

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of EducationMarch 2022 AgendaItem #06

## Subject

Approval of Modifications to California’s 2020–23 Unified Strategic Workforce Development Plan.

## Type of Action

Action, Information

## Summary of the Issue(s)

The federal Workforce Innovation and Opportunity Act (WIOA) of 2014 requires the Governor of California, via the California Workforce Development Board (CWDB), and in coordination with WIOA core program office’s, operated by the California Department of Education (CDE), the Employment Development Department (EDD), and the Department of Rehabilitation (DOR), to submit a unified plan to the U.S. Department of Labor (DOL) and the U.S. Department of Education (ED). The CDE is responsible for the WIOA, Title II: Adult Education and Family Literacy Act (Title II: AEFLA) programs. The CWDB and WIOA core programs collaboratively developed “California’s 2020–23 Unified Strategic Workforce Development Plan” (State Plan). The DOL and ED require that states submit modifications to their state plans. The 30-day public comment period began on January 10, 2022. Based on public comment, the plan will be revised and the final version submitted to the DOL and ED before March 15, 2022, Failure to approve the modifications to the State Plan will result in the loss or delay of nearly $1 billion in federal funding, including just over $100 million in WIOA, Title II: AEFLA grant funds each year for the period from 2020–23.

## Recommendation

The CDE recommends that the State Board of Education (SBE) approve the modified State Plan under the WIOA of 2014.

## Brief History of Key Issues

On July 22, 2014, President Obama signed into law the WIOA, which includes the reauthorization of Title II: AEFLA of 1998–2004. The WIOA is designed to help job seekers access employment, education, and support services to succeed in the modern labor market. The law will also encourage workforce development programs to help match employers with skilled workers needed to compete in the global economy. WIOA requires states to plan across core programs and include this planning process in their Unified or Combined State Plan modifications. California’s approved unified plan includes core programs operated by the CDE, the EDD, and the DOR. The core programs responsible under this law are:

* Dislocated Worker Adult Program and Youth Program (Title I of WIOA): Title I provides job search, education, and training activities for individuals seeking to gain or improve their employment prospects, and establishes the One-Stop delivery system, known as America’s Job Centers of California (AJCC). In addition, Title I of WIOA establishes the governing structure and the performance accountability for all programs authorized under WIOA.
* Title II: AEFLA is focused on assisting:
	+ Adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;
	+ Adults who are parents or family members to obtain the education and skills that are necessary to becoming full partners in the educational development of their children and lead to sustainable improvements in the economic opportunities for their family;
	+ Adults in attaining a secondary school diploma and in the transition to postsecondary education and training, including through career pathways; and
	+ Immigrants and other individuals who are English language learners to improve their reading, writing, speaking and comprehension skills in English, and mathematics skills, and to acquire an understanding of the American system of government, individual freedom, and the responsibilities of citizenship.
* Wagner-Peyser Act Program (Title III): The Wagner-Peyser Act of 1933 established a nationwide system of public employment offices, known as the Employment Service. The Employment Service seeks to improve the functioning of the nation's labor markets by bringing together individuals seeking employment with employers seeking workers. In 2014, the Wagner-Peyser Act was amended under Title III of WIOA. Specifically, the Employment Service under WIOA builds upon the previous workforce reforms, requires colocation of the Employment Service offices into the AJCCs, and aligns performance accountability indicators with other federal workforce programs.
* Vocational Rehabilitation Program (Title IV): This program is administered by the DOR. California works in partnership with consumers and other stakeholders to provide services and advocacy, resulting in employment, independent living, and equality for individuals with disabilities.

In California, the competitive AEFLA grant provides funding to 209 sub-grantees. Of these, 169 are adult education programs within a local educational agency, 12 are community-based organizations, 18 are community colleges (non-credit programs), one is a faith-based organization, and one is a local workforce development board. The California Department of Corrections and Rehabilitation and Department of Social Services via State Hospitals are also sub-grantees of WIOA Title II funds.

The first California State Plan was approved by the DOL and ED in October 2016. WIOA requires that states review their plans every two years and update their state plan strategies, based on changes in the labor market and economic conditions or other factors affecting the implementation of the State Plan. Guidance was provided by the DOL and ED (<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-pm-22-2.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term>) regarding the 2022 submission of modifications and required elements. It is required that the public be given 30 days to comment on the modified California State Plan. It is expected that the public comment period will end on February 10, 2022. Based on public comment, the modified plan will be revised and a final version submitted to the DOL and ED by the March 15, 2022, due date.

There are two new main requirements, including:

1. State Plan modification for program years 2022 and 2023 requires states to reassess economic and labor market information (LMI) and adjust strategies for what may now be a different set of growing and declining industries, occupations, and skills, thereby ensuring the State Plan modification reflects changes in the labor market and economic conditions and other factors affecting implementation of the State Plan as required by Section 102(c)(3)(A) of WIOA.
2. Equity in service delivery and education programming—This includes supporting educators to leverage technology for innovative and personalized instruction and increasing access to the internet and devices for students and families. Nimble, modularized, innovative, and personalized services—including better leveraging of technology for synchronous and asynchronous program delivery—can provide flexibility and adaptability to workers and learners, increasing equitable engagement in services and meeting their needs while they are balancing competing commitments and schedule challenges.

 In addition, proposed modifications to the Title II: AEFLA include:

* Verb tense changes: In the 2020 State Plan, the CDE Adult Education Office was in the beginning stages of running the Request for Applications to fund eligible agencies. Since that time, 203 local eligible agencies have been funded.
* The merging of two different plans (Professional Development Plan and the Technology and Distance Learning Plan [state-imposed]) which the CDE has had as a long-standing requirement for sub-grantees, into one, as a planning document with a focus on ongoing improvement, goal setting, and benchmarks. The Continuous Improvement Plan now requires an annual review of goals by each sub-grantee and the development of new goals for the next fiscal year. This requirement ensures that sub-grantees are meeting elements within WIOA: Title II. This includes the effective use of technology, the development and implementation of distance education, and professional development to ensure well-trained instructors, counselors, and administrators.
* Descriptions of the effect of the COVID-19 pandemic on sub-grantees.

There are no policy changes in the modifications to the Title II: AEFLA component of the WIOA State Plan. The draft State Plan may be accessed on the CWDB WIOA Unified Strategic Workforce Development Plan (Draft) web page at <https://cwdb.ca.gov/plans_policies/state-plan-modifications/>. (Link to be updated when available)

## Summary of Previous State Board of Education Discussion and Action

In January 2016, the SBE approved the “California’s Strategic Workforce Development Plan: Skills Attainment for Upward Mobility; Aligned Services for Shared Prosperity: California’s Workforce Development Plan” under the WIOA for program years 2016–20. (<https://www.cde.ca.gov/be/ag/ag/yr16/agenda201601.asp>)

In March 2018, the SBE approved the required modifications to the State Plan. (<https://www.cde.ca.gov/be/ag/ag/yr18/agenda201803.asp>)

In March 2020, the SBE approved “California’s Strategic Workforce Development Plan: Skills Attainment for Upward Mobility; Aligned Services for Shared Prosperity: California’s Workforce Development Plan” under the WIOA for program years 2020–23. (<https://www.cde.ca.gov/be/ag/ag/yr20/agenda202003.asp>)

## Fiscal Analysis

As the largest state in the country, with the largest population targeted by the programs within the WIOA, California averages approximately 20 percent of the funds allocated to these federal programs. The CDE’s responsibility, which includes most of the programs within the WIOA, requires full legal and fiduciary management to execute these programs. This includes submitting all required documents and reports, along with meeting the timelines established by federal legislation. It is fiscally prudent for the SBE to approve the State Plan, and assist the CDE with meeting its responsibility to other state agencies collaborating on the larger unified plan produced by the CWDB. This ensures the plan is submitted on time, and does not jeopardize California’s funding for these vital programs.

**WIOA Program Year 2021–22 – Allotments for California**

* Title I - $395,476,988
* Title II - $108,376,766 (Does not include carry over)
* Title III - $79,341,643
* Title IV - $363,870,398

**Title I Programs**

* Youth Program - $125,113,453
* Adult Program - $120,643,129
* Dislocated Worker - $149,720,406

Failure to approve the State Plan will result in the loss or delay of annual allocations of nearly $1 billion in funding, including just over $100 million in WIOA, Title II: AEFLA grant funds each year for the period 2020–23.

## Attachments

**Attachment 1:** California’s Modified 2020–23 Unified Strategic Workforce Development Plan (to be added just prior to posting). (28 pages)