

# The Workforce Innovation and Opportunity Act and Child Care for Low-Income Parents

Opportunities and Challenges under the New Law

Shayne Spaulding June 2015

Parents, especially low-income parents, often need education and training to help them get a better-paying job and move up the economic ladder. Of the 21 million parents who are low income, almost three out of five (58 percent) have low education levels (Eyster, Callan, and Adams 2014), and many could benefit from additional education that could help increase their earnings. Research has shown a strong link between education and earnings (Bureau of Labor Statistics 2015; Carnevale, Rose, and Cheah 2011). Yet only a small fraction of low-income parents—about 1 in 10—are enrolled in education or training programs (Eyster et al. 2014), and many face challenges in completing programs (Goldrick-Rab and Sorenson 2010; Taniguchi and Kaufman 2005). Although many factors can create challenges for low-income parents seeking education and training, one key barrier is the lack of affordable child care that is necessary for low-income parents to access and persist in training.

In July 2014, the Workforce Innovation and Opportunity Act (WIOA) was signed into law, replacing the Workforce Investment Act (WIA), which had governed the public workforce system since 1998. WIOA encourages states to better support more disadvantaged adults and youths by addressing barriers to success, such as child care needs for those in education and training. This brief documents some of the potential opportunities (and remaining challenges) the passage of WIOA offers to address the child care needs of low-income parents so they can access and be successful in education and training to secure better jobs and economic security for their families.

The proposed regulations were released in April 2015; final rules will not go into effect until July 2016. In the interim, states and localities can develop more effective approaches to meeting the child care needs of low-income parents seeking assistance through the workforce system and can incorporate these new approaches in their state plans. Such efforts are particularly timely as states are also revisiting their state child care policies in response to the reauthorization of the Child Care and Development Fund (CCDF; also known as Child Care and Development Block Grant), as discussed in a companion brief (Adams and Heller 2015). Together, the passage of these two laws provides an unusual opportunity for agencies interested in helping low-income parents succeed.

## **About This Brief**

This brief is based on interviews with experts as part of the Bridging the Gap project (box 1), a review of WIA legislation and literature, and a review of the WIOA law and various policy papers developed to help interpret the new law.

#### BOX 1

#### Bridging the Gap: The Intersection of Workforce Development and Child Care

With the support of the Ford Foundation and the Annie E. Casey Foundation, the Urban Institute is undertaking a phased set of studies examining the intersection of child care and workforce development. Papers published thus far for this project include this paper, as well as

- an analysis of national survey data on low-income parents and education and training efforts (Eyster, Callan, and Adams 2014);
- a review of state Child Care and Development Fund eligibility policies and services for parents in education and training (Adams et al. 2014);
- an overview of the intersection of child care and workforce development policy and practice (Adams, Spaulding, and Heller 2015); and
- a companion to this brief examining opportunities and challenges offered by the reauthorization of the Child Care and Development Fund, the main federal and state child care assistance program (Adams and Heller 2015).

The current phase of the project focuses on identifying a range of challenges, barriers, and policy solutions related to meeting the child care needs of low-income parents seeking workforce development supports. It includes a deeper focus on policy barriers and strategies to support a more coherent and comprehensive interface between the child care and workforce development systems.

# Background: Understanding the Issues

## **Barriers to Low-Income Parents Seeking Education and Training**

Low-income parents can face tremendous barriers accessing and completing education and training. Beyond the issues that often come with being low-income, parents must also try to find, arrange, and pay for child care (Adams, Spaulding, and Heller 2015). About half the low-income parents who enroll in education and training also work, which means they must arrange for child care not only when they are in school, but also when they are working and commuting from one place to another (Eyster et al. 2014). Low-income parents are faced with the added challenges of changing or unpredictable class and work schedules and formal child care options that are oriented toward providing care only during weekday and daytime hours (Adams et al. 2015).

The complexity of these issues is matched by the complexity of the workforce and child care systems low-income parents must navigate. As Adams and colleagues (2015) note, these systems have been characterized by the following:

- neither system prioritizes services for low-income parents,
- both systems lack resources to meet the level of need, and
- the two systems are often not coordinated and operate in silos.

Although WIOA does not fully resolve these issues, it presents new opportunities for states and localities to focus on low-income parents and design programs that better meet their needs, including their child care needs.

Before exploring these opportunities, this brief first discusses the 1998 WIA as context for understanding the changes brought about by WIOA.

### Challenges for Low-Income Parents under the Workforce Investment Act of 1998

At the time, WIA represented a major overhaul of the public workforce system. It was the first effort to bring together several major funding streams that supported individuals' progress toward improved employment outcomes, including the nation's adult education system, services provided to unemployed workers under Wagner-Peyser, and job placement services for the disadvantaged. WIA also had a greater focus on meeting the needs of employers, in part through the greater authority given to local oversight bodies called workforce investment boards, whose members were primarily employers. Finally, WIA opened up services in the public workforce system to all workers, making it a system of "universal access," not one focused solely on the disadvantaged. Similar to prior laws, WIA left states and localities with significant discretion to implement federal policy.

For low-income parents, these changes meant several things. The workforce system was forced to serve a broader range of people, but resources were still limited. Serving individuals with significant

barriers to employment costs more, and states and localities had to make difficult choices about whom to serve in the midst of competing priorities. WIA prioritized services for low-income individuals, but this priority was only required when funding was low, and it is unclear how states and localities implemented this requirement. Performance metrics that emphasize job placement have reportedly created disincentives for states to serve individuals who seem to have more barriers to employment (Barnow and King 2005; GAO 2002; Heckman, Heinrich, and Smith 2011). Although support services were allowed under WIA, the cost of child care in the context of limited resources meant this service was likely being paid for with other funding sources. Data on the support services funded under WIA do not specify the types of services provided, but information gathered through interviews with experts suggests that, in most cases, child care needs were not likely addressed directly or even indirectly by the WIA-supported workforce development system.

Although WIA aimed to better align and coordinate the various actors in the workforce system, child care–related agencies were not considered mandatory partners. Only 5.9 percent of individuals accessing services through One-Stop Career Centers<sup>1</sup>—the main point of entry for services under both the WIA and WIOA systems—received supportive services, defined as transportation, child care, or other services under WIA. In program year 2013, only about 14.2 percent of WIA customers in the adult program were single parents (Social Policy Research Associates 2013). In many localities, disconnects remained among the postsecondary education, WIA, and child care systems (Adams et al. 2015; Jacobson et al. 2011). Individuals who enrolled in community and technical colleges, for example, may have been unable to access available child care and workforce systems supports because of a lack of information or resources. Of course, there was great variation across the country, and several systems under WIA included child care as a key component of services provided to job seekers (GAO 2008; Jacobson et al. 2011).

# Opportunities and Challenges under the Workforce Innovation and Opportunity Act of 2014

In July 2014, Congress passed and President Barack Obama signed the Workforce Innovation and Opportunity Act, which became the new law governing the nation's workforce system. While maintaining many WIA components, WIOA also creates new functions for states and localities in the planning and delivery of services. These new functions open up new opportunities for expanding and enhancing services for low-income parents. The remainder of this brief explores these opportunities, as well as remaining challenges and potential solutions.

## **Opportunities**

Key opportunities under the 2014 WIOA include

serving parents with barriers to employment,

- serving young parents,
- implementing career pathway models,
- providing individual assessment and career plan development,
- retaining funding for states to operate special initiatives,
- engaging state child care partners, and
- having child care programs as active partners in the local workforce system.

#### SERVING PARENTS WITH BARRIERS TO EMPLOYMENT

WIOA directs states and localities to offer job seekers and workers universal access to services, but it also specifically encourages states and localities to provide services to individuals with barriers to employment and calls out single parents as such a population.<sup>3</sup> The law also gives state governors discretion to identify other groups with barriers to employment. Thus, a state could identify low-income parents with child care needs as a target population with barriers to employment and describe in its state unified plans the vision and plan to serve this population. In this manner, states and localities can use the language in the new law to reorient their systems toward serving the disadvantaged, including low-income parents.

States are required to report on separate subpopulations identified as having barriers to employment, including single parents (Bird, Foster, and Ganz-Glass 2014). To the extent that "what matters gets counted," that requirement will help focus on services to this group. It is unclear whether states will report on additional subpopulations that governors identify as target groups. Performance targets must be set that consider the characteristics of the population served, as well as local economic conditions, thus further encouraging states and localities to provide services to subpopulations with barriers. Locally, workforce development boards (formerly workforce investment boards) can design their programs to meet the needs of identified subpopulations. If these subpopulations include low-income parents, workforce development boards might include strategies for addressing child care needs, whether directly or through counseling or referrals.

#### **SERVING YOUNG PARENTS**

Several changes under WIOA affect services for youth. First, the age range defining out-of-school youth changed from ages 16–21 to ages 16–24, capturing more young parents. In fact, anyone who is low-income, "pregnant or parenting," and within the specified age range qualifies as an out-of-school youth under the law. Second, a significantly larger portion of funding is slated for out-of-school youth programs. WIOA requires that 75 percent of statewide funds and 75 percent of local funds be spent on out-of-school youth, compared with just 30 percent under WIA. If many out-of-school youth are parents, states and localities may need to think more about how to meet parents' needs, particularly around child care. Third, for youth served through Job Corps (a residential job training program for youth), new language specifies that programs must make efforts to have child care available on site or in

close proximity. Although Job Corps serves only a small number of young parents, requiring child care on site or nearby is an important step for ensuring young parents can access this training. It could also provide valuable lessons for other workforce development providers interested in improving access to child care for parents.

#### **IMPLEMENTING CAREER PATHWAY MODELS**

WIOA requires states and localities to implement career pathway models, which are defined broadly as combined high-quality education, training, or other services that meet industry needs, prepare students for academic and career success, and include the provision of both counseling and other services over time in the achievement of career goals. The law requires local boards to implement career pathway programs by "aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly those with barriers to employment." The law does not mention child care as a key component of career pathway models; however, it does include supportive services—defined in WIOA as including "transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under this Act"—as a key function of the WIOA delivery system. In addition, the literature on career pathways identifies supportive services as an essential component of career pathway programs and includes child care as a vital supportive service (CLASP 2015; Werner et al. 2013).

The focus on career pathways may prompt states to examine supportive services, such as child care, that participants need to ensure success. Although direct financing of child care is generally not possible through the workforce system, more intensive counseling for low-income parents seeking to enroll in education and training can direct them to child care resources in the community, including funding for child care through the Child Care Development Block Grant and Head Start (box 2). Greater collaboration with community colleges and other postsecondary institutions would allow workforce development boards, state and local agencies that administer funding, and One-Stop operators to identify additional supports that might be available to students. For example, students may be eligible for career navigator services at community colleges or on-site child care on college campuses.

#### PROVIDING INDIVIDUAL ASSESSMENT AND CAREER PLAN DEVELOPMENT

WIOA requires that all adults and dislocated workers receive a range of "career services," including an initial assessment and eligibility determination, provision of relevant information on available jobs and programs, and more robust counseling and job placement activities than required under WIA. The law also requires an in-depth assessment of supportive service needs, as well as the provision of information on available supportive services, with specific mention of child care. Further, the law requires the development of an employment plan for eligible participants to identify not only employment goals and strategies, but also the "appropriate combination of services for the participant to achieve their employment goals." In-depth assessments are also required for participants in youth programs. Assessment and career plan development activities can provide important opportunities to identify and develop plans for addressing child care needs.

#### BOX 2

#### Potential Resources for Supporting Child Care

Various resources are available for supporting child care needs for parents in education and training (Adams, Spaulding, and Heller 2015; CLASP 2015):

- WIOA Title I Adult and Dislocated Worker
- WIOA Title I Youth
- Pell grants
- Perkins Career and Technical Education
- Temporary Assistance for Needy Families
- Community Service Block Grant
- Supplemental Nutrition Assistance Program Employment and Training
- Community Development Block Grant
- Child Care Access Means Parents in School program (funds child care at some colleges)
- Child Care Development Block Grant (Child Care Development Fund)
- Head Start and Early Head Start
- State or local prekindergarten

Some of these resources are available through the workforce system, and how well they can support child care may depend on the final regulations for WIOA. Other resources on this list are available through the education or child care systems. Further information about many of these funding streams, including funding levels, is available in Adams and colleagues (2015).

The Child Care Development Block Grant, in particular, may be a source of funding to support low-income parents in the workforce system. As documented by Adams and colleagues (2014), many states have allowed this funding to be used for parents in education and training, although resources are limited and many states limit access depending on the type of educational activity or population served.

The Child Care Development Block Grant was also reauthorized in 2014, presenting new opportunities (and challenges) for supporting the child care needs of low-income parents in education and training. Adams and Heller (2015), in their companion piece to this brief, note several opportunities the new child care law provides to states to better meet the varying and unique needs of low-income parents in education and training. These opportunities include reexamining eligibility policies to support access for parents in education and training; simplifying eligibility determination, verification, and oversight; simplifying care authorization; supporting continuity and stability in child care by avoiding breaks in service; developing stronger consumer education strategies about child care options for parents in education and training; and expanding the availability of affordable quality child care for parents in workforce development programs.

#### RETAINING FUNDING FOR STATES TO OPERATE SPECIAL INITIATIVES

WIOA retains and reinforces the funding available to states (the "governors' set-aside") for statewide initiatives. This funding can support various activities, including implementing strategies for effectively serving individuals with barriers to employment. This set-aside funding also provides the opportunity for states to experiment with innovative approaches to meeting the child care needs of low-income parents or to design special initiatives targeting this population, such as efforts to encourage community colleges to make scheduling changes that could make it easier for parents to arrange child care or to create more robust counseling services at One-Stop Career Centers that are designed to help low-income parents navigate their child care options.

#### **ENGAGING STATE CHILD CARE PARTNERS**

WIOA requires each state to develop a four-year "unified plan" for delivery of services that covers the core programs under the act, including the adult, dislocated worker, and youth programs under Title I; the adult education programs under Title II; the Wagner-Peyser employment services under Title II; and the vocational rehabilitation programs under Title IV. States can choose to include noncore programs as part of their state plan by submitting a "combined plan" instead of a unified plan. Although the Child Care Development Block Grant is not included on the list of programs that can be part of state plans, child care agencies and organizations serving low-income parents can be included in the development of state plans, whether unified or combined. They are also allowed in the membership of state workforce development boards, which write the state plans.

By collaborating with state child care agencies, either by including them as members in state workforce development boards or seeking their input on the development of state plans, states will have a greater likelihood of developing a comprehensive approach to addressing the child care needs of low-income parents in the workforce system. The fact that Temporary Assistance for Needy Families (TANF) is a mandatory partner in the One-Stop delivery system may help improve the connections between child care and workforce development programs. There is already a strong link between the child care system and the TANF program because many states give TANF recipients priority when allocating child care vouchers.

At the same time, state child care agencies may also be interested in developing stronger partnerships with workforce development entities. In the companion brief to this brief, Adams and Heller (2015) note several ways in which the recent reauthorization of CCDF could support partnerships between child care assistance agencies and workforce development agencies to better meet the needs of low-income parents seeking education and training (box 2).

### HAVING CHILD CARE PROGRAMS AS ACTIVE PARTNERS IN THE LOCAL WORKFORCE SYSTEM

Similarly, WIOA allows the participation of local child care agencies and other partners with knowledge of services for low-income parents. Such agencies can help write local plans and can serve on local workforce development boards. It is also possible for child care resource and referral agencies<sup>7</sup> and other child care representatives to be at local One-Stop Career Centers to help facilitate access to child care for low-income parents, although there may be cost implications for such agencies to participate as

child care partners at One-Stop Centers. An alternative would be for local One-Stop operators or local agencies administering WIOA to work with child care partners to develop customer materials that could be used to help low-income parents navigate child care resources and options, as well as procedures for assessing and addressing the child care needs of One-Stop Center customers and trainings for center staff on how to implement these procedures.

Given limited resources and time constraints and the need to provide services to a large number of diverse customers, these procedures might not involve intensive case management, but rather general guidance and referrals to agencies with appropriate expertise. As noted above and in box 2, the reauthorization of CCDF provides opportunities for state and local child care agencies to collaborate with local workforce providers.

## Challenges

Although WIOA presents new opportunities to structure services to better meet the child care needs of low-income parents who are interested in pursuing education and training, important challenges remain. These challenges include

- inadequate funding levels,
- possibly continued disincentives to serve clients with employment barriers,
- competing state and local priorities concerning resource allocation,
- an underfunded child care system, and
- limited child care supply.

#### INADEQUATE FUNDING LEVELS

WIOA places new emphasis on resource-intensive interventions as part of career pathway models and seeks to expand services to those with barriers to employment. Yet the law's funding increases ultimately may not be enough to support services for these programs or populations. First, funding starts from a low level because of previous cuts to WIA. Proposed funding increases are specified in the law through 2020, but the increases through 2017 merely restore what was cut starting in 2010 (Bird, Foster, and Ganz-Glass 2014). Second, funding for WIOA will be subject to annual appropriations, which means fewer resources could be available than are specified in the new law (National Skills Coalition 2014). For example, WIA, like WIOA, included a 15 percent set-aside for governors, but this amount was reduced through the annual appropriations process starting in 2011. Third, significantly more resources are required to operate career pathway and sectoral programs and to serve populations with barriers to employment. State and local systems will continue to make tough choices about whom to serve and what services to provide.

#### POSSIBLY CONTINUED DISINCENTIVES TO SERVE CLIENTS WITH EMPLOYMENT BARRIERS

Performance metrics under WIOA may continue to create disincentives for serving individuals with barriers to employment. The focus on serving disadvantaged populations in WIOA is in part a reaction to the old law, because there is evidence that local areas, in their efforts to manage scarce resources, did not provide sufficient services to disadvantaged adults (Barnow and King 2005; GAO 2002; Heckman et al. 2011). WIOA includes several improvements to the way performance is measured and reported, and it allows setting of performance targets in a way that accounts for the characteristics of the population served. However, in the context of limited funding, performance metrics may still create incentives to serve those most likely to succeed. Without clear guidance to local operators and frontline staff and continued focus, training, and support from federal agencies, low-income parents with child care needs may be perceived as having barriers that are too substantial to allow agencies to meet performance goals.

#### COMPETING STATE AND LOCAL PRIORITIES CONCERNING RESOURCE ALLOCATION

Opportunities exist to create more integrated systems that involve child care agencies in the planning and delivery of services, but whether this integration occurs will depend largely on state and local priorities and the choices state and local officials make about how and whether to reorient their systems. The workforce system serves a large, diverse customer base; states and localities will have to choose where to focus their priorities, especially in the context of limited funding and ambitious goals for service delivery.

#### UNDERFUNDED CHILD CARE SYSTEM

States and local areas that focus on serving low-income parents and addressing their child care needs may face an underfunded child care system that may not prioritize parents in education and training. As Adams and colleagues (2015) note, although states vary greatly, resources to pay for child care tend to support low-income parents who are working or receiving TANF benefits rather than parents who are in education and training. In addition, many states restrict the use of child care funding for education and training purposes (Adams et al. 2014). States and localities looking to reorient their workforce development systems may confront these conflicts in policy priorities as they seek to make their systems friendlier to low-income parents with child care needs.

#### LIMITED CHILD CARE SUPPLY

Similarly, the expansion of services to disadvantaged populations and toward more resource-intensive interventions such as career pathways will force states and local areas to confront the availability and affordability of quality child care in the community. For example, as a workforce system begins to serve more low-income adults and youth with young children, leaders may encounter a lack of child care available for infants and toddlers. Further, infant and toddler care tends to be more expensive than child care for older children. And, if parents are part of a longer-term education and training program, their schedules may vary over time, and they will need flexible child care options that can accommodate their changing needs.

## What Can States and Localities Do?

The first step for states might be to **gather more information on local need**. How many parents are seeking services at One-Stop Career Centers or through WIOA-funded programs? How many parents have received services, and what kinds of services? Who has provided those services? States can also reach out to their child care agency counterparts to learn what kind of information is available statewide or locally about these issues. If formal data are not readily available, information can be collected from local administrators and providers more informally to better understand the issues and the potential need for child care. This kind of analysis and identification of issues is in line with the law's requirements for the development of state and local plans.

States and localities can map the system of services for meeting the child care needs of parents in education and training. Many important questions need to be examined about the child care systems in each state or locality and the extent to which they work with families seeking education or training. What resources are available to pay for child care within a state or a local area? Who manages CCDF resources statewide and locally? Is there a local organization charged with child care resource and referral services that could be a point of contact for education and training providers or for WIOA customers to be able to identify quality child care and funding sources to support that care? Are there other agencies that deal with child care that could be partners? How much data, if any, does the child care resource and referral agency have about unmet child care needs for parents in education and training? How can the child care resource and referral agency or other relevant agencies help develop a supply of care to better meet the needs of parents in education and training?

WIOA offers many opportunities to **engage state and local child care partners**, including in the development of plans, as members of state or local workforce development boards, and as service provider partners in the One-Stop delivery system. These child care partners might include state or local CCDF representatives (e.g., health and human service offices, welfare agencies), child care resource and referral agencies or other organizations that help parents find child care, the state Head Start Collaboration Office, local child care subsidy administrators, or other state- or locally sponsored child care organizations or initiatives. As noted, the reauthorization of CCDF provides similar opportunities for collaboration and engagement.

With input from child care partners and agencies, states can make meeting the needs of low-income parents a specific part of their state plans and corresponding initiatives. The 15 percent set-aside for states provides an opportunity to operate pilot initiatives for target populations. States and localities can also consider how to incorporate child care into both career pathway programs that are being developed and programs serving out-of-school youth. The Center for Law and Social Policy (2015) provides information to states on how they can put in place financial resources to make career pathway programs successful, including examples of how states have leveraged resources to support child care needs. In addition, states can consider other sources of funding available through the child care and education systems to support low-income parents' participation in education and training and achievement of career goals (Adams et al. 2015).

Even if a state plan does not focus on serving low-income parents, it can **give guidance to local operators** about how to identify low-income parents who can benefit from training and an approach to connecting them with available child care resources in the community.

Although partnering with child care agencies to deliver better workforce programs is essential, limitations on the child care side (such as eligibility policies) and other policies can be challenging for parents in education and training. Coordinating policies across the workforce and child care systems and collaborating between workforce development and child care agencies may result in more successful improvements to both systems that can benefit low-income parents with child care needs. Adams and Heller (2015) note some key areas of focus for these joint efforts, including simplifying administrative processes, ensuring continuity of care to prevent breaks in service, and building the supply of quality care to support the needs of parents in education and training.

While the final regulations are being developed, states can take important steps to develop a system of supports and services to improve access and outcomes for an important target population of the workforce investment system. Other publications in this series will examine how some states and localities developed supportive systems under WIA, so those implementing WIOA can build from these lessons and successful models.

## **Notes**

- 1. One-Stop Career Centers are also known as American Job Centers.
- 2. For a comparison of WIA and WIOA, see National Skills Coalition (2014).
- **3.** For a full discussion of the opportunities to serve disadvantaged adults and youth presented by WIOA, see Bird, Foster, and Ganz-Glass (2014).
- 4. The full definition of career pathways under the law is as follows: "A combination of rigorous and high quality education, training and other services that (A) aligns with the skills needs of the industries in the economy of the State or regional economy involved; (B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the National Apprenticeship Act; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) . . . ; (C) includes counseling to support an individual in achieving the individual's education and career goals; (D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster; (E) organizes education, training and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable; (F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 industry-recognized credential; and (G) helps an individual enter and advance within a specific occupation or occupational cluster."
- 5. Pub. L. No. 113-128, §2.
- 6. Pub. L. No. 113-128, §134(a)(3)(c)(2)(A)(xii)(II).
- 7. Child care resource and referral agencies are local bodies that provide parents with information about child care options and support in finding care. In some states, these agencies are also contracted by the state to administer the child care subsidy program at the local level.

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