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DATE: September 29, 2009

TO: Oregon Workforce Partnership, LWIA Youth Coordinators

FROM: Karen M. Humelbaugh, Education and Workforce Program Director 

SUBJECT: **Oregon ARRA Guidance (OAG) #1- Youth Waivers**  
Local Unified Plan Modification Process to Access Youth Waivers

In the spring of 2009, OWP members requested that CCWD take advantage of waiver opportunities in the ARRA. Consistent with guidance in TEGL 14-08, Oregon sought a waiver in order to:

- (1) Waive the requirements regarding competitive selection of providers of youth services;
- (2) Waive the requirements regarding youth common measures for out-of-school youth, ages 18 to 24 served with ARRA funds who participate in work experience only beyond September 30, 2009, using the work readiness indicator as the only indicator of performance for this group during the period of October 1, 2009 through March 31, 2010; and
- (3) Waive the requirement to provide a minimum of 12 months follow-up services and provide an objective assessment and individual service strategy.

The Department of Labor approved Oregon's waiver request on June 8, 2009. Local areas may apply for any or all of the waivers below. Local areas may be asked to provide follow-up information on the effectiveness of waivers and impact on local modified plans.

1. Local Workforce Investment Areas (LWIAs) may request to access the waiver of the requirement under WIA section 123 and 20 CFR 664.610 regarding competitive selection of providers of youth activities. This waiver applies only to WIA youth program funds made available through the Recovery Act, and only to the summer employment program element. Further, if a limited competition is used to select service providers, the limited competition must be among service providers with proven records of success in providing youth services. This waiver is granted through September 30, 2009 and allows the expansion of existing competitively procured contracts and allows an expedited, limited competition to select service providers.

The local plan modification request for the competitive selection waiver must include narrative which justifies why a competitive bid process was not followed, and documentation which describes the process which was used, and the selected provider.



2. LWIAs may request to access the waiver of performance measures for youth who participate in work experience only. The state will continue to provide only the work readiness indicator as the only indicator of youth performance in reports to DOL. The waiver is only applicable from October 1, 2009 through March 31, 2010, the first six months following the summer of 2009 and will only apply to youth served through WIA Youth program funds made available through the recovery act.

In recognition that many older and out-of-school youth need supportive services to enable them to participate in work experience, this waiver may 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 local plan modification request of the performance measures waiver must include narrative which describes how this waiver will increase access to the summer jobs program.

3. LWIAs may request to access the waiver of the requirement for follow-up services, objective assessment and the individual service strategy. This will apply only to youth participants served through WIA youth program funds made available through the Recovery Act, and will be applicable only from October 1, 2009 through March 31, 2010, this first six months following the summer of 2009. This waiver can also be applied to youth ages 18 to 24 that receive supportive services in addition to participating in work experience.
  - 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 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). This waiver will allow local areas to provide an assessment or ISS as deemed appropriate for such youth participants.

The local plan modification request of the follow-up services, objective assessment and the individual service strategy waiver must include narrative which describes how this waiver will increase access to the summer jobs program.

The above waivers are in effect as of the date of approval from the US Department of Labor, Employment and Training Administration, June 8, 2009

If needed, please submit local plan modification waiver requests by October 30, 2009, to your CCWD Local Liaison. Staff will review the request, and when appropriate, approve and process the modification to the Local Unifying Plan and Contract.

If you have any questions regarding this process, please call your local liaison.

Attachment

EC: Local Liaison Team, Management Team, Fiscal Team, Greg White, April McGuire, Evelyn Roth