

CLASP Comments Regarding the “Required Elements for Submission of the Unified or Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act” (OMB Control Number 1205-0522)

Submitted via email to OIRA_submission@omb.eop.gov on January 22, 2016

The Workforce Innovation and Opportunity Act (WIOA) provides opportunities for states and local areas to better serve high-need adults, including public assistance recipients, other low-income individuals, and individuals who are basic skills deficient. The statute requires that priority be given to these populations for career and training services in Title I Adult programs, regardless of the availability of funds.

However, the law leaves much to states and local areas to determine how this priority will be implemented, stating that “appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority” (WIOA Sec. 134(c)(3)(E)). CLASP has advocated for a strong implementation of the priority of service provisions, and in particular that the federal government require state plans to describe how the priority will be applied and monitored, in order to ensure low-income people are served.

Therefore, with one reservation, CLASP applauds the U.S. Departments of Education and Labor for the new, additional requirement in the “Required Elements for Submission of the Unified or Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act” under the Adult and Dislocated Worker Program Requirements (page 17), which reads:

*“Describe how the State will implement and monitor the priority for public assistance recipients, other low-income individuals, **OR** individuals who are basic skills deficient in accordance with the requirements of WIOA sec. 134(c)(3)(E), which applies to individualized career services and training services funded by the Adult Formula program.”*

However, we stress that the language in the Information Collection Request, while citing the correct section of WIOA (Sec. 134(c)(3)(E)), does not match the language of the statute which reads in part:

*“...priority shall be given to recipients of public assistance, other low-income individuals, **AND** individuals who are basic skills deficient...”*

In addition, the first Title I-B assurance on page 19 also incorrectly uses **OR**, instead of **AND**.

It is critical that all state plans describe how they will implement and monitor this priority for all three prioritized populations. Allowing states to describe implementation for only one of the populations may lead local areas or one-stop providers to incorrectly believe the priority applies to only the one population addressed in the state plan. This is in direct conflict with the statute.

Therefore, CLASP urges the Departments to correct the ICR to replace “or” with “and” in both Sec. VI(b)(4) on page 17 and in the first Title I-B Assurance on page 19.

Please direct questions or comments to Anna Cielinski at acielski@clasp.org or 202-906-8019.