

INFORMATION NOTICE

WORKFORCE SERVICES

Number: WSIN12-33

Date: February 28, 2013

Expiration Date: 3/28/15

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PROPOSED SUMMER YOUTH WAIVER REQUEST FOR
LOS ANGELES COUNTY

The purpose of this Information Notice is to inform Local Workforce Investment Areas that the California Workforce Investment Board (CWIB) has released the following two proposed waivers for public comment:

1. Waiver Relating to Performance Measures for Summer Youth Activities Funded by the Workforce Investment Act (WIA) and Temporary Assistance to Needy Families.
2. Waiver Relating to Program Design Flexibility for Summer Youth Activities.

The waiver requests can be viewed as attachments to this Information Notice.

The WIA provides for waiver requests on certain program elements through Public Law 105-220. In conformance with WIA Section 189(i)(4)(b), Title 20 Code of Federal Regulations Part 661.420(c), and a CWIB approved [Waiver Request Process](#), the CWIB will consider all public comments. The CWIB will accept comments on the waivers until 5 p.m. on March 11, 2013.

Comments can be submitted through one of the following ways:

- 1) Fax - CWIB, Attention: Daniel X. Patterson at (916) 324-3068
- 2) E-Mail - Daniel.Patterson@cwib.ca.gov (Include "Proposed Waiver Request" in the subject line)
- 3) Mail - CWIB / Proposed Waiver Request / 777 12th Street, Suite 200 / Sacramento, CA 95814

/S/ MICHAEL EVASHENK, Chief
Workforce Services Division

Attachments

The EDD, an equal opportunity employer/program, is a partner in this publication. Auxiliary aids and services are available upon request to individuals with disabilities. Requests for services, aids, and/or alternate formats need to be made by calling (916) 654-8055 (Voice). TTY users, please call the California Relay Service at 711.

**STATE OF CALIFORNIA
WORKFORCE INVESTMENT ACT (WIA)
WAIVER REQUEST**

**Waiver Relating to Performance Measures for Summer Youth Activities Funded
by WIA and Temporary Assistance for Needy Families (TANF)**

The California Workforce Investment Board (State Board) and the Employment Development Department (EDD), as the administrative entity of the WIA, submit this request for a waiver to the use of Common Measures for Youth enrolled in summer employment activities funded in conjunction with TANF funds.

In keeping with the guidelines set forth at WIA Section 189(i)(4)(B) and 20 Code of Federal Regulations Part 661.420(c), please accept the following as a request for waiver.

The State Board respectfully requests a waiver to Common Measures for youth to allow the State to use the work readiness indicator as the only performance measure for youth co-enrolled in WIA and TANF summer employment activities. The Common Measures waiver was granted to the State on December 11, 2007 and extended through September 30, 2012. This waiver request would permit the work readiness indicator to be used during the period May 1, 2013 through September 30, 2013.

A. Statutory or Regulatory Requirements to be Waived

Common Measures for Youth specified in Employment and Training Agency Training and Employment Guidance Letter 17-05 and approved for use by California on December 11, 2007.

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

The (2) waivers that were approved for the May 1, 2012 through the September 30, 2012 time period were utilized and instrumental in the success of the Summer Youth Program. The 2012 Summer Program had an enrollment rate of 1,700 youth that were co-enrolled in both WIA and TANF and all 1,700 of these youth participants obtained summer jobs. It was through the leveraging of TANF funds that the Summer Program was able to be augmented to better serve the needs of Los Angeles County's youth. These waivers allowed Los Angeles County to focus on work readiness indicators in addition to allowing the State Board and its local areas to offer youth the unique opportunity to explore work experiences that may not have been possible without the pooling of WIA and TANF funds. Without this waiver, the performance requirements would impede the true intent of this summer employment program as concerns over

performance would overshadow the great opportunities and choices given to California's youth during these challenging economic times.

It is anticipated that at minimum, the County will be able to serve approximately 700 youth given there is no change in the set-aside amount of \$1.1 million. Los Angeles County will continue to seek out other funding opportunities to increase summer employment opportunities youth. Last year's estimates were set at 700, although 1,700 youth participants were served. It is the goal of the program to once again meet or exceed the 700 participant expectations.

It is anticipated that less than 10 percent of the youth served under this waiver will continue on with the WIA program beyond the summer period. For those older youth that are not expected to return to school, individual service plans and strategies will be documented and the participants will be enrolled in WIA Adult programs or provided further education and training under WIA youth funded activities.

Local areas will be receiving their Program Year (PY) 2013-14 Youth allocations and significant TANF funding, if leveraged strategically, this funding can also be used to provide subsidized summer employment opportunities to youth. TANF agencies are encouraged to pool their resources with local areas to provide programs for low-income and at-risk youth. By applying this flexibility to programs funded in conjunction with TANF funds, local areas will have the option to combine all available funding resources, and therefore work cooperatively with TANF agencies to craft and provide the best summer youth employment programs possible.

Allowing the local areas this flexibility will in turn allow them to use more of their resources to focus on the critical goal of offering at-risk youth with subsidized summer employment activities, without creating new administrative burdens.

This waiver becomes even more critical as the youth employment opportunities have continued to remain low during this time of economic downturn. The need still exists for continued outreach and opportunity. If this waiver is granted, the local areas and TANF agencies will be able to expeditiously serve low income participants as well as those with barriers to employment, such as out-of-school youth and those most at risk of dropping out; youth in and aging out of foster care; youth offenders and those at risk of court involvement; homeless and runaway youth; children of incarcerated parents; migrant youth; Indian and Native American youth; and youth with disabilities. The local areas will offer supportive services, occupational skills training, and other relevant services youth this summer.

C. State or Local Statutory or Regulatory Barriers

There are no State or local statutory or regulatory barriers to implementing the proposed waiver.

D. Description of Individuals Impacted by the Waiver

Youth participants ages 16-21 are impacted by this waiver request. In addition, the local areas, local TANF agencies and their business partners that employ the eligible youth will be impacted. Only youth participants co-enrolled in both the WIA youth program and TANF will be affected by this waiver. Currently, the requested waiver will only affect the Los Angeles County Workforce Investment Area. If other local areas desire to utilize the waiver, they will be required to submit separate requests to EDD.

It is anticipated that where these TANF and local area partnerships are formed and already operating, both the WIA youth funds and TANF funds will be used to pay wages for youth this summer. Some of these youth will be eligible for both funding sources and may be co-enrolled in both programs. Each youth will meet the eligible criteria for their appropriate funding source (age, eligibility, etc.). Additionally, both WIA and TANF funding will be used to pay youth wages plus contractor costs to run and supervise the youth as appropriate.

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

Due to the expediency required to implement this program, the public comment period was reduced to 10 calendar days to ensure the necessary flexibility is provided to local areas in a timely manner to effect these summer youth programs and the youth served by them.

If this waiver is approved, youth who are in need of additional services under WIA shall have the justification documented in their individual service plans and will be enrolled into other experiences such as WIA youth services or co-enrolled into a WIA Adult program or service.

The State Board and the EDD, as the administrative entity of the WIA in California, will monitor all summer youth employment programs. The State's current monitoring policy/procedures will be modified to include a review of the appropriate youth participant plans.

**STATE OF CALIFORNIA
WORKFORCE INVESTMENT ACT (WIA)
WAIVER REQUEST**

Waiver Relating to Program Design Flexibility for Summer Youth Activities

The California Workforce Investment Board (State Board) and the Employment Development Department (EDD), as the administrative entity of the WIA, submit this request for a waiver to apply the program design flexibility for summer youth outlined in Training and Employment Notice 35-11 for youth enrolled in summer employment activities funded with WIA youth formula allocations in conjunction with Temporary Assistance to Needy Family (TANF) monies.

In keeping with the guidelines set forth at WIA Section 189(i)(4)(B) and 20 Code of Federal Regulations Part 661.420(c), please accept the following as a request for waiver.

A. Statutory or Regulatory Requirements to be Waived

The State Board respectfully requests a waiver of the required program elements in WIA Section 129(c)(2). The waiver would apply to youth co-enrolled in summer youth employment activities funded by WIA youth formula allocations in conjunction with TANF monies.

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

The goal of this waiver request is to provide the local areas with the flexibility to determine the type and level of assessment to be included in an Individual Service Strategy (ISS) for youth participating in a summer youth employment activity during the summer months only and if the 12 month follow-up will be appropriate for these youth participants.

If this waiver is granted, the local areas and TANF agencies will be able to expeditiously serve low income participants as well as those with barriers to employment, such as out-of-school youth and those most at risk of dropping out; youth in and aging out of foster care; youth offenders and those at risk of court involvement; homeless and runaway youth; children of incarcerated parents; migrant youth; Indian and Native American youth; and youth with disabilities. The local areas will offer supportive services, occupational skills training, and other relevant services for youth this summer.

Overall, the youth employment rate has continued to remain extremely low during the current economic downturn. A recent projection stated that youth summer employment is at its lowest in over four decades. Regular WIA youth formula funding exists and

TANF funding is also available. The granting of this waiver will assist TANF entities and local areas to pool their resources to provide opportunities for low-income and at-risk youth. During the May 1, 2012 through September 30, 2012, approximately 1,700 youth were co-enrolled in both WIA and TANF. Through the leveraging of both of WIA and TANF dollars, Los Angeles County was able to augment services to better meet the needs of the County's youth. All 1,700 youth obtained summer jobs. It is estimated that leveraging this funding, given the local set aside of \$1.1 million remains at its current level, at minimum, 700 youth should be served, although the hope is that this number will be exceeded as was the case this year.

It is anticipated that less than 10 percent of the youth served under this waiver will continue on with the WIA program beyond the summer period. For those older youth that are not expected to return to school, individual service plans and strategies will be documented and the participants will be enrolled in WIA Adult programs or provided further education and training under WIA youth funded activities.

Allowing for flexibility in assessments, ISSs, and follow-up services allows the State Board and the local areas to give youth a unique opportunity to explore work experiences that may not have been possible without the pooling of WIA and TANF funds. Without this waiver, the assessment and follow-up requirements would impede the true intent of this summer employment program as concerns over monitoring and separation of funding streams would overshadow the great opportunities and choices given to California's youth during these challenging economic times.

C. State or Local Statutory or Regulatory Barriers

There are no State or local statutory or regulatory barriers to implementing the proposed waiver.

D. Description of Individuals Impacted by the Waiver

Youth participants ages 16 to 21 are impacted by this waiver request. In addition, the local areas, local TANF agencies and their business partners that employ the eligible youth will be impacted. Only youth co-enrolled in WIA youth programs and TANF will be affected by this waiver.

Currently, the requested waiver will only affect the Los Angeles County Workforce Investment Area. If other local areas desire to use the waiver for their summer programs, they will be required to make separate requests to EDD.

It is anticipated that where these TANF and local area partnerships are formed and operating, both the WIA youth funds and TANF funds will be used to pay wages for youth this summer. Some of these youth will be eligible for both funding sources and may be co-enrolled in both programs. Each youth will meet the eligible criteria for their appropriate funding source (age, eligibility, etc.). Additionally, both WIA and TANF funding will be used to pay youth wages plus contractor costs to run and supervise the youth as appropriate.

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

Due to the expediency required to implement this program, the public comment period is reduced to 10 days to ensure the necessary flexibility is provided to local areas in a timely manner to effect these summer youth programs and the youth served by them. No public comments were received.

If this waiver is approved, youth who are in need of additional services under WIA shall have the justification documented in their individual service plans and will be enrolled into other experiences such as WIA youth services or co-enrolled into a WIA Adult program or service.

The State Board and the EDD, as the administrative entity of the WIA in California, will monitor all summer youth employment programs. The State's current monitoring policy/procedures will be modified to include a review of the appropriate youth participant plans.