

Public Policy Update

The Workforce Investment Act

Congress created the Workforce Investment Act (WIA) in 1998 to replace the Job Training Partnership Act (JTPA) to try to streamline and strengthen America's job training system. WIA took effect on July 1, 2000, and is intended to create a universal local "One Stop" delivery system where multiple employment services, job training, and education programs are integrated and accessible to all job seekers. WIA is designed to meet local industry demands in communities across the county, and it mandates the participation of partner agencies that provide job-training services, including the Perkins program.

During the 109th (previous) session of Congress, both the House of Representatives and the Senate passed their own legislation to reauthorize WIA. The House of Representatives passed H.R. 27 in March 2005, while the Senate incorporated S. 1021 into H.R. 27 and passed that bill in June 2006. Unfortunately, the House and Senate did not go to conference to reconcile the differences between their bills before the 109th Congress adjourned in December 2006, and as a result, the 110th (current) session of Congress is scheduled to reauthorize WIA. As of early June 2007, no legislation had been introduced in either the House or the Senate to reauthorize WIA in the 110th Congress. It is anticipated that similar versions of H.R. 27 and S. 1021 from the 109th Congress will be introduced in the 110th Congress. The following are summaries of both H.R. 27 and S. 1021 from the 109th Congress.

H.R. 27, the Job Training Improvement Act of 2005. On March 2, 2005, the House of Representatives passed H.R. 27, the Job Training Improvement Act of 2005, a bill that reauthorized Title I of the Workforce Investment Act; the Adult Basic Education Skills Act, which governs state programs for adult education; and the 1973 Rehabilitation Act, which provides services to help individuals with disabilities become employable and achieve full integration into society.

Of particular interest to CEC members, H.R. 27 made a number of provisions related to vocational rehabilitation (VR) and people with disabilities. This includes an assessment of the transition services provided through the VR system and how those services are coordinated with those under the Individuals with Disabilities Education Act (IDEA), and strategies the state will use to address the needs identified in the assessment of transition services. These provisions were initially included in the Senate version of the bill to reauthorize IDEA, but in an agreement worked out between then-Chairman Boehner of House Education and Workforce Committee and then-Ranking Member Kennedy of the Senate Health, Education, Labor, and Pensions Committee, those provisions were not included in the final IDEA law and were instead included in H.R. 27. CEC and its Division on Career Development and Transition strongly supported these provisions and were pleased that they were included in the Job Training Improvement Act.

Also included in H.R. 27 were requirements for a set-aside of funds for states to provide transition services to students with disabilities served under IDEA as they prepare to move out of school to postsecondary education, employment, or independent living. This set-aside would be triggered once the annual appropriations for the programs reach \$100 million above fiscal year 2004 level.

S. 1021, the Workforce Investment Act Amendments of 2005. On June 29, 2006, the Senate incorporated S. 1021, the Workforce Investment Act Amendments of 2005, into the H.R. 27, then voted to pass the legislation. S. 1021 included provisions to improve the existing One-Stop Career Center delivery system to ensure that it can respond to the changes in the needs of employers and workers in the new economy and that it can address the needs of special populations, including individuals with disabilities.

The Senate legislation sought to improve the one-stop career centers that provide counseling and applications for aid for individuals seeking work. It also required states to use 10 percent of WIA funding to help workers gain higher-paying employment, removed barriers that discourage business involvement in workforce training, improved access to services (especially in rural areas), and improved youth job training, especially for youth not attending school.

The bill also strengthened connections of the job training system with the private sector, including post-secondary education and training, social services, and economic development systems, to prepare present-day workers for career opportunities and skills in high growth sectors. S. 1021 improved access to services in all areas, including rural areas, and it increased the emphasis on ensuring that individuals with disabilities have physical and programmatic access to workforce activities at one-stop centers and approved training providers. In addition, S. 1021 improved youth job training activities by directing more resources to out-of-school youth who are most in need of assistance, and it enhanced assistance to youth between 16 to 21 years of age who face barriers to employment.

CEC had concerns about a funding provision in S.1021, which would have funded the WIA one-stop system. The legislation still allowed the continuation of the present cost-sharing agreements between local partner programs and the WIA system. However, if local entities failed to reach agreement after one year, the governor of a state would be permitted to take a percentage of a state's overall funding for partner programs, such as Perkins, to fund the one-stop infrastructure. S. 1021 capped the amount for Perkins at 1.5 percent of the state allotment, with the funds coming from administrative funds, but this would have resulted in reduced funding for Perkins.

The Senate WIA bill did not include a provision allowing faith-based groups receiving funding to consider religion in when hiring, nor did it include a provision combining funding for adults, dislocated workers, and employment services into a one \$3 billion grant. H.R. 27 included both provisions.

If you have any questions regarding the Workforce Investment Act, or you are in need of additional resource information from the Council for Exceptional Children, please contact Deborah A. Ziegler, Associate Executive Director for Policy and Advocacy

Services at debz@cec.sped.org, 1-800-224-6830 ext. 406. You may also contact Dan Blair, Senior Director for Policy and Advocacy Services at danb@cec.sped.org, 1-800-224-6830 ext. 403.

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