



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

PROGRAM MEMORANDUM OCTAE/DAEL 15-6

DATE: December 8, 2015

TO: State Directors of Adult Education

FROM: Johan E. Uvin /s/
Deputy Assistant Secretary,
Delegated the Authority of the Assistant Secretary

RE: Competition and Award of Adult Education and Family Literacy Act Funds under the Workforce Innovation and Opportunity Act – Frequently Asked Questions

Under the *Workforce Innovation and Opportunity Act* (WIOA), Section 231 of the *Adult Education and Family Literacy Act* (AEFLA or Title II) requires an eligible agency to award multiyear grants or contracts on a competitive basis to eligible providers for the purpose of developing, implementing, and improving adult education and literacy activities within the State or outlying area. For fiscal year (FY) 2015, the U.S. Department of Education exercised its transition authority under Section 503 of WIOA to allow States to award FY 2015 funds to existing eligible providers (those that previously received AEFLA funds under the *Workforce Investment Act of 1998* (WIA)) to allow for uninterrupted services. The purpose of this memorandum is to provide answers to frequently asked questions that may assist States in determining when they would need to compete and award AEFLA funds under WIOA.

1. When will States be required to compete and award AEFLA funds under WIOA?

States are required to award new grants under WIOA no later than July 1, 2017. States may conduct a competition in which new WIOA grants are awarded prior to July 1, 2017, as long as certain conditions are in place. These conditions are summarized below.

2. Can a State choose to extend grants or contracts awarded under WIA through the July 2016 fiscal year?

Yes, the U.S. Department of Education is exercising its transition authority¹ to allow States to extend grants or contracts awarded under WIA through June 30, 2017. All awards in a State must be in place under the requirements contained in WIOA by July 1, 2017. States may not extend grants and contracts made under WIA beyond June 30, 2017.

¹ Section 503(c) of WIOA.

3. What conditions must a State have in place in order for the State eligible agency to make awards prior to July 1, 2017?

The following conditions are required to be in place in a State prior to competing and awarding AEFLA grants and contracts under WIOA:

- The State must have an approved Unified or Combined State Plan.
- The State must have local boards as specified under Section 107 of WIOA in place.
- The State must have approved local workforce plans in place in all workforce areas.

4. Why must a State meet these conditions if it chooses to make awards prior to July 1, 2017?

WIOA presents an opportunity to align local workforce development activities, including those made available by one-stop partners, with the State's Unified or Combined State Plan. Local workforce plans are required to be aligned with the State Plan.² Additionally, Local Boards are required to review applications from local agencies that are eligible to provide adult education and literacy activities under Title II to determine whether the application is consistent with the local plan and to make recommendations to promote the alignment of such plans. Therefore, the three conditions listed above must be met in order to meet statutory requirements to conduct a competition and award grants.

5. Why may a State choose to award AEFLA funds prior to July 1, 2017?

The time by which approved Unified or Combined State Plans, Local Boards, and approved local plans are in place across States is likely to vary. A State may choose to conduct a competition and award funds prior to July 1, 2017, because it may have the conditions in place shortly after its State Plan is approved in June 2016.

6. What are the advantages of awarding grants prior to July 1, 2017?

Awarding new grants under WIOA earlier than July 1, 2017, may better facilitate alignment with local workforce development activities. This may provide a more timely opportunity for new AEFLA grantees to enter into local Memoranda of Understanding/Agreement that specify what career services will be made available through the one-stop system. It may also allow optimal timing for AEFLA provider participation in infrastructure cost agreements. States need to carefully assess when these local activities are likely to be occurring in local workforce areas.

7. What are the advantages of waiting until July 1, 2017, to award WIOA AEFLA funds?

The advantages of waiting until July 1, 2017, to award AEFLA funds include allowing States to better manage awards and performance expectations on a 12-month cycle. Some States may have difficulty managing awards that are not granted for July 1 implementation. These "off-cycle" grants may require States to manage performance expectations that are not on a 12-month cycle and may

² Section 108(a) of WIOA requires the Local Board to develop and submit a local plan that supports the strategy described in the Unified or Combined State Plan.

complicate continuity of services to program participants, accounting for contractual labor arrangements, or management of other contract overlap issues.

8. What guidance will OCTAE provide to States regarding competitions run under WIOA?

Information on WIOA implementation, including links to guidance and technical assistance will be posted on [OCTAE's resource page](#) as they become available. Please contact your Area Coordinator for any additional guidance and information you may need.