

**State of Oklahoma  
Workforce Investment Act  
Waiver Request**

**Use of Individual Training Accounts by Youth Enrolled as Younger or In-School**

The Oklahoma Employment Security Commission (OESC), as the administrative entity of the Workforce Investment Act (WIA) in the State of Oklahoma, requests a waiver of the limitation on the use of Individual Training Accounts (ITAs) to allow them to be utilized, where determined appropriate, for youth program participants that were enrolled as younger or in-school but now meet the minimum qualifications for enrolling in post-secondary education, as required by the training institution. The state fully realizes the importance of the ten required youth program elements and their positive and lasting impact. However, there are times in youth service delivery when use of an ITA is appropriate and necessary. A waiver allowing the use of ITAs for youth that were enrolled as younger or in-school but now meet the minimum qualifications for enrolling in post-secondary education will maximize the delivery of services by enabling staff to use this option for training if and when it is the best service option. This will also eliminate the need for dual enrollment of older youth in Adult programs and provide broader options for younger and out-of-school youth.

This request is similar to a waiver previously granted by the United States Department of Labor for use of the eligible training provider system for those youth participants classified as older and out-of-school, but the State of Oklahoma now desires to add those participants classified as younger and in-school under the conditions listed above.

This waiver request adheres to the format provided in WIA Section 189(i)(4)(B) and WIA Regulations 20 CFR 661.420(c).

**1. Statutory or Regulatory Requirement to be Waived**

- WIA Section 123 (29 U.S.C. 2843) provides that local areas will award grants or contracts for youth services based on a competitive process;
- WIA Section 134(d)(4)(G) (29 U.S.C. 2864 (d)(4)) limits access to the eligible training providers to Adults and Dislocated Workers; and
- 20 CFR 664.510 prohibits the use of ITAs by youth participants.

The State of Oklahoma is now requesting such a waiver that will allow youth that were enrolled as younger in-school but now meet the minimum qualifications for post-secondary education, if deemed appropriate, to select approved ITA programs from the Eligible Training Provider List, while retaining their “youth” classification.

**2. State or Local Statutory or Regulatory Barriers**

There are no existing state or local statutory or regulatory barriers to implementing this waiver. Upon notification of approval of this waiver, OESC will incorporate it into policy and distribute the new policy to Local Workforce Investment Boards (LWIBs).

### **3. Goals and Expected Programmatic Outcomes of this Waiver**

The Eligible Training Provider System requires that training providers meet rigid requirements for certification to provide training for Adult and Dislocated Workers under WIA (and now for Older and Out-of-School youth under the U.S. Department of Labor's waiver for Oklahoma). The State of Oklahoma believes that youth enrolled as younger or in-school but now meet the minimum qualifications for enrolling in post-secondary education, as required by the training institution, would benefit from the services provided by these certified training providers. Expected benefits and outcomes of this waiver include:

- Streamlined services, cost savings improved staff efficiency, and a decrease in paperwork, in tracking and in dual enrollment;
- Greater customer choice for youth in choosing their training provider;
- The opportunity for case management staff to work with younger or in-school youth regarding career decisions and the appropriate training necessary to reach their career goals; and
- The flexibility for LWIBs to design and deliver programs and services based on customer needs rather than age restrictions.

### **4. Individuals Affected by this Waiver**

- Youth enrolled as younger or in-school but who now meet the minimum qualifications for enrolling in post-secondary education, will benefit by being able to select from a list of certified training providers and receive services in a timely manner.
- LWIBs will benefit by eliminating costly and time-consuming competitive procurements.
- Training providers will benefit by utilizing common procedures for all WIA participants.

### **5. Processes Used to:**

#### Monitor the Progress in Implementing the Waiver

OESC, as the administrative entity of the WIA in the State of Oklahoma, will be responsible for monitoring the implementation and impact of this waiver. OESC will provide policy and guidance through an agency issuance if this waiver is approved. Oversight of the policy that will result from this waiver will be incorporated into the administrative entity's monitoring procedures.

#### Provide Notice to any Local Board Affected by the Waiver

Prior to submission of this waiver request, OESC will inform all LWIBs of its intent via an email memorandum with this waiver request attached.

#### Ensure Meaningful Public Comment on the Waiver Request

Prior to the submission of the waiver request, OESC will disseminate this waiver request to local WIB chairs and staff and to members of the Governor's Council for Workforce and Economic Development (including representatives of organized labor and business). OESC will also post this waiver request on their website with opportunity for public comment during a two-week period.