiliated sites and through a network of eligible one-stop partners • May have specialized centers to address special needs (i.e. dislocated workers, youth, key industry sectors)	REQUIRED SERVICES—Essentially maintains requirements under WIA. Consolidates core and intensive services as "career services." SERVICE DELIVERY—Essentially maintains requirements under WIA. CO-LOCATION—Requires employment services offices to be collocated with one-stop centers. CONTINUOUS IMPROVEMENT—In order to be eligible for infrastructure funding, state board must establish objective criteria and processes to assess effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers and the one-stop delivery system, including standards relating to service coordination. INFRASTRUCTURE FUNDING—Local areas may fund infrastructure costs through methods described in the MOU or through a new state infrastructure funding method. • If local areas fail to reach an agreement through MOU, required partner programs most provide the governor with a "covered portion" to assist with one-stop infrastructure costs • Funds provided for "covered portion" may only come from administrative funds • Contributions are capped at: » Three percent of federal funds provided to a state for a fiscal year for WIA youth, adult, and dislocated worker programs and the Employment Service; and » 1.5 percent of federal funds provided to a state for a fiscal year for all other required partners • Federal direct spending programs not required to provide more than the cost of proportionate use of the one-stop centers for the program in the state Requires a portion of federal funds (or non-cash resources) made available to required or additional partners to be used to pay for additional costs for operating the one-stop system that are not covered by infrastructure funds

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Identification of Eligible Providers of Training Services	
ELIGIBILITY—To be eligible to receive funds, provider is required to be: • A postsecondary institution that is eligible to receive federal funds under the Higher Education Act of 1965 and that offers a program that leads to an associate or baccalaureate degree, or certificate • A registered apprenticeship program • Another public or private provider of a program of training services (conditional eligibility) • Providers of on-the-job or customized training shall not be subject to these requirements STATE CRITERIA—Automatic initial eligibility for postsecondary educational institutions and registered apprenticeship programs. For other eligible providers, governor shall establish a procedure for local boards to determine initial eligibility. • In establishing subsequent eligibility procedures, local boards must consider the specific economic, geographic and demographic factors in the local area and the characteristics of the populations served by providers seeking eligibility • Requires training providers to submit information on performance and performance cost and training services information for all participants who received assistance	ELIGIBILITY—Maintains requirements under WIA. STATE CRITERIA— • Governor must consider: » Performance of training providers with respect to performance accountability and other measures » Whether the training programs of such providers relate to in-demand occupations » The need to ensure access to training services throughout the state » Information reported to state agencies with respect to other federal and state training programs, including one-stop partners » Requirements for state licensing of training providers » Ways criteria can encourage providers to use industry recognized certifications » Ability of providers to offer programs leading to recognized postsecondary credentials » Program quality » The ability of providers to provide training to individuals who are employed and those with barriers to employment STATE INFORMATION REQUIREMENTS— • Requires training service provider to submit information to the State, including: information on the performance of the provider with respect to the performance accountability measures; information on recognized postsecondary credentials received by participants; information on cost of attendance; information on program completion rates; and information on state criteria. • Providers may receive initial eligibility for only 1 year for a particular program. LOCAL CRITERIA—Permits local board to establish criteria and information requirements CRITERIA AND INFORMATION REQUIREMENTS TO ESTABLISH INITIAL ELIGIBILITY—Permits providers to seek initial eligibility by providing program-specific information based on criteria established by the state.
Eligible Providers of Youth Activities	
Requires local board to award grants and contracts to eligible providers on a competitive basis based on recommendations of the youth council and the criteria set forth in the state plan and to conduct oversight with respect to providers.	• Requires local board to award grants to providers based on criteria set forth in the state plan, considering the ability of the providers to meet performance accountability measures • Permits local boards to sole-source award grants if it determines there are insufficient providers to award grants on a competitive basis

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
State Allotments for Youth Workforce Investment Activities	
STATE ALLOTMENT FORMULA— • 33 1/3 percent based on relative number of unemployed individuals in areas of substantial unemployment • 33 1/3 percent based on relative excess number of unemployed individuals • 33 1/3 percent based on relative number of disadvantaged youth • Hold harmless and small state minimum provisions • Outlying areas: requires secretary to reserve no more than .25 percent of funds made available for outlying areas • Requires secretary to, in fiscal years in which appropriations for youth activities are equal to or less than $1B, reserve a portion of the amount appropriated for youth opportunity grants (capped at $250M) and youth activities under migrant and seasonal farmworker programs (capped at four percent of funding for youth activities in excess of $1B) • Requires secretary to make funds available for Native American programs	STATE ALLOTMENT FORMULA— • Maintains WIA requirements regarding state formula allotments (adds provision on concentrated employment programs and disadvantaged youth) • Changes hold harmless to require that no state receive less than the greater of either 90 percent of the previous year's allotment or 100 percent of the FY 2014 allotment. Maintains WIA provision on small state minimum. • Maintains WIA requirements regarding minimum and maximum allotment percentages • Requires DOL, in years for which appropriations for youth activities exceeds $925,000,000 to reserve a portion (not more than $10M) for youth activities for migrant and seasonal farmworkers • Caps total allotment for Native American youth workforce investment activities at 1.5 percent • Maintains WIA requirements regarding outlying areas
Within-State Allocations for Youth Activities	
Not more than 15 percent of youth formula funds can be reserved at the state level. Funds allocated to local areas based on each of the three factors used by secretary to determine state allocation. Allows states in lieu of the formula allocation to reserve not less than 70 percent for the formula allocation and use the remainder on the basis of a formula that incorporates additional factors relating to excess youth poverty and unemployment. Limits administrative costs to 10 percent.	Maintains WIA requirements regarding within state allocations.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Youth Activities	
REQUIRED STATEWIDE ACTIVITIES— • Disseminating a list of eligible providers of youth activities • Carrying out same activities described under required adult activities (below) • Providing additional assistance to local areas with high concentrations of eligible youth ALLOWABLE STATEWIDE ACTIVITIES— • Carrying out same activities described as allowable statewide adult activities (below) • Carrying out, on a statewide basis, programs that incorporate local elements and requirements LOCAL ELEMENTS AND REQUIREMENTS— • Provide objective assessment of the academic/skill/service levels and needs of each participant • Develop service strategies for each participant that are directly linked to the indicators of performance and that identify career pathways • Provide activities leading to the attainment of a secondary school diploma or postsecondary credential, preparation for postsecondary opportunities that have strong linkages between academic instruction opportunities, preparing students for unsubsidized learning opportunities, and effective connections to employers • Provide elements consisting of tutoring, alternative secondary school services, summer employment opportunities, internships, occupational skills training, leadership development, supportive services, adult mentoring, follow-up services, and comprehensive guidance and counseling	REQUIRED STATEWIDE ACTIVITIES— • Conducting evaluations of youth investment activities, in coordination with federal evaluations • Disseminating a list of eligible providers of youth activities • Providing assistance to local areas for local coordination • Operating a fiscal management accountability information system • Carrying out monitoring and oversight activities • Providing additional assistance to local areas that have high concentrations of eligible youth ALLOWABLE STATEWIDE ACTIVITIES— • Conducting research and demonstrations relating to meeting the education and employment needs of youth • Supporting the development of alternative, evidence-based programs to enhance choices for eligible youth • Supporting the provision of career services via the one-stop system • Supporting financial literacy • Providing technical assistance LOCAL ELEMENTS AND LOCAL ELEMENTS AND REQUIREMENTS—Essentially maintains WIA requirements. • Adds to program elements under WIA, including: paid and unpaid work experiences, contextualized education, financial literacy education, entrepreneurial skills training, services that provide labor market and employment information in in-demand industry sectors, and services that help youth prepare and transition to postsecondary education and training • Adds provision allowing local board to implement a pay-for-performance contract strategy for the local elements. Allows board to use 10 percent of the funds • Adds requirement that at least 20 percent of funds must be used for paid and unpaid work experiences for in and out of school youth

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
State Allotments for Adult and Dislocated Worker Employment and Training Activities	
ADULT STATE ALLOTMENT FORMULA— • 33 1/3 percent based on relative number of unemployed individuals in areas of substantial unemployment (at least 6.5 percent) • 33 1/3 percent based on relative excess number of unemployed individuals (number above 4.5 percent) • 33 1/3 percent based on relative number of disadvantaged adults • Hold harmless and small state minimum provisions • Requires secretary to reserve not more than ¼ of one percent for outlying areas DISLOCATED WORKER STATE ALLOTMENT— • 33 1/3 percent based on relative number of unemployed individuals • 33 1/3 percent based on relative excess number (number above 4.5 percent) of unemployed individuals • 33 1/3 percent based on relative number of individuals in each state who have been unemployed for 15 weeks or more • 20 percent of funds reserved by secretary for technical assistance, demonstration projects, National Emergency Grants, and assistance to outlying areas APPROPRIATIONS—Such sums as may be necessary for fiscal years 1998-2003.	ADULT STATE ALLOTMENT FORMULA—Maintains WIA requirements. DISLOCATED WORKER STATE ALLOTMENT— • Largely consistent with WIA requirements. Provides for reallocation of unobligated balance of adult or dislocated worker funds. • Provides for minimum (100 percent) and maximum (130 percent) allotment percentages • Requires secretary to reserve .25 percent for assistance in outlying areas. APPROPRIATIONS—Authorized: • Youth workforce investment activities: » 2015: $820,430,000 » 2016: $883,800,000 » 2017: $902,139,000 » 2018: $922,148,000 » 2019: $943,828,000 » 2020: $963,837,000 • Adult employment and training activities: » 2015: $766,080,000 » 2016: $825,252,000 » 2017: $842,376,000 » 2018: $861,060,000 » 2019: $881,303,000 » 2020: $899,987,000 • Dislocated worker employment and training activities: » 2015: $1,222,457,000 » 2016: $1,316,880,000 » 2017: $1,344,205,000 » 2018: $1,374,019,000 » 2019: $1,406,322,000 » 2020: $1,436,137,000

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Within-State Allocations for Adult and Dislocated Worker Employment and Training Activities	
ADULT ACTIVITIES— • Requires governor to reserve not more than 15 percent of adult, dislocated worker, and youth funds for statewide workforce investment activities • Requires governor to reserve not more than 25 percent of allotment for statewide rapid response activities • Formula allocation for within-state adult activities is identical to statewide formula allocation • Provides states the option to disburse 70 percent of allocation in accordance with formula and allocating the remaining portion incorporating additional factors such as excess poverty or unemployment. DISLOCATED WORKER ACTIVITIES— • Requires state to allocate funds according based on allocation formula prescribed by the governor • Allows governor to reserve 15 percent of funds for statewide workforce investment activities and an additional 25 percent for statewide rapid response activities • Provides governor with transfer authority to move up to 20 percent of funds between adult and dislocated worker programs	ADULT ACTIVITIES—Essentially maintains WIA provisions. • Requires governor to reserve not more than 15 percent of adult, dislocated worker, and youth funds for statewide workforce investment activities • Adds provision clarifying that allocation should be used to contribute to the cost of the one-stop delivery system and to provide employment and training services. • Adds provision increasing amount available for reallocation from 10 percent to 20 percent (available from the prior year allocation). DISLOCATED WORKER ACTIVITIES—Essentially maintains WIA provisions. Amends provision regarding transfer authority to allow the governor to move up to 100 percent of funds between adult and dislocated worker programs. • Adds provision clarifying that allocation should be used to contribute to the cost of the one-stop delivery system and to provide employment and training services. • Adds provision increasing amount available for reallocation from 10 percent to 20 percent (available from the prior year allocation).
Statewide Activities for Adults and Dislocated Workers	
REQUIRED STATEWIDE ACTIVITIES— • Statewide rapid response activities • Disseminating state list of eligible providers, performance and program cost information • Conducting evaluations • Providing incentive grants to local areas for regional cooperation, local coordination of activities, and exemplary performance on local performance measures • Providing technical assistance to local areas that fail to meet local performance measures • Assisting in the establishment and operation of one-stop delivery systems • Operating a fiscal and management accountability information system ALLOWABLE STATEWIDE ACTIVITIES— • Not more than five percent can be used for administrative activities • Providing capacity building and technical assistance • Research and demonstrations • Innovative incumbent worker training programs • Programs targeted to empowerment zones and enterprise communities • Programs to increase the number of individuals training for and placed in non-traditional employment • Other activities	REQUIRED STATEWIDE ACTIVITIES— • Statewide rapid response activities • Building capacity by providing assistance to state entities and agencies, local areas, one-stop partners and operators for a range of activities • Operating a fiscal and management accountability system • Carrying out monitoring and oversight activities • Disseminating state list of eligible providers • Conducting evaluations ALLOWABLE STATEWIDE ACTIVITIES— • Implementing innovative programs and strategies designed to meet the needs of all employers in the state • Developing strategies for effectively serving individuals with barriers to employment • Programs to increase the number of individuals training for and placed in non-traditional employment • Carrying out activities to facilitate remote access to services provided through the one-stop delivery system • Development or identification of education or training programs that respond to real time data analysis, utilize direct and prior learning assessment, that evaluate skills, and ensure that credits are portable and stackable • Providing technical assistance to local areas implementing pay-for-performance strategies

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Local Activities for Adults and Dislocated Workers	
REQUIRED LOCAL ACTIVITIES— • Establish a one-stop delivery system • Provide core services through one-stop delivery system (which include determination of eligibility, outreach, intake, initial skills assessment, job search and placement assistance, provision of employment statistics information; provision of performance information and cost and other services) • Provide intensive services (which include comprehensive and specialized skills assessments; development of an individual employment plan; counseling; case management; and short-term pre-vocational services) • Provide training services (which includes occupational skills training, OJT, private-sector training; skills upgrading; entrepreneurial training; job readiness training; customized training; adult education and literacy activities) SEQUENCE OF SERVICES— • Requires intensive services to be provided only to those adults and dislocated workers who are unemployed and are unable to obtain employment through core services and who have been determined by the one-stop operator to be in need of more intensive services to obtain employment; or who are employed but who are determined by one-stop operator to be in need of intensive services in order to obtain/retain employment that allows self-sufficiency • Requires training services only to be provided to adults and dislocated workers who have met the eligibility requirements for intensive services but who are unable to obtain employment through such services; who after an interview, evaluation or assessment and case management, have been determined by a one-stop operator or partner to be in need of training services; who select programs of training services that are directly linked to employment opportunities in the local area; who are unable to obtain other grant assistance, or require assistance beyond what is available under other grant programs; and who are determined to be eligible in accordance with the priority system (giving priority to low-income individuals and recipients of public assistance PERMISSIBLE LOCAL ACTIVITIES— • Discretionary one-stop delivery activities • Supportive services • Needs related payments USE OF INDIVIDUAL TRAINING ACCOUNTS— • Requires training services be provided through ITAs • Exceptions: » On-the-job training provided by an employer or customized training » If local board determines there are an insufficient number of training providers in the local area for an ITA system » If local board determines there is a training services program of demonstrated effectiveness operated by a CBO or other private organization to serve individuals with barriers to employment • Requires training services to be linked to in-demand occupations in the local area	REQUIRED LOCAL ACTIVITIES— • Establish a one-stop delivery system • Provide "career services" (consolidating core and intensive) • Provide training services (requires training services to be linked directly to an in-demand industry or occupation in the local or regional area) • Establish relationships and networks with small employers and their intermediaries • Develop, convene, or implement industry or sector partnerships • Requires priority for individuals on public assistance, other low-income individuals, and individuals who are basic skills deficient. • Permits governor or local board to increase OJT reimbursement to an amount up to 75 percent above the wage rate • Allows training contracts to be used for pay-for-performance contracts SEQUENCE OF SERVICES—Clarifies that individuals are not required to receive career services prior to receiving training services PERMISSIBLE LOCAL ACTIVITIES— • Customized screening, referral, and employment-related services to employers • Implementation of a pay-for-performance contract strategy for training services • Customer support for individuals with barriers to employment • Technical assistance for one-stop operators and partners, and eligible training providers on the provision of services to individuals with disabilities • Employment and training activities provided in coordination with child support agencies, cooperative extension programs • Activities to improve coordination between workforce and economic development activities, the workforce system and employers, and the one-stop system and state UI programs; • Training programs for displaced homemakers and for nontraditional occupations • Activities to provide business services that meet the needs of local employers • Activities to adjust economic self-sufficiency standards for local factors • Improved coordination between employment and training activities and programs for individuals with disabilities • Implementation of promising services to workers and businesses • Local board can reserve 20 percent of funds for incumbent worker training

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
National Programs	
NATIVE AMERICAN PROGRAMS—Authorizes a competitive grant program to award grants, or enter into contracts or cooperative agreements with Indian tribes, tribal organizations, Alaska native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out workforce investment activities and supplemental services. MIGRANT AND SEASONAL FARMWORKER PROGRAMS—Authorizes a competitive grant program to award grants every two years to eligible entities to carry out workforce investment activities and provide related assistance for eligible migrant and seasonal farmworkers. VETERANS' WORKFORCE INVESTMENT PROGRAMS—Authorizes secretary to conduct either directly, or through grants and contracts, programs to meet the workforce needs of veterans with service-connected disabilities, significant barriers to employment, service on active duty during a war, and recently separated veterans. YOUTH OPPORTUNITY GRANTS—Establishes a grant program to provide activities for youth to increase long-term employment for youth who live in empowerment zones, enterprise communities, and high-poverty areas and who seek assistance. TECHNICAL ASSISTANCE—Requires secretary to provide, coordinate and support the development of training, technical assistance, staff development and other activities to states. • Requires secretary to reserve no more than five percent of funds reserved for dislocated worker national activities to provide technical assistance to states that fail to meet the state performance accountability measures	NATIVE AMERICAN PROGRAMS—Largely retains previsions under WIA except: • Requires secretary to award grants every four years (instead of two years) • Adds new requirements related to the primary indicators of performance • Authorization of Appropriations: » 2015: $46,082,000 » 2016: $49,641,000 » 2017: $50,671,000 » 2018: $51,795,000 » 2019: $53,013,000 » 2020: $54,137,000 MIGRANT AND SEASONAL FARMWORKER PROGRAMS—Largely retains provisions under WIA except: • Requires secretary to award grants every four years • Adds new requirements related to the primary indicators of performance • Adds customized career and technical education to the list of authorized activities • Requires secretary to reserve up to one percent of funds appropriated for discretionary purposes • Authorization of Appropriations: » 2015: $81,896,000 » 2016: $88,222,000 » 2017: $90,052,000 » 2018: $92,050,000 » 2019: $94,214,000 » 2020: $96,211,000 VETERANS WORKFORCE INVESTMENT PROGRAM—*Repealed*. YOUTH OPPORTUNITY GRANTS—*Repealed*. TECHNICAL ASSISTANCE—Largely maintains WIA provisions. • Adds requirement for secretary to provide technical assistance in the development and implementation of an integrated technology-enabled intake and case management information system • Adds to the list of technical assistance activities that may be provided by the secretary • Requires secretary to establish new system through which states can share information on promising and proven practices. • Authorization of Appropriations: » 2015: $3,000,000 » 2016: $3,232,000 » 2017: $3,299,000 » 2018: $3,372,000 » 2019: $3,451,000 » 2020: $3,524,000

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Job Corps	
Authorizes the Job Corps program.	Authorizes the Job Corps program.
Demonstration, Pilot, Research and Multistate Projects	
DEMONSTRATION AND PILOT PROJECTS—Secretary is required to carry out, through grants and contracts, demonstration and pilot projects that include provision of direct services to individuals to enhance employment opportunities and an evaluation component. RESEARCH PROJECTS—Requires secretary to carry out research projects, through grants and contracts that will contribute to the solution of employment problems in the U.S. In addition, requires a two-year study on formula improvement for distribution of adult employment and training funds. MULTISERVICE PROJECTS, RESEARCH PROJECTS, AND MULTISTATE PROJECTS—Requires secretary to conduct, through grants or contracts, multiservice and research projects. Permits secretary to carry out through grants and contracts, multistate projects. DISLOCATED WORKER PROJECTS—Requires secretary to use not more than ten percent of funds for demonstration and pilot projects to carry out projects relating to the employment and training needs of dislocated workers. EVALUATIONS—Requires secretary to provide for the continuing evaluation of WIA programs and activities.	DEMONSTRATION AND PILOT PROJECTS—Eliminates Demonstration and Pilot Projects section. Replaced with Evaluations and Research section. EVALUATIONS—Requires secretary to continually evaluate programs and activities, addressing: general effectiveness of programs and activities in relation to their cost; the effectiveness of the performance accountability measures relating to those activities; the effectiveness of the mechanisms for delivery of service; the impact of programs and activities on the participants and the community; the impact on related programs; the extent to which programs and activities meet the needs of various demographic groups. • Authorization of Appropriations: » 2015: $91,000,000 » 2016: $98,029,000 » 2017: $100,063,000 » 2018: $102,282,000 » 2019: $104,687,000 » 2020: $106,906,000 RESEARCH, STUDIES AND MULTISTATE PROJECTS—Requires secretary to every two years publish a plan that describes the research, studies, and multistate project priorities of the Department for employment and training activities over the five years following submission. DISLOCATED WORKER PROJECTS—Essentially maintains WIA requirements. COMMUNITY-BASED JOB TRAINING—*Repealed*.
National Emergency Grants/National Dislocated Worker Grants	
Authorizes secretary to award national emergency grants to provide employment and training assistance affected by major economic dislocations; to provide assistance to a state in which there is an area that has suffered a major emergency or disaster; and to provide additional assistance to a state or local board for eligible dislocated workers where the state or local board has expended the funds provided and can demonstrate the need for additional funds.	Renames national emergency grants as "national dislocated worker grants." Defines " emergency or disaster" and "disaster area." Expands secretary's authority to provide assistance to such states.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
YouthBuild	
YouthBuild was transferred from the US Department of Housing and Urban Development to the Employment and Training Administration in 2007.	Largely maintains current law, except: • Adds new purpose "to improve the quality and energy efficiency of community and other nonprofit facilities" • Requires secretary to establish expected levels of performance relating to each of the primary indicators of performance for eligible youth activities and permits the secretary to establish additional indicators • Requires secretary to reserve five percent of funds for management and technical assistance • Expands list of industry sectors for apprenticeship programs Authorization of Appropriations: • 2015: $77,534,000 • 2016: $83,523,000 • 2017: $85,256,000 • 2018: $87,147,000 • 2019: $89,196,000 • 2020: $91,087,000

Side-by-Side Comparison of Title II: Adult Education & Family Literacy Provisions

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Federal Provisions	
RESERVATION OF FUNDS—Secretary must reserve: • 1.5 percent for the National Institute for Literacy • 1.5 percent for national leadership activities • Requires secretary to make available 1.72 percent to the Secretary of Labor for incentive grants ALLOTMENTS— • Initial Allotments: Requires secretary to allot $100,000 to an eligible agency in an outlying area and $250,000 to any other eligible agency • Additional Allotments: requires secretary to allot all remaining funds to eligible agencies according to a formula that reflects the number of "qualifying adults" in each state or outlying area compared with the total number of such adults in all states and outlying areas • Hold harmless: Provides that no eligible agency may receive less than 90 percent of the allotment received for the preceding fiscal year PERFORMANCE ACCOUNTABILITY—Establishes a comprehensive performance accountability system for adult education and literacy programs and activities.	RULE OF CONSTRUCTION—Clarifies that nothing in this title prohibits or discourages the use of Title II funds for activities that help individuals transition to postsecondary education and training or employment, or for concurrent enrollment activities. AUTHORIZATION OF APPROPRIATIONS— • 2015: $ 577,667,000 • 2016: $ 622,286,000 • 2017: $ 635,198,000 • 2018: $ 649,287,000 • 2019: $ 664,552,000 • 2020: $ 678,640,000 RESERVATION OF FUNDS—Secretary must reserve: • Two percent for national leadership activities • 12 percent for grants to states to support integrated English literacy and civics education ALLOTMENTS—Largely maintains WIA requirements, except: • Eligible agencies that only receive an initial allotment must receive 100 percent of their initial allotment in the subsequent year • Requires secretary, from the national leadership activities reserve, make grants to eligible agencies to provide state activities PERFORMANCE ACCOUNTABILITY—Aligns Title II programs and activities to the performance accountability provisions described in Title I.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
State Provisions	
STATE ADMINISTRATION—Requires eligible agencies to be responsible for state administration of activities including: development and implementation of the state plan; consultation with other appropriate agencies, groups, and individuals; and coordination and non-duplication with other federal programs. STATE DISTRIBUTION OF FUNDS—Requires eligible agencies: • To use not less than 82.5 percent of grant funds to award grants and contracts to local providers and to carry out correctional programs • To use not more than 12.5 percent of grant funds to carry out state leadership activities • To use not more than five percent for administrative expenses • To provide non-federal match of 25 percent (12 percent for outlying areas) STATE LEADERSHIP ACTIVITIES—Requires eligible agencies to use funds for one or more of the following activities: establishment or operation of professional development programs; technical assistance to eligible providers; technology assistance; support of state or regional networks of literacy resource centers; monitoring and evaluation of the quality and improvement in adult education and literacy activities; incentives for program coordination and performance awards; developing and disseminating curricula; coordination with existing support services; integration of literacy instruction and occupational skills training; linkages with postsecondary. STATE PLAN—Requires eligible agency to establish a five-year state plan. Plan must include: • An objective assessment of the needs of individuals in the state or outlying area for adult education and literacy activities, including individuals most in need or hardest to serve • A description of the proposed adult education and literacy activities • A description of how the eligible agency will evaluate the effectiveness of programs • A description of the performance measures and how such measures will improve adult education activities in the state • An assurance that the eligible agency will award not less than one grant under this subtitle to an eligible provider who offers flexible schedules and necessary support services • An assurance that the funds received under this subtitle will not be expended for any other purpose • A description of how the eligible agency will fund local activities • An assurance that the eligible agency will expend funds in a manner consistent with fiscal requirements provided • A description of the process that will be used for public participation and comment with respect to the state plan • Description of how eligible agencies will develop program strategies for certain populations • A description of how the activities carried out under this title will be integrated with other adult education and literacy activities going on in the state • A description of the steps the eligible agency will take to ensure direct and equitable access CORRECTIONS EDUCATION—Requires eligible agency to carry out corrections education or education for other institutionalized individuals, including basic education, special education programs; English literacy programs; and secondary school credit programs.	STATE ADMINISTRATION—Essentially maintains WIA requirements. STATE DISTRIBUTION OF FUNDS— Requires eligible agencies: • To use not less than 82.5 percent to award grants and contracts to local providers and to carry out corrections education programs (not more than 20 percent for corrections education) • To not use more than 12.5 percent to carry out state leadership activities • To use not more than five percent for administrative expenses (or $85,000, whichever is greater) • Maintains matching requirement in WIA STATE LEADERSHIP ACTIVITIES— • Required activities: alignment of adult education and literacy activities other core programs and one stop-partners; professional development; technical assistance; monitoring and evaluation of adult education and literacy activities. • Permissible activities include: support of state or regional networks of literacy resource centers; development and implementation of technology applications; developing and disseminating curricula; developing content and models for integrated career pathways; developing systems to assist with the transition from adult education to postsecondary; integration of literacy, ESL and occupational skills training and linkages to employers; activities to promote workplace adult education and literacy activities; identifying curriculum frameworks and aligning rigorous content standards; development and piloting of new and promising assessment tools and strategies and options for improving teacher quality and retention. STATE PLAN—Eliminates current state plan requirements and requires state plan to be approved as part of a unified or combined state plan under Title I. CORRECTIONS EDUCATION—Largely maintain WIA requirements, but expands use of funds provision to include: basic skills education, special education programs, reading, writing, speaking, and math programs, secondary school credit or diploma programs, or equivalent, and integrated education and training.

THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)	THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
Grants and Contracts for Eligible Providers	
GRANTS AND CONTRACTS—Requires eligible agencies to award multiyear grants or contracts on a competitive basis within the state or outlying area. Eligible providers must provide instruction in one or more of the following categories: • Adult education and literacy services (including workplace literacy services) • Family literacy services • English literacy programs CONSIDERATIONS—In awarding grants, agencies must consider several factors, including: degree to which provider will establish measurable goals for participant outcomes; past effectiveness of eligible provider; commitment of eligible provider to serve community members most in need; whether the program is of sufficient intensity and duration and uses instructional practices; whether activities are research-based; whether activities provide learning in real life contexts; whether activities coordinate with other available community resources; and whether the activities offer flexible schedules and support systems. LOCAL APPLICATION—Requires provider to submit an application to eligible agency that includes a description of how funds awarded will be spent and a description of any cooperative arrangements the provider has with other agencies or institutions for the provision of adult education and delivery services. ADMINISTRATIVE COSTS—Requires no more than five percent set aside for administrative costs.	GRANTS AND CONTRACTS—Requires eligible agencies to award multiyear grants or contracts on a competitive basis within the state or outlying area. Requires eligible providers to establish or operate programs that provide adult education and literacy activities. CONSIDERATIONS—Eligible agencies must consider: eligible provider's potential responsive to regional and community needs; provider's ability to serve individuals with disabilities; provider's past effectiveness; whether provider's proposal aligns with local plan goals; whether program is of sufficient intensity or quality; whether activities are based on best practices; whether activities effectively use technology; whether activities provide learning in context; whether activities are delivered by well-trained instructors; whether activities coordinate with other community resources; whether activities offer flexible schedules and coordination with supportive services; whether provider maintains high-quality information management systems; whether area has need for additional ESL or civics programs. LOCAL APPLICATION—Expands upon WIA to require provider to also describe: how they will provide services in alignment with the local plan (including how provider will promote co-enrollment with Title II programs); how they will meet state adjusted levels of performance; how they will fulfill one-stop partners responsibilities; and how they will provide services to meet the needs of eligible individuals. ADMINISTRATIVE COSTS—Essentially maintains WIA requirements.
General Provisions	
ADMINISTRATIVE PROVISIONS— • Requires funds under this title supplement and not supplant other state or local public funds expended for such activities. • Maintenance of Effort: Eligible agencies may receive funds under this title if the secretary finds that spending per student or aggregate spending by eligible agency during the second preceding fiscal year was not less than 90 percent of spending during third preceding fiscal year. Provides procedures and formulas to be used where eligible agencies fail to meet MOE requirements. NATIONAL INSTITUTE FOR LITERACY—Establishes a National Institute for Literacy. NATIONAL LEADERSHIP ACTIVITIES—Requires secretary to establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs. Allowable activities include: technical assistance; funding activities through grants to develop or improve strategies for educating adults, improving the quality of adult literacy, or carrying out research or demonstration projects.	ADMINISTRATIVE PROVISIONS— • Requires funds under this title supplement and not supplant other state or local public funds expended for such activities. • Maintenance of Effort: Eligible agencies may receive funds under this title if the secretary finds that spending per student or aggregate spending by eligible agency during the second preceding fiscal year was not less than 90 percent of spending during third preceding fiscal year. Provides procedures and formulas to be used where eligible agencies fail to meet MOE requirements. NATIONAL INSTITUTE FOR LITERACY—Establishes a National Institute for Literacy. NATIONAL LEADERSHIP ACTIVITIES—Requires secretary to establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs. Allowable activities include: technical assistance; funding activities through grants to develop or improve strategies for educating adults, improving the quality of adult literacy, or carrying out research or demonstration projects.