

STATE OF UTAH  
WIA Waiver Request

**Allow the use of Individual Training Accounts for WIA eligible youth.**

Utah requests a waiver of the statutory exclusion and regulatory prohibition of using Individual Training Accounts (ITAs) for youth. Utah Department of Workforce Services (DWS), the administrative entity for the Workforce Investment Act (WIA), requests this waiver as an effort to create efficiency, and in consideration of precedents set by approval of similar waivers requested by Indiana, Kentucky, Georgia, Texas and Pennsylvania.

Under WIA, the focus of youth programs has changed from the provision of short-term, stand alone programs to providing year-round, long-term services designed to assist both in-school and out-of-school youth to make the transition to post-secondary training and careers. We believe the intent of this regulation is viable; however, we do not feel that contracted year-round youth programs are the best and only training vehicle for certain individuals within Utah's youth population.

With the focus of Common Measures moving States toward serving out-of-school youth at an increased level, the use of ITA's 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.

WIA requires local areas to make available a menu of ten program elements, specified at 20 CFR 664.410, to eligible youth. We believe the intent of this regulation is practical for successful outcomes for youth. Youth service providers will be required to comply with ITA policy and procedures. It is not Utah's intent to request this waiver to circumvent the requirements of WIA, but to bring service delivery for youth closer to the intent of the Act, to serve customers efficiently according to their individual need. The vision for Utah's program is "WIA youth will live successfully as adults."

Utah will implement the use of ITAs for youth immediately upon USDOL's approval of this waiver request.

1. The statutes effected by this request are at Sec 122, Sec 123, Sec 129(c)(2)&(3)(A)(iii). The WIA statute at Section 129 does not provide youth access to ITAs. The CFR 20, WIA Final Regulations at Sec. 664.510 specifically prohibits the use of youth funds to support ITAs.
2. State or local statutory regulator barriers: Upon notification of approval of this waiver request, State rules, policies and procedures will be developed and issued to comply with the terms of the waiver.
  - Necessary mechanisms will be put in place that ensure effective use of ITAs for youth, including outlining specific actions that the State Youth Council and the SWIB must take to ensure appropriate use of ITAs for youth.

3. Goals to achieve with the waiver:
  - Ensure the state has the flexibility to design and deliver programs based on the needs of customers in the operational regions.
  - Reduce the paperwork and tracking processes required with dual enrollment.
  - Youth experience the impact of informed decision-making that has a direct impact on his or her life.
  - Access to the Approved Training Provider list offers case managers the opportunity to discuss the process of decision-making (training provider, finances, etc.) and the results that ensue.
  - Youth have access to a wide variety of training providers to assist them in becoming successful in the 21<sup>st</sup> Century Workforce.
  - Provides for and promotes customer choice.
  - Maximizes flexibility based on youth customers' assessed needs in terms of training that leads to self-sufficiency in high growth industries and occupations.
  
4. Programmatic outcomes achieved by the Waiver:
  - Flexibility in service delivery
  - Youth will have access to training providers which, in turn ensures their success in the changing economic conditions of the State
  
5. Individuals impacted by the waiver: The waiver is expected to benefit the eligible youth, youth providers and Approved Training Providers
  - Wider variety of providers for youth in pursuit of post-secondary education and training
  - Flexibility of services offered by youth providers, and reduction of unnecessary paperwork
  - Approved Training Providers will have the opportunity to serve eligible youth

6. Process used to monitor progress in implementing the waiver

The Utah Department of Workforce Services is the State administrative entity for the Workforce Investment Act. The waiver enables Utah the flexibility to design seamless delivery of services and to customize the education and training programs for youth. With an emphasis on furthering customer satisfaction through choice, individual opportunity, and continuity of services, each operational region can ensure an efficient and quality delivery system.

The Utah Department of Workforce will monitor the implementation and impact of the waiver through a combination of reporting from the operational region level, and state annual monitoring and evaluation episodes. Performance measures from the operational regions will be evaluated quarterly, to determine the impact of the waiver approval. The State will gather information through discussion on the progress of the implementation of the waivers, performance data, and obstacles encountered, if any. To ensure fiscal

integrity, there will be both adequate oversight and complete, consistent reporting. The State will review applicable policies and procedures and modify them accordingly.

7. Process for notice of local boards and opportunity to comment

Consistent with the general waiver request, the State is adhering to publication requirements to insure the broadest participation possible, including appropriate partners and interested parties such as labor, community based organizations, and the SWIB.

**(i) Provide notice to any Local Board affected by the waiver:**

Although Utah is a WIA single state workforce investment area, each of the state's five administrative regions have local regional councils on workforce services (as created under state law in 1996) that have provided waiver development input and approval to this Waiver plan.

**(ii) Provide any Local Board affected by the waiver an opportunity to comment on the request:**

Refer to Item above explaining Utah's Single State Service Delivery.

**(iii) Ensure meaningful public comment, including comment by business and organized labor, on the waiver:**

Refer to item above.

Utah appreciates the flexibility afforded to states through the waiver process and anticipates the SWIB waiver plan provides adequate accountability and improved performance for DOL approval.