

# VIRGINIA ACTS OF ASSEMBLY -- 2010 SESSION

## CHAPTER 573

*An Act to amend and reenact § 2.2-435.7 of the Code of Virginia, relating to the responsibilities of the Chief Workforce Development Officer.*

[H 1043]

Approved April 11, 2010

**Be it enacted by the General Assembly of Virginia:**

**1. That § 2.2-435.7 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-435.7. Responsibilities of the Chief Workforce Development Officer.

A. The Governor's responsibilities as Chief Workforce Development Officer shall include:

1. Developing a strategic plan for the statewide delivery of workforce development and training programs and activities. The strategic plan shall be developed in coordination with the development of the comprehensive economic development policy required by § 2.2-205. The strategic plan shall include performance measures that link the objectives of such programs and activities to the record of state agencies, local workforce investment boards, and other relevant entities in attaining such objectives;

2. To the extent permissible under applicable federal law, determining the appropriate allocation of funds and other resources that have been appropriated or are otherwise available for disbursement by the Commonwealth for workforce development programs and activities;

3. Ensuring that the Commonwealth's workforce development efforts are implemented in a coordinated and efficient manner by, among other activities, taking appropriate executive action to this end and recommending to the General Assembly necessary legislative actions to streamline and eliminate duplication in such efforts;

4. Facilitating efficient implementation of workforce development and training programs by cabinet secretaries and agencies responsible for such programs;

5. Developing, in coordination with the Virginia Workforce Council, (i) certification standards for programs and providers and (ii) uniform policies and procedures, including standardized forms and applications, for one-stop centers;

6. Monitoring, in coordination with the Virginia Workforce Council, the effectiveness of each one-stop center and recommending actions needed to improve their effectiveness;

7. Establishing measures to evaluate the effectiveness of the local workforce investment boards and conducting annual evaluations of the effectiveness of each local workforce investment board. As part of the evaluation process, the Governor shall recommend to such boards specific best management practices;

8. Conducting annual evaluations of the performance of workforce development and training programs and activities and their administrators and providers, using the performance measures developed through the strategic planning process described in subdivision 1. The evaluations shall include, to the extent feasible, (i) a comparison of the per-person costs for each program or activity, (ii) a comparative rating of each program or activity based on its success in meeting program objectives, and (iii) an explanation of the extent to which each agency's appropriation requests incorporate the data reflected in the cost comparison described in clause (i) and the comparative rating described in clause (ii). These evaluations, including the comparative rankings, shall be considered in allocating resources for workforce development and training programs. *These evaluations shall be submitted to the chairs of the House and Senate Commerce and Labor Committees and included in the biennial reports pursuant to subdivision A 10;*

9. Monitoring federal legislation and policy, in order to maximize the Commonwealth's effective use of and access to federal funding available for workforce development programs; *and*

10. Submitting biennial reports, which shall be included in the Governor's executive budget submissions to the General Assembly, on improvements in the coordination of workforce development efforts statewide. The reports shall identify (i) program success rates in relation to performance measures established by the Virginia Workforce Council, (ii) obstacles to program and resource coordination, and (iii) strategies for facilitating statewide program and resource coordination. ~~In addition, the reports shall provide information on the implementation of the Memorandum of Understanding among the Governor's Office, the Secretaries of Education and Commerce and Trade, the Virginia Community College System, and the Virginia Employment Commission, which Memorandum of Understanding establishes transition plans for moving certain Workforce Investment Act responsibilities from the Virginia Employment Commission to the Virginia Community College System. Upon completion of the transfer of Workforce Investment Act responsibilities from the Virginia Employment Commission to the Virginia Community College System, the reports shall analyze the effectiveness of the Virginia Community College System in carrying out its Workforce Investment Act responsibilities; and~~

11. Submitting to the chairs of the House and Senate Commerce and Labor Committees copies of (i) all evaluations by the Chief Workforce Development Officer of the accountability and performance of the Commonwealth's workforce programs and (ii) all reports by the Office of the Chancellor of the Virginia Community College System on accomplishments and recommendations relating to regional cooperation on workforce, education, and economic development issues.

B. The Governor may delegate any of his responsibilities enumerated in subsection A to a senior staff member within his immediate office.