



AUG 13 2009

The Honorable Jim Doyle
Governor of Wisconsin
State Capitol
Madison, Wisconsin 53702-7863

Dear Governor Doyle:

As part of Wisconsin's modification of the State Plan for title I of the Workforce Investment Act (WIA) and the Wagner-Peyser Act, the State requested several waivers. The Employment and Training Administration (ETA) is pleased to be able to respond positively to your request for waivers of statutory and regulatory requirements under the Workforce Investment Act (WIA). This action is taken under the Secretary's authority to waive certain requirements of WIA Title I, Subtitles B and E, and sections 8-10 of the Wagner-Peyser Act. The request is written in the format identified in WIA section 189(i)(4)(B) and 20 CFR 661.420(c), and appears to meet the standard for approval at 20 CFR 661.420(e). The following is the disposition of the State's submission of waivers related to summer youth activities under the American Recovery and Reinvestment Act (Recovery Act) (copy enclosed). The remainder of the State's waivers will be addressed under separate cover.

Requested Waiver: Waiver of performance measures for youth who participate in work experience only.

The State has requested a waiver of the common measures for out-of-school youth ages 18 to 24, who participate in work experience that occurs outside of the summer months.

When submitting a plan to request this waiver, the State must provide a justification for the waiver and address continued service plans for participants served under the waiver, such as transition to the WIA Adult program (i.e., co-enrollment in WIA Adult services) or further education and training activities under WIA or Recovery Act-funded youth services. See TEGL No. 14-08, Section 19, issued by ETA on March 18, 2009.

The State's written request meets the ETA requirements outlined above. The requested waiver is approved and allows the State to use the work readiness indicator as the only indicator of performance for such youth. The waiver only applies to youth served through WIA Youth program funds made available through Recovery Act. The waiver is only applicable from October 1, 2009, through March 31, 2010, the first six months following the summer of 2009.

In recognition that many older and out-of-school youth need supportive services to enable them to participate in work experience, this waiver can be applied to out-of-school youth ages 18 to 24, that receive supportive services in addition to participating in work experience. The waiver would not apply to such youth participating in other WIA youth program elements.

Requested Waiver: Waiver of certain provisions under WIA section 129 and 20 CFR 664 to provide program design flexibility in serving youth who participate in work experience only.

The State has requested a waiver of certain provisions under WIA section 129 and 20 CFR 664, requiring the design framework of youth local programs to include 10 elements for improving the educational and skill competencies of its participants. Through this waiver, the State will be able to provide program design flexibility in serving out-of-school youth ages 18 to 24, who only participate in work experience that occurs outside of the summer months.

When submitting a plan to request this waiver, the State must provide a justification for the waiver and address continued service plans for participants served under the waiver, such as transition to the WIA Adult program (i.e., co-enrollment in WIA Adult services) or further education and training activities under WIA or Recovery Act-funded youth services. See TEGL No. 14-08, Section 19, issued by ETA on March 18, 2009. The State's written request meets the ETA requirements outlined above.

The State's waiver request is approved. Specifically, the State is granted a waiver of statutory and regulatory provisions as follows:

- Waiver of the requirement at WIA section 129(c)(2)(I) and 20 CFR 664.450(b) to provide a minimum of 12 months of follow-up services, to allow local areas to provide follow-up services with Recovery Act funds as deemed appropriate for such youth participants.
- Waiver of the requirement at WIA section 129(c)(1)(A) and 20 CFR 664.405(a)(1) to provide an objective assessment and the requirement at WIA section 129(c)(1)(B) and 20 CFR 664.405(a)(2) to develop an individual service strategy (ISS), to allow local areas to provide an assessment or ISS as deemed appropriate for such youth participants.

This waiver only applies to youth participants served through WIA Youth program funds made available through the Recovery Act. The waiver is only applicable from October 1, 2009, through March 31, 2010, the first six months following the summer of 2009.

In recognition that many older and out-of-school youth need supportive services to enable them to participate in work experience, this waiver can be applied to out-of-school youth ages 18 to 24, that receive supportive services in addition to participating in work experience. The waiver would not apply to such youth participating in other WIA youth program elements.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, we encourage the State to address the impact these waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

We look forward to continuing our partnership with you and achieving better workforce outcomes. If you have any questions, please do not hesitate to call me at (202) 693-2700, or contact your State's Federal Project Officer in the Regional Office.

Sincerely,



Jane Oates
Assistant Secretary

Enclosure

cc: Catherine Brooks, Federal Project Officer for Wisconsin, ETA Chicago Regional Office

Waiver title/purpose: Youth Performance Measures for Out-of-School Youth

Wisconsin is requesting a waiver on the youth performance measures for out-of-school youth ages 18 to 24 served with ARRA funds beyond the summer months who participate in work experience only. This waiver would use the Work Readiness Indicator as the only indicator of performance for youth ages 18 – 24 served with ARRA funds who participate in a paid work experience only during the time period October 1, 2009 to March 31, 2010.

Identify the statutory/regulatory requirements that are requested to be waived:

WIA section 136(b) (2) (A)

Describe the actions that the State or local area, as appropriate, have undertaken to remove State or local statutory or regulatory barriers:

There are no state or local barriers to implementing the requested waiver.

Describe the goals of the waiver and the expected programmatic outcomes if the request is granted:

The waiver is intended to facilitate implementation of WIA Youth Services under ARRA and support the intent of Congress to serve 18 – 24 year olds through a paid work experience in a time of difficult economic conditions. The waiver would also increase integration of services to customers, increase accountability at the state, local and service provider levels, provide greater flexibility to local boards in designing and implementing services, and improve services to youth and increase participation of out-of-school youth.

Extending the program design flexibility articulated in section 16A of TEGL 14-08 from the summer youth component to those older, out-of-school youth beyond September 30 would allow local service providers to devote more time and resources to the specific needs of these customers. Many local service providers have established local partnerships to service 22 -- 24 year olds, and several boards are considering having these youth continuing in age-appropriate projects beyond September 30. By securing this waiver, local staff would be better positioned to work with youth to determine which program would best meet their needs.

During the time this waiver is in effect, youth service providers will be actively working to connect these youth to further education and training opportunities through the WIA Youth, WIA Adult and/or other programs as appropriate.

Describe the individuals impacted by the waiver:

Approval of this waiver would give youth service providers greater flexibility in determining appropriate services for the older youth population, ages 18 – 24, served with ARRA funds. This increased flexibility will maximize the number of older youth serviced with these funds.

Continued Service Plans for Participants:

For older and out-of-school youth who are not returning to school following the summer months, WDBs should consider work experiences and other appropriate activities beyond the summer months, including training opportunities and reconnecting to academic opportunities through multiple education pathways. Use of the career pathway model as defined in DWD's RISE initiative will help ensure this. The career pathway is a new way of organizing a postsecondary program as a sequence of modules that leads learners in steps toward a degree or technical diploma. Each step increases skills and improves the learner's career and earning opportunities. Industry sectors that are appropriate for pathway development are those that need skilled workers and contribute to the economic growth of the region. Bridge instructional programming helps adults with basic skills or English Language Learning (ELL) needs take the first step onto career pathway learning and work. Bridge programs explicitly link Adult Basic Education (ABE) and ELL instruction with preparation for postsecondary education and occupational skill attainment. To support low-income workers in career pathway learning, employers, workforce development agencies, educational institutions, and other community organizations actively collaborate to provide training resources and wrap-around support services to the learner as well as reinforce the value of continuing along the pathway.

Describe the process used to monitor the progress in implementing such a waiver, the process used to provide notice to any Local Board affected by the waiver, Local Board's opportunity to comment on the request, and meaningful public comment by business, organized labor, public officials, community-based organizations and other stakeholders:

DET will issue a policy on the state-wide implementation of this waiver. It will be included in the Local Program Liaison's annual monitoring as well as ARRA-specific on-site reviews. Individuals served with ARRA and WIA funds will be tracked in ASSET.