



FEB 15 2002

The Honorable Jesse Ventura
Governor of Minnesota
St. Paul, Minnesota 55155

Dear Governor Ventura:

It is with pleasure that I respond to your request for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA) in accordance with the Secretary's authority to waive certain requirements of WIA Title I, subtitles B and E and sections 8-10 of the Wagner-Peyser Act. This authority is granted to the Secretary by section 189(i)(4)(A) of the Workforce Investment Act (WIA or the Act), and in the implementing regulations at 20 CFR 661.420.

These waivers grant states flexibility in program design for seamless program delivery and improved customer service, in exchange for accountability and agreed-to programmatic outcomes. We hope that these changes will assist your state in meeting its workforce needs and improving programmatic outcomes at the local level and statewide.

We are pleased to be able to respond positively to your request. The following is the disposition of the state's waiver submission.

Waiver: Subsequent Eligible Training Provider (ETP) Requirements; 18 month subsequent eligibility requirement (WIA Sec. 122(c)(5) and 20 CFR 663.530)

The state's waiver submission (copy attached) is requesting a waiver of the time limit on the period of initial eligibility of training providers found at 20 CFR 663.530. Under the waiver, the state proposes to postpone the determination of subsequent year eligibility of training providers until January 1, 2003. The state indicates that the reason for this request is to give Minnesota more time to effectively implement the subsequent eligibility determination process. The intent of the waiver is to give the state's program customers more and better choices among training providers. Ongoing work in implementing the subsequent eligibility process would continue with full implementation by January 1, 2003. The state believes that the waiver will enhance the implementation of the WIA concepts of consumer choice and accountability. The waiver is written in the format identified in WIA section 189(i)(4)(B) and 20 CFR 661.420(c). Upon review, the state's request, including supplemental information, appears to meet the standard for waiver of requirements relating to key reform principles, as specified at 20 CFR 661.410(c).



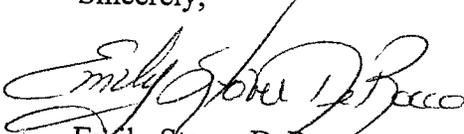
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Accordingly, the state is granted a waiver of the time limit on the period of initial eligibility of training providers at 20 CFR 663.530 to extend the period of initial eligibility for an initial period through January 1, 2003. This waiver approval is contingent upon the state implementing the waiver consistent with the plan submitted with the state's request for developing a workable subsequent eligibility process, including the proposed time line, for coming into compliance with the subsequent eligibility requirements at WIA section 122. The effect of this waiver is to extend the period of initial eligibility of providers to enable the state to have the subsequent eligibility determination process completed in preparation for program operations in PY 2003, beginning July 1, 2003.

The granted waiver is incorporated by reference into the state's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and also constitutes a modification of Minnesota's approved five-year Strategic Plan. A letter is being sent to your state WIA Liaison, which supplements this notification letter and spells out the terms and conditions that apply to the granted waivers. A copy of each letter should be filed with the state's WIA Grant Agreement and the state's approved five-year Plan, as appropriate.

We look forward to continuing our partnership with you and to the achievement of better workforce investment outcomes and the improvement of the lives of many of the residents of Minnesota. We are prepared to entertain other state and local-level waiver requests that Minnesota may wish to submit, consistent with the provisions of the Act and regulations.

Sincerely,



Emily Stover DeRocco
Assistant Secretary

Enclosure