



STATE IMPLEMENTATION OF WIOA

1

**Observations of Trends from Monitoring and
Technical Assistance**

AEFLA REVIEW AND TA TO DATE

- Conducted 6 full on-site reviews
- Conducting 8 virtual reviews of competitions
- Provided TA to 21 States on AEFLA application for funding prior to State release

TRENDS: PERFORMANCE ACCOUNTABILITY

- MIS revisions are complete for the most part
- Training to eligible providers on new performance requirements is on-going
- Collecting reliable data on individuals with barriers to employment needs improvement
- Eligible providers need better understanding of MSG

TRENDS: STATE LEADERSHIP

- States are developing capability to track State leadership investments to the four required activities in section 223

TRENDS: FINANCIAL

- States are still establishing procedures to collect financial information on career services
- Some States are not defining administrative costs in budget guidelines consistent with the definition in Section 233 and 463.26

An eligible provider receiving a grant or contract under this part may consider costs incurred in connection with the following activities to be administrative costs:

- (a) Planning;
- (b) Administration, including carrying out performance accountability requirements;
- (c) Professional development;
- (d) Providing adult education and literacy services in alignment with local workforce plans, including promoting co-enrollment in programs and activities under title I, as appropriate; and
- (e) Carrying out the one-stop partner responsibilities described in § 678.420, including contributing to the infrastructure costs of the one-stop delivery system.

TRENDS: COMPETITIONS

- Competition provisions carried over from WIA appear to be fairly well understood (direct and equitable access; same application and process)
- Most States have sound application review procedures in place
- Procedures to establish applicant eligibility using demonstrated effectiveness criteria are largely absent or unclear
- Some States confounded applicant eligibility using demonstrated effectiveness with the requirement to consider past effectiveness in making funding decisions

TRENDS: COMPETITIONS (CONTINUED)

- Some States narrowed or restricted who could apply for AEFLA funds beyond federal criteria established in AEFLA section 203(5) and 34 CFR Part 463.23 and 463.24.
- Many States imposed requirements that were not identified as required by section 223 (c)

TRENDS: SUB RECIPIENT MONITORING

- Most States have established monitoring protocols and desk monitoring procedures in place
- Monitoring procedures should be extended to monitor new activities (i.e.; IET, IELCE)
- Monitoring procedures should be extended to monitor the roles and responsibilities in the one-stop for designated providers

TRENDS: JOINT RESPONSIBILITIES

- Some States do not have MOUs in place in all local areas
- Some States have MOUs that do not contain the all required components
- Procedures to monitor the expenditures devoted to infrastructure need to be strengthened
- Procedures to periodically reconcile infrastructure costs need to be strengthened



DETERMINING DEMONSTRATED EFFECTIVENESS

10

Is an applicant eligible to apply for AEFLA funds?

ELIGIBILITY

- The state of having the right to do or obtain something through the satisfaction of the appropriate conditions (Oxford Dictionary)
- In context of WIOA: “Who is eligible to apply for a grant or contract for adult education and literacy activities?” (34CFR Part 463.23)

WHO IS ELIGIBLE TO APPLY?

- An organization that has demonstrated effectiveness in providing adult education and literacy activities is eligible to apply for a grant or contract. These **may** include but are **not limited to**:
 - a) A local educational agency;
 - b) A community-based organization or faith-based organization;
 - c) A volunteer literacy organization;
 - d) An institution of higher education;
 - e) A public or private nonprofit agency;
 - f) A library;
 - g) A public housing authority;
 - h) A nonprofit institution that is not described in any of paragraphs (a) through (g) above and has the ability to provide adult education and literacy activities to eligible individuals;
 - i) A consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described in any of paragraphs (a) through (h) above; and
 - j) A partnership between an employer and an entity described in any of paragraphs (a) through (i) above.

OTHER ORGANIZATION TYPES

- 34 CFR 463 Preamble

“§463.24 further permits other organization types, even if not specifically listed, to apply if they meet the **demonstrated effectiveness** requirement.”

HOW IS DEMONSTRATED EFFECTIVENESS ESTABLISHED?

- An eligible provider must demonstrate past effectiveness by providing performance data on its record of improving the skills of eligible individuals, particularly eligible individuals who have low levels of literacy, in the content domains of:
 - **reading,**
 - **writing,**
 - **mathematics,**
 - **English language acquisition,**
 - **and other subject areas relevant to the services contained in the State's application for funds.**

HOW IS DEMONSTRATED EFFECTIVENESS ESTABLISHED?

- An eligible provider must also provide information regarding its outcomes for participants related to:
 - **employment,**
 - **attainment of secondary school diploma or its recognized equivalent, and**
 - **transition to postsecondary education and training.**

TWO WAYS TO DEMONSTRATE EFFECTIVENESS:

1. An eligible provider that has been funded under AEFLA as authorized by WIOA must provide performance data required under section 116 to demonstrate past effectiveness.
2. An eligible provider that has not been previously funded under AEFLA as authorized by WIOA must provide performance data to demonstrate its past effectiveness in serving basic skills deficient eligible individuals, including evidence of its success in achieving outcomes listed in paragraph (a) on the previous slide.

CONSORTIUM APPLICATIONS

- The State Eligible Agency (SEA) must determine if the consortium **as a whole**, meets the eligibility criteria of demonstrated effectiveness.
- **Each** consortium member must:
 - provide data on its demonstrate effectiveness
 - qualify as an eligible provider of demonstrated effectiveness.

DEMONSTRATED EFFECTIVENESS STANDARDS

- SEA has flexibility to determine an acceptable level of past performance the applicant must meet.
- SEA has flexibility to determine the minimum number of years of data applicants are required to submit.

COMMON ERRORS

- States are confounding two separate requirements:
 - 1) The application is made by an organization demonstrated effectiveness, and;
 - 2) In awarding grants, the SEA considers the past effectiveness of an eligible provider in improving the literacy of eligible individuals to meet state adjusted levels of performance for the section 116 primary indicators, especially those with low levels of literacy (section 231(e)(3))
- States are using available NRS data to determine effectiveness rather than requiring the applicant to submit its data demonstrating its effectiveness

SMALL GROUP

- Review the State Application Review Guide against your last application for funds and make notes on areas of strength and areas that need improvement.
- Discuss results with your colleagues.
- With remaining time, discuss how the guide could be enhanced or improved.

RESOURCES

- 34 CFR Part 463