

STATE OF NORTH DAKOTA
WIA Waiver Request
Prohibition of use of Individual Training Accounts for WIA eligible Youth

Job Service North Dakota, as the administrative entity of the Workforce Investment Act (WIA), submits this request for a general waiver to use Individual Training Accounts (ITAs) for Youth participants based on a valid needs assessment of interests, skills and aptitudes.

The current regulation prohibits the use of ITAs for Youth participants, except in the case they are determined eligible and are co-enrolled either as an Adult or Dislocated Worker. With the focus of Common Measures moving States toward serving out-of-school youth at an increased level, the use of ITAs for this population will provide more flexibility in service delivery. The real-life informed decision-making involved in using ITAs and the Eligible Training Provider list would provide eligible youth with the experience of responsibility that is so necessary as they transition to adulthood.

Under the current regulations, expenditures for ITAs are charged to the Adult or Dislocated Worker funding streams, rather than to the Youth funding stream. This co-enrollment requirement is a duplicative and unnecessary process which does not allow North Dakota to charge the cost of the ITA back to the Youth account, but reduces the limited Adult funds. The current regulation also does not allow some of those expenditures to be appropriately counted towards the 30% out-of-school expenditure requirement.

This waiver would allow older out-of-school youth to select approved ITA programs from the ND Eligible Training Provider list, while retaining their Youth classification. Training costs can be charged as out-of-school Youth expenditures, thereby eliminating the need to track such expenditures from different funding streams.

The US Department of Labor has already approved similar waivers for more than 25 states and North Dakota asks that our waiver request also be granted.

North Dakota will implement the use of ITAs for older and out-of-school youth immediately upon USDOL's approval of this waiver request.

In keeping with the guidelines set forth in WIA Section 189(i)(4)(b) and 20 C. F. R. 664.510, please accept the following as a request for a waiver:

A. Statutory or Regulatory Requirements to be waived.

WIA Section 189(i)(4)(b) and 20 C. F. R. 664.510 prohibit the use of ITAs for youth unless they are found eligible for and co-enrolled in either the Adult or Dislocated Worker program.

B. Goals of the Waiver and Expected Programmatic Outcomes if Waiver is Granted.

- A waiver will maximize the service delivery capacity of the WIA Youth Program within the One Stop Career Center delivery system by allowing youth, focused on employment rather than academics, to have the same access as adults and dislocated workers to the advantages of ITAs.

- Provides local areas with an additional service option for improving the comprehensive services available.
- Ensures that local areas have enough flexibility to deliver services based on individual participant needs as intended under WIA.
- Offers older youth an opportunity to make informed decisions that directly impacts on his/her future.
- Improves youth services for training opportunities in demand through increased customer choice.
- With ITA costs being directly charged to the Youth program, youth expenditure levels will improve and contribute to meeting the 30 percent out-of-school expenditure requirement.

C. State or Local Statutory or Regulatory Barriers

There is no state or local statutory or regulatory barrier to implementing the proposed waiver.

D. Programmatic Outcomes Achieved by the Waiver

- Flexibility in service delivery.
- Improved out-of-school youth expenditure.
- Older youth can pursue occupational goals with the same access as Adult and Dislocated Workers with the advantages of ITAs.

E. Description of Individuals Impacted by the Waiver

This waiver will directly impact older WIA eligible youth allowing them to benefit from an ITA. These customers would now directly receive the types of services afforded adult and dislocated workers.

F. Opportunity for Public Comment and the Process for Monitoring Implementation of the Waiver.

A two week public comment period provided notice and an opportunity for all interested/affected parties to comment.

North Dakota's current monitoring policy and procedures will be modified to ensure compliance with the intent of this waiver. Technical assistance will be provided as needed.