

Knowledge Alliance Proposed Amendments to the Workforce and Opportunity Act

1. Definitions

In section 2:

Redesignate paragraphs (22) through (49), (50) through (54), and (55) through (71) as, respectively, (23) through (50), (52) through (56), and (58) through (74)..

After paragraph (21), insert:

“(22) EVIDENCE-BASED.—The term ‘evidence-based has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).”

After paragraph (50), as redesignated, insert:

“(51) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term “principles of scientific research” means principles of research that—

“(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

“(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

“(C) include, appropriate to the research being conducted—

“(i) use of systematic, empirical methods that draw on observation or experiment;

“(ii) use of data analyses that are adequate to support the general findings;

“(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

“(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

“(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

“(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

“(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.”

After paragraph (56), as redesignated, insert:

“(20) SCIENTIFICALLY VALID RESEARCH.—The term “scientifically valid research” includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.”

2. Reservation for Evaluations

At the end of section 136 insert:

“(d) From the total amount appropriated for a fiscal year pursuant to subsections (a), (b), and (c), the Secretary may reserve up to 1 percent to carry out evaluations under section 169(a).”

In section 172(d):

In the subsection title, delete “EVALUATIONS AND”.

In the language preceding paragraph (1), insert “research under” after “carry out”.

Explanation: The first amendment would authorize DOL to reserve up to 1 percent of the Title I (Adult, Youth, and Displaced Workers) appropriation for evaluations, as authorized in section 169(a). As a conforming amendment, the language would replace the current authorization of appropriations for evaluation and research activities with an authorization of appropriations only for research.

3. Additional References to “Evidence-Based”

State Workforce Development Boards: Identification and Dissemination of Best Practices

In section 101(d)(5), in the language preceding subparagraph (A), insert “evidence-based” after “information on”.

Explanation: The State boards would identify and disseminate “evidence-based best practices” instead of just “best practices.”

Unified State Plan: Operational Planning Elements

In section 102(b)(2)(B)(i), insert “(which shall be evidence-based activities, where available)” after “funded.”

Explanation: Under current law, the State plan must describe the activities that will be carried out in the State. The new language would require that those be evidence-based activities, if available.

Local Workforce Development Boards: Proven and Promising Practices

In section 107(d)(6):

Change title of the Paragraph to read “PROVEN, PROMISING, AND EVIDENCE-BASED PRACTICES”.

In subparagraphs (A) and (B), delete “proven and promising” and insert “proven, promising, and evidence-based.”

Explanation: The local board would identify, promote, and disseminate information on “proven, promising, and evidence-based practices” instead of “proven and promising practices.”

Local Plan

In section 108(b)(4), insert “(which shall be evidence-based strategies and services, where available) after “services”.

Explanation: The language would require that the strategies and services described in the local plan be evidence-based, where available.

Use of Funds for Youth Workforce Investment Activities

In section 129(c)(2), insert “(which shall be evidence-based if available)” after “program elements”.

Explanation: Would require that all youth workforce development activities (not just dropout prevention, as under current law) be evidence based, where evidence is available.

Statewide Adult and Dislocated Worker Activities

In section 134(a)(3)(A)(i), insert “evidence-based” after “innovative”.

Explanation: Current law authorizes States to implement innovative programs and strategies. The amendment would require that those programs and strategies be evidence-based.

Adult and Dislocated Worker Programs: Career Services

In section 134(c)(2)(A), insert “, shall be evidence-based services, where available, and shall be” after “which shall be”.

Explanation: Would require that career services, a mandatory element of adult and dislocated worker programs, be evidence-based, where evidence is available.

Adult and Dislocated Worker Programs: Training Services

In section 134(c)(3)(D), insert “shall be evidence-based services, where available, and” after “services”.

Explanation: Would require that training services, a mandatory element of adult and dislocated worker programs, be evidence-based, where evidence is available.

Native American Programs

In section 166(d)(1):

Delete “and” after subparagraph (A).

At the end of subparagraph (B), delete the period and insert “; and”.

After subparagraph (B), insert:

“(C) are evidence-based, where available.”

Explanation: Would require the activities carried out with Native American grants to be evidence-based, if evidence is available.

Migrant and Seasonal Farmworker Programs

In section 167(d), delete “(including youth workforce investment activities)” and insert “(which shall be evidence-based, where available, and which may include youth workforce investment activities)”.

Explanation: Would require the activities carried out with Migrant and Seasonal Farmworker grants to be evidence-based, if evidence is available.

Adult Education: State Leadership/Professional Development

In section 223(a)(1)(B), insert “evidence-based” before “high quality”.

Explanation: The law requires State agencies to use their Adult Education State Leadership funds to establish or operate high-quality professional development programs. The amendment would require that those programs be evidence-based.

Adult Education: State Leadership/Curriculum Development

In section 223(a)(2)(C), insert “evidence-based” after “Developing and disseminating”.

Explanation: The law authorizes States to use State Leadership funds to develop and disseminate curricula. The amendment would require that those curricula be evidence-based.

Adult Education: State Leadership/Development of Programs for Learners with Disabilities and English Language Learners

In section 223(a)(2)(K), insert “evidence-based” before “development and dissemination of”.

Explanation: The law authorizes States to use their State Leadership funds to develop and disseminate programs and services to meet the needs of adults with disabilities and English language learners. The amendment would require that those programs and services be evidence-based.

Adult Education: National Leadership Activities

In section 242(c)(1)(A), insert “evidence-based” after “related to”.

In section 242(c)(2)(A), insert “evidence-based” after “the most successful”.

In section 242(c)(2)(C)(vi), insert “evidence-based” after “high-quality”.

In section 242(c)(2)(C)(vii), in the language preceding subclause (I), insert “evidence-based” after “information”.

Explanation: The Adult Education National Leadership authorization authorizes the U.S. Department of Education to carry out a variety of activities, including in such areas as

professional development, development and identification of effective instructional methods, and identification of best practices and innovative programs. The amendments would require the activities in those areas to focus on evidence-based practices.

4. Additional References to Scientifically Valid Research (SVR)

Definition of “Career Pathway”

In section 3(7):

Delete “and” after subparagraph (F)

At the end of subparagraph (G), delete the period and insert “; and”.

After subparagraph (G), insert:

“(H) are supported by scientifically valid research, where available.”

Explanation: Requires career pathway programs supported through WIOA to draw on SVR, where available.

Local Plan

In section 108(b):

Delete “and” after paragraph (21).

After paragraph (21), insert:

“(22) a description of how the local board will ensure that the services that will be provided in the local area are supported by scientifically valid research, where available; and”

Renumber paragraph (22) as paragraph (23).

Explanation: Requires the local board to describe, in its plan, how it will ensure the use of SVR-derived services, where available.

Identification of Eligible Providers

After section 122(b)(1)(I), insert:

“(J) The extent to which the programs and services of such providers are supported by scientifically valid research.”

Redesignate section 122(b)(1)(J) as section 122(b)(1)(K).

Explanation: Requires Governors, in designating local providers to offer WIOA services, to consider the extent to which a provider’s services draw on SVR.

Allowable Statewide Youth Activities

In section 129(b)(2)(A)(i), insert “, including scientifically valid research,” after “research”.

Explanation: Calls out SVR as a discretionary use of statewide youth funds

Youth Programs: Local Elements and Requirements

In section 129(c)(1)(B), insert “, that are supported by scientifically valid research, where available,” after “section 116(b)(2)(A)(ii)”.

Explanation: Requires local providers to develop service strategies for each participant that draw SVR, where available.

Allowable Statewide Employment and Training Activities

In section 134(a)(3)(A)(i), insert “(supported by scientifically valid research, where available)” after “innovative programs and strategies”.

Explanation: Requires the innovative adult and dislocated worker activities carried out at the State level to be based on SVR, where available.

Career Services for Adults and Dislocated Workers

In section 134(c)(2)(A), insert “, shall be supported by scientifically valid research, where available,” after “one-stop delivery system”.

Explanation: Requires the career services provided to adults and dislocated workers to be supported by SVR, where available.

5. Workforce Development Innovation Fund

Workforce Innovation Development Fund modeled after the ESEA Education Innovation and Research Program

After section 171 insert:

“SEC. 172. WORKFORCE DEVELOPMENT INNOVATION FUND

“(a) PROGRAM AUTHORIZED.--

“(1) IN GENERAL.—The Secretary is authorized to award Workforce Development Innovation grants to eligible entities to enable such entities to—

“(A) create, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovations for improving the design and delivery of employment and training services that generate long-term improvements in the performance of the public workforce system, in outcomes for job-seekers and employers, and in the cost-effectiveness of programs and services; and

“(B) rigorously evaluate those innovations, in accordance with subsection (c).

“(2) DESCRIPTION OF GRANTS. – The grants described in paragraph (1) shall include—

“(A) early-phase grants to fund the development, implementation, and feasibility testing of a program, which prior research suggests has promise, for the purpose of determining whether the program can successfully improve the design and delivery of employment and training services that generate long-term improvements in the performance of the public workforce system, in outcomes for job-seekers, and in the cost-effectiveness of programs and services;

“(B) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant described in subparagraph (A) or other effort meeting similar criteria, for the purpose of measuring the program’s impact and cost-effectiveness, if possible using existing administrative data; and

“(C) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant described in subparagraph (B) or other effort meeting similar criteria, for the purposes of—

“(i) determining whether such impacts can be successfully reproduced and sustained over time; and

“(ii) identifying the conditions in which the program is most effective. ‘

“(b) ELIGIBLE ENTITY. – In this section the term ‘eligible entity’ means any of the following:

“(1) A State workforce development board established under section 101;

“(2) A local workforce investment board established under section 107.

“(3) An Indian tribe, tribal organization, Alaska Native entity, Indian-controlled organization serving Indians, or Native Hawaiian organization that is eligible to receive an award under section 166.

“(4) A consortium of such entities.

“(c) EVALUATION. – Each recipient of a grant under this section shall conduct an independent evaluation of the effectiveness of the program carried out under that grant.

“(d) TECHNICAL ASSISTANCE. – The Secretary may reserve not more than 5 percent of the funds appropriated under subsection (e) for a fiscal year to—

“(1) provide technical assistance to eligible entities, which may include pre-application workshops, web-based seminars, and evaluation support; and

“(2) disseminate evidence-based best practices.

“(e) AUTHORIZATION OF APPROPRIATIONS. – There are authorized to be appropriated for the purpose of carrying out this section such sums as may be necessary for fiscal years 2024 through 2029.”

Redesignate section 172 as section 173.