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Reviewing Your State's WIOA Unified or Combined State Plan from a Disability Perspective (WIOA Title I Requirements)

Introduction

The purpose of this document is provide a guide for identifying the key provisions in Title I of WIOA applicable to Unified or Combined State Plans from a **disability perspective** (i.e., those provisions in Title I of WIOA applicable to the Unified or Combined State Plans pertaining to workforce development activities of particular applicability to individuals with disabilities and other individuals with multiple barriers to employment). The Guide includes strategic as well as operational elements of the Unified or Combined State Plan, from a disability perspective, with questions that can be asked when reviewing the State Plan.

Please note that areas in this document that are noted and *italicized* represent examples of how certain requirements could be met. However these are not explicit requirements stated in the law or in developing regulations and formal policy. Thus, as you review your state plan, the information in this Guide can assist you in identifying areas to collaborate with appropriate state agencies to ensure effective service to youth and adults with disabilities.

WIOA Unified or Combined State Plans

Under the Workforce Innovation and Opportunity Act (WIOA), the Governor of each State must submit a Unified or Combined State Plan to the U. S. Secretary of Labor that outlines a four-year workforce development strategy for the State's workforce development system that includes not only the Adult, Dislocated Worker, Youth and Wagner-Peyser from the Department of Labor but also the Adult Education and Literacy and the Vocational Rehabilitation (VR) programs from the Department of Education.

The Vocational Rehabilitation Services portion of the State Plan must comply with all State plan requirements set forth in Section 101(a) of the Rehabilitation Act, as amended by Title IV of WIOA. The Commissioner of the Rehabilitation Services Administration of the Department of Education is responsible for approving the Vocational Rehabilitation Services portion of the Unified or Combined State Plan. Highlights related to WIOA Title IV are covered in a companion document to this Guide.

By requiring states to create unified or combined plans, WIOA tries to align Federal investments in job training, integrate service delivery across programs, improve efficiency, and ensure that the system is job-driven and matches employers with skilled individuals. Successful implementation of WIOA requires robust relationships across programs. Streamlining service delivery across multiple programs requires co-location, coordination and integration of activities and information to make the system understandable and accessible for individuals, including individuals with disabilities and other barriers to employment.

Most of the provisions in Title I of WIOA took effect on July 1, 2015, the first full program year after enactment. **The new State Plan provisions, however, take effect on July 1, 2016, with a state's Unified or Combined State Plan having to be submitted no later than April 1, 2016.** Additionally, no later than June 30, 2017, one-stop operators selected under the competitive process must be in place and operating the one-stop, with initial steps in the competition process initiated by Local Boards by June 30, 2016. As of July 1, 2016, each one-stop delivery system must include the "American Job Center" identifier or "a proud partner of the American Job Center Network" on all products, programs, activities, services, facilities, and related property and materials used in the one-stop system.

As an additional resource, we encourage interested stakeholders to review the [Training and Employment Guidance Letter \(TEGL\) No. 14-15](#) published on March 4th, 2016 by the Employment and Training Administration (ETA). The TEGL conveys the vision and content requirements for Unified and Combined State Plans under WIOA; the deadline and submission process for Unified and Combined State Plans under WIOA (Section 11); the requirements to have approved Unified or Combined State Plans in place for Program Year (PY) 2016 and beyond for the six core programs of WIOA; and the options for States to incorporate all or portions of partner programs into their State plan submissions if they choose to submit a Combined State Plan.

As described in WIOA under Title I (Section 102), the Unified or Combined State Plan must consist of both Strategic and Operational Planning Elements. The Strategic Planning Elements relate to the State's strategic vision and goals for preparing an educated and skilled workforce. The Operational Planning Elements relate to how the State plans to accomplish and support its documented strategic vision and goals.

STRATEGIC ELEMENTS

- I. **Workforce Analysis.** The State Plan must include an analysis of the current workforce, including individuals with disabilities and other individuals with barriers to employment. The workforce analysis must include employment and unemployment statistics, labor market trends, education and skill levels of the workforce, and skill gaps.



1. **Does the State Plan’s workforce analysis of the current workforce include an analysis of individuals with disabilities (including youth with disabilities) and other individuals with barriers to employment that includes:**
 - The number of individuals working in non-integrated settings and those being compensated through a 14c waiver.
 - The number of individuals involved in non-conventional post-secondary education and job training (e.g., community rehabilitation programs) that may serve individuals who often do not attend four-year colleges, community colleges, and trade schools.
 2. **Does the State Plan’s workforce analysis of the current labor market trends include identifying skill gaps by individuals with barriers to employment including individuals with disabilities?**
 - Financial literacy has been found to play a significant role in a person’s ability to achieve and maintain employment. It should be considered a “skill” when analyzing the potential workforce and a proper evaluation should be made.
 3. ***(Note: not an explicit requirement) Does the State Plan’s workforce analysis of the current labor market identify state and local businesses that fall under the obligation of section 503 and are they meeting their obligation?***
 4. ***(Note: not an explicit requirement) Does the State have an Employment First policy? Does this policy have any set goals for the employment of individuals with disabilities? Is there a relationship between the state Employment First employment activities and activities identified under WIOA? Are Employment First goals being integrated into goals for labor market participation among individuals with disabilities?***
- II. State Strategic Vision and Goals.** The State Plan must include the State’s strategic vision and goals for developing its workforce and meeting employer needs in order to support economic growth and economic self-sufficiency. The plan must include goals for preparing an educated and skilled workforce for all individuals, including youth and adults with disabilities and individuals with other barriers to employment.
5. **Does the State Plan’s statement of goals for preparing an educated and skilled workforce include goals for preparing youth and adults with disabilities?**
- III. State Performance Goals.** The State Plan must include the State’s expected levels of performance relating to the performance accountability measures based on primary indicators of performance specified in the statute.



6. Does the State Plan describe how it will establish performance goals, ensure that those goals are met for each subpopulation including those with disabilities, and disaggregate performance data to measure outcomes for individuals with disabilities and other individuals with barriers to employment?
7. Does the State Plan address the needs of individuals with disabilities with respect to attaining employment and focusing on employment that offers opportunities for career advancement that can legitimately result in economic self-sufficiency?

IV. State Strategy. The State Plan must include the State's strategies to achieve its strategic vision and goals, including a discussion of specific strategies to address the needs of individuals with disabilities and other individuals with barriers to employment. In addition, the State plan must describe strategies the State will use to align the core programs, including the State's vocational rehabilitation (VR) program, and other disability-related optional one-stop partner programs to achieve fully integrated customer services consistent with the strategic vision and goals.

8. Do the State Plan's strategies to achieve its strategic vision and goals include a discussion of specific strategies to address the needs of individuals with disabilities (including youth with disabilities) and other individuals with barriers to employment?
9. Does the State Plan describe how it will streamline service delivery across multiple programs to make the system understandable and accessible for individuals with disabilities and other individuals with barriers to employment?
10. Does the State Plan describe strategies the State will use to align the State's vocational rehabilitation program and other disability-related optional one-stop partner programs to achieve fully integrated customer services consistent with the strategic vision and goals?
11. Does the State Plan identify how mandated and optional one-stop partner program activities and resources will be coordinated to provide high quality customer-centered services including supportive services to job seekers with disabilities?
12. Does the State Plan identify optional disability-related programs such as programs carried out by State agencies relating to mental health, Medicaid and intellectual and developmental disabilities, activities carried out by Statewide Independent Living Councils and Centers for Independent Living, Ticket to Work and Self-Sufficiency Program, Client Assistance Program, and programs administered by disability service providers?



OPERATIONAL PLANNING ELEMENTS

A. State Board Functions. The functions of the State Board include developing and continually improving the workforce development system, including identifying and disseminating best practices. Under WIOA, best practices for service delivery strategies include strategies for serving individuals with disabilities and other individuals with barriers to employment. Also, functions of the State Board include developing strategies to implement technological improvements that facilitate access to services and activities, including improvements to ensure technology is accessible to individuals with disabilities.

13. Does the State Plan’s description of State Board functions include the development of strategies to support career pathways for the purpose of providing individuals, including individuals with disabilities, with workforce development services, education, and supportive services to enter or retain employment?

14. Does the State Plan’s description of State Board functions include identification and dissemination of best practices for serving individuals with disabilities and other individuals with barriers to employment? Does the State Plan include a reference to and incorporation of Training and Employment Notice No. 01-15 “Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide?”

15. Does the State Plan’s description of State Board functions include descriptions of improvements to ensure technology is accessible to individuals with disabilities?

B. Coordination, Alignment, and Provision of Services to Individuals. The State Plan must describe how the entities carrying out core programs (e.g., the State VR program) and optional programs will coordinate activities and resources to provide comprehensive, high-quality, customer-centered services, including supportive services to individuals, including individuals with disabilities and other individuals with barriers to employment.

16. Does the State Plan describe how the State VR agency and entities providing optional disability-related programs will coordinate activities and resources for individuals with disabilities and other individuals with barriers to employment?

17. Do the program coordination standards include operational standards for leveraging resources and capacity, including resources and capacity for individuals with disabilities?



18. Do the program coordination standards include operational standards, such as integrated resource teams like those piloted in the Disability Employment Initiative or other methods used to jointly fund services, to meet the specific needs of all individuals, including individuals with disabilities and others with barriers to employment?

19. Does the State Plan identify optional disability-related programs such as programs carried out by State agencies relating to mental health, Medicaid, and intellectual and developmental disabilities, activities carried out by Statewide Independent Living Councils and Centers for Independent Living, Ticket to Work and Self-Sufficiency Programs, Client Assistance Program, and programs administered by disability service providers?

C. Membership of State Board. The State Board must include representatives of the Government, including the lead State officials with primary responsibility for each of the core programs (e.g., the State VR program). In addition, the State Board may include one or more representatives of community-based organizations that provide or support competitive, integrated employment for individuals with disabilities.

20. Does the State Plan provide a membership roster for the State Board that includes:

- **The State VR director?**
- **Community-based organizations that provide or support competitive, integrated employment for individuals with disabilities?**

D. Addressing the Accessibility of the One-Stop Delivery System. The State Plan must describe how the one-stop delivery system (including one-stop operators and the one-stop delivery system partners) will comply with Section 188 of WIOA (if applicable) and applicable provisions of the Americans with Disabilities Act with regard to physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities. The State Plan must also include a description of compliance through providing staff training and support for addressing the needs of individuals with disabilities. Further, the State Plan must describe the State's one-stop certification policy, particularly the accessibility criteria.

21. Does the State Plan describe how the one-stop delivery system (including one-stop operators and the one-stop delivery system partners) will comply with Section 188 of WIOA (if applicable) and applicable provisions of the Americans with Disabilities Act with regard to physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities? Do such actions include:



- Providing reasonable accommodations for individuals with disabilities?
- Making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination against individuals with disabilities?
- Administering programs in the most integrated setting appropriate?
- Communicating with individuals with disabilities as effectively as with others?
- Providing appropriate auxiliary aids and services, including assistive technology devices and services, where necessary, to afford individual with disabilities an equal opportunity to participate in and enjoy the benefits of the program or activity?

22. Does the State Plan describe how the State Board engages early with relevant Equal Opportunity Officers in establishing the criteria for determining compliance with physical and programmatic accessibility requirements and other requirements related to providing equal opportunity, including equal opportunity for individuals with disabilities?

23. Does the State Plan include a description of compliance through providing staff training and support for addressing the needs of individuals with disabilities?

24. Does the State Plan describe the State’s one-stop certification policy, including the criteria regarding effectiveness related to physical and programmatic accessibility?

- Does the State Plan certification policy include criteria specific to physical and programmatic accessibility for all comprehensive one-stop centers?
- Does the State Plan certification policy include criteria specifying that all affiliated sites must be physically and programmatically accessible to individuals with disabilities?

25. Does the State Plan include a reference to and incorporation of Training and Employment Notice No. 01-15 “Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide?”

E. Use of Governor’s Set-Aside Funding. The State Plan must describe how the state will use Governor’s set-aside funding, which can be targeted to youth and/or adults activities.



- 26. (Note: not an explicit requirement) Does the State Plan propose the use of set-aside funds for financial literacy activities for youth and/or adults including individuals with disabilities?**
- 27. (Note: not an explicit requirement) Does the State Plan propose using set-aside funds for connecting education and training strategies, supporting work-based learning, and/or improving job and career results for job seekers with disabilities?**
- 28. (Note: not an explicit requirement) Does the State Plan propose using set-aside funding to further advance Employment First strategies for youth and adults with disabilities?**

