

**ASSEMBLY BILL**

**No. 1584**

---

---

**Introduced by Assembly Member Evans**

February 22, 2005

---

---

An act to amend Section 15037 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1584, as introduced, Evans. California Workforce Investment Board: statewide workforce preparation: assessment of programs.

Existing law provides that the California Workforce Investment Board is established to assess, among other things, the accomplishments of California's workforce preparation system, by measuring the performance of designated state and federally funded programs.

This bill would also require the board to be responsible for developing an education and job training report card program to assess the accomplishments of California's workforce preparation system, and to establish a subcommittee for this purpose, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 15037 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 15037. The California Workforce Investment Board shall *do*
- 4 *all of the following*:
- 5 (a) Review and comment on the state workforce development
- 6 plan developed pursuant to Section 11011.

1 (b) Develop and recommend to the Governor a coordination  
2 and special services plan, which includes a dislocated workers  
3 assistance plan, in accordance with Chapter 4.5 (commencing  
4 with Section 10510) of Part 1 of Division 3.

5 (c) Recommend to the Governor local service delivery areas.  
6 To the extent permitted by federal law, designation of service  
7 delivery areas shall reflect the intent of the Legislature to  
8 integrate and coordinate employment and training services,  
9 public assistance programs, and other educational and training  
10 efforts as may exist which are designed to assist individuals in  
11 preparing for participation in the labor force.

12 (d) To the extent permitted by federal law, establish policies  
13 which shall be followed by the department in performing all of  
14 the following functions:

15 (1) Approval of local service delivery area plans.

16 (2) Establishment of standards, criteria, and reporting  
17 requirements established by the department pursuant to this  
18 division with respect to local service delivery area plans.

19 (3) Allocation of funds for local service delivery area plans,  
20 including funds for plans submitted under Chapter 7.5  
21 (commencing with Section 15075).

22 (e) Plan, review and approve the allocation, recapture, and  
23 reallocation of federal funds received by the state pursuant to the  
24 federal Job Training Partnership Act. Funds received by the state  
25 in accordance with Sections 202(c)(1)(C) and 262 (c)(1)(C) of  
26 that act shall be allocated to the Superintendent of Public  
27 Instruction as necessary to meet the need determined by the  
28 superintendent pursuant to Section 33117.5 of the Education  
29 Code. The board shall be deemed to have approved the  
30 disbursement of funds when the Governor approves a decision of  
31 the board specifying a budget for an authorized program or  
32 activity and designating the department or agency responsible for  
33 the expenditure of the budgeted funds. An agreement shall be  
34 entered into between the Employment Development Department  
35 and the State Department of Education and shall provide that Job  
36 Training Partnership Act funds provided for the purposes of  
37 Section 33117.5 of the Education Code shall be utilized for  
38 payment to local educational agencies.

1 (f) Review and approve the annual labor market and  
2 occupational supply and demand information plan developed  
3 pursuant to Section 10532.

4 (g) Consider and advise the director on all matters connected  
5 with the administration of this code as submitted to it by the  
6 director, and may upon its own initiative recommend changes in  
7 administration as it deems necessary.

8 (h) Review and comment to the Governor and the Legislature  
9 on the annual report prepared in accordance with Section 15064.

10 (i) Serve as the body responsible for making recommendations  
11 to the Governor when the director proposes to withdraw funding  
12 pursuant to Section 15028.

13 (j) *(1) Be responsible for developing an education and job  
14 training report card program to assess the accomplishments of  
15 California's workforce preparation system.*

16 *(A) A subcommittee of the Workforce Investment Board shall  
17 be established for this purpose.*

18 *(B) The subcommittee shall be comprised of three private  
19 sector members of the State Workforce Investment Board, the  
20 Director of the Employment Development Department, the  
21 Superintendent of Public Instruction, the Chancellor of the  
22 California Community Colleges, or their designees, and  
23 representatives of programs that are to be measured under the  
24 report card program.*

25 *(C) The subcommittee shall be responsible for designing and  
26 implementing, or contracting with an operating entity for the  
27 implementation of, a system that can compile, maintain, and  
28 disseminate information on the performance of providers,  
29 programs, and the overall workforce preparation system.*

30 *(2) By January 1, 2006, the subcommittee or an operating  
31 entity under contract to the subcommittee shall operate a  
32 comprehensive performance-based accountability system that  
33 matches the social security numbers of former participants in  
34 state education and training programs with information in files  
35 of state and federal agencies that maintain employment and  
36 educational records, and identifies the occupations of those  
37 former participants whose social security numbers are found in  
38 employment records.*

39 *(3) This system shall measure the performance of state and  
40 federally funded education and training programs for the*

1 *purpose of system, program, and instructional improvement.*  
2 *Programs to be measured shall include programs in receipt of*  
3 *funds from the former Job Training Partnership Act, the*  
4 *Workforce Investment Act, the Carl D. Perkins Vocational*  
5 *Education Act, the Job Opportunities and Basic Skills program,*  
6 *the Food Stamp Employment and Training program, the Wagner*  
7 *Peysner Act, the Employment Training Panel, adult education*  
8 *programs as defined by paragraph (9) of subdivision (b) of*  
9 *Section 10521, basic vocational rehabilitation services as*  
10 *defined by Part B of Title 1 of the federal Vocational*  
11 *Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 701 et*  
12 *seq.), vocational education programs, and certificated*  
13 *community college programs.*

14 *(4) Job training and education providers receiving funding*  
15 *identified in subdivision (c) shall, to the extent permitted by*  
16 *federal law, request social security numbers from each*  
17 *participant 18 years of age and over and not currently enrolled*  
18 *in high school and participating in a workforce preparation*  
19 *program, and shall report to the subcommittee or an operating*  
20 *entity under contract to the subcommittee, as the case may be, on*  
21 *participant social security numbers and economic and*  
22 *demographic characteristics, including, but not limited to, age,*  
23 *gender, race or ethnicity, and education achievement. The state*  
24 *board shall establish the acceptable format and timeframes for*  
25 *data submission.*

26 *(5) The system shall be designed to measure factors such as*  
27 *all of the following:*

28 *(A) Amount and source of funding.*

29 *(B) Program entrance and successful completion rates.*

30 *(C) Employment and wage information for one and three*  
31 *years after completion of training.*

32 *(D) The relationship of training to employment.*

33 *(E) Academic achievement for one and three years after*  
34 *completion of training.*

35 *(F) Achievement of industry skill standard certifications,*  
36 *where they exist.*

37 *(G) Return on public investment.*

38 *(6) Based upon the information compiled pursuant to this*  
39 *section, the subcommittee or an operating entity under contract*

1 to the subcommittee, as the case may be, shall, by December 31,  
2 2006, and each December 31 thereafter, do all of the following:

3 (A) Prepare and disseminate report cards for all training and  
4 education providers in receipt of funds included in the tracking  
5 system.

6 (B) Prepare and disseminate local and statewide report cards  
7 that measure the outcomes of the individual programs that  
8 operate as part of the workforce development system.

9 (C) Prepare and disseminate a state report card that measures  
10 the performance of the entire system of workforce preparation,  
11 and the effectiveness of the system in meeting employers' needs  
12 for educated and trained workers and the clients' needs for  
13 improving their economic well-being.

14 (7) The state board shall develop objective performance  
15 standards emphasizing the principles of continuous improvement  
16 for the programs covered under this section, and a system of  
17 sanctions and incentives to encourage performance that meets  
18 these standards.

19 (8) The state board shall explore the feasibility of including  
20 the following persons in this system:

21 (A) Attendees at private postsecondary institutions.

22 (B) Recipients of federal student loans.

23 (C) Recipients of Pell grants.

24 (D) Pupils in grades 11 and 12.

25 (E) Students enrolled in any community college, California  
26 State University, or University of California program.

27 (9) The sole purpose of this section is to assess the  
28 performance of state and federal employment and training  
29 providers and programs in preparing Californians for the  
30 workforce. Collection and use of social security numbers  
31 pursuant to this section shall be consistent with the requirements  
32 of Section 7 of the federal Privacy Act of 1974 (P.L. 93-579) and  
33 Section 405(c)(2)(C) of Title 42 of the United States Code.  
34 Notwithstanding Chapter 3.5 (commencing with Section 6250) of  
35 Division 7 of Title 1 of the Government Code, or any other  
36 provision of law, the social security number of any person  
37 obtained pursuant to this section is not a public record, and shall  
38 not be disclosed except for the purpose of this section.  
39 Information obtained pursuant to this section shall not be sold or  
40 distributed to any entity without prior consent from the

1 individual, or his or her parent or guardian, with respect to  
2 whom the information is gathered. This subdivision does not  
3 prohibit the exchange of information with other governmental  
4 departments and agencies, both federal and state, that are  
5 concerned with the administration of workforce development  
6 programs. Neither the subcommittee nor an operating entity  
7 under contract to the subcommittee, as the case may be, may  
8 make public any information that could identify an individual or  
9 his or her employer.

10 (10) An education and training program that requires  
11 information gathered by the education and job training report  
12 card program shall use the report card program, and shall not  
13 initiate automated matching of records in duplication of methods  
14 already in place as a result of the report card program.

15 (11) Funding for the development and maintenance of the  
16 education and job training report card program shall be made  
17 available on a shared basis by the programs the report card  
18 program is measuring, to the extent authorized by federal and  
19 state law. The subcommittee, or the operating entity under  
20 contract to the subcommittee, shall have the authority to assess  
21 each of the programs with an appropriate share of the costs of  
22 the report card program. Administrative funds currently used for  
23 program followup activities for the identified programs shall be  
24 redirected for this purpose, if authorized by federal law.

25 (12) The state board shall apply for any federal waivers that  
26 may be necessary to implement this section.