

U.S. Department of Labor

Assistant Secretary for
Employment and Training
Washington, D.C. 20210



MAY 25 2004

The Honorable Ted Kulongoski
Governor of Oregon
900 Court Street NE
Salem, Oregon 97301

Dear Governor Kulongoski:

It is with pleasure that I respond to the State of Oregon's request for an extension of a Workforce Investment Act (WIA) waiver of the time limit on the period of initial eligibility of training providers at 20 CFR 663.530, under 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.

The State of Oregon's request (copy enclosed) indicates that a waiver extension is needed to maintain the state's extensive Eligible Training Provider List. According to the state, a waiver extension would provide the additional time needed to develop an effective way to calculate the "all students" data at the state level. The submission notes that some progress has been made, but data systems are still not comparable and some of the performance data, while available for the report card, are not completely verifiable or available for job matching using UI wage records.

The waiver is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c) and appears to meet the standard for approval at 20 CFR 661.420(e). Accordingly, the State of Oregon is granted an extension of the waiver through June 30, 2005.

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 the state's approved five-year strategic plan. A copy of the letter should be filed with the state's WIA Grant Agreement and the state's approved five-year strategic plan, as appropriate.

We look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local-level waiver requests that you may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Stover DeRocco".

Emily Stover DeRocco

Enclosure

February 26, 2004

John Humphrey
Acting Regional Administrator for Region 6
US Department of Labor
Employment and Training Administration
77 Stevenson Street, Suite 830
San Francisco, CA 94105-2920

Dear Mr. Humphrey:

Oregon applied for and was granted a waiver to extend the period of initial eligibility of training providers, as described in the Workforce Investment Act (WIA) Section 122(c)(5), and 20 CFR 663.530 to allow the state to more fully develop an effective subsequent eligibility process.

In this letter Oregon requests to extend the duration of the waiver until June 30, 2005. Oregon originally requested that date but DOL approved the waiver through the current period of WIA authorization that is until June 30, 2004, pending the WIA reauthorization process.

Oregon made an early decision to maximize customer choice by having a robust Eligible Training Provider List (ETPL). The state assumed the majority of the data collection burden for the training providers, and made the commitment to collect the required performance data at the state level through existing data and reporting systems. As a result, Oregon has a very extensive ETPL for a small state with a large, rural area with few training providers. There are currently more than 1,200 training programs on the ETPL, and the list continues to grow. This is in contrast to many other states where providers have withdrawn their programs from the ETPL because of the burden of data gathering and reporting.

Even after working on it for three years, Oregon still has not developed an effective way to calculate the "all students" data at the state level. Some progress has been made, but data systems are still not comparable and some of the performance data, while available for the report card, are not completely verifiable or available as yet for job matching using the UI wage record. If training providers had to provide this data themselves, we would see a dramatic decrease in the numbers of providers and programs on the list.

WIA reauthorization would have solved these problems for us, through amendments easing the reporting requirements. Because Oregon is committed to provider accountability, the state would have developed a subsequent eligibility process that works for the state using the data we have. Now, however, without reauthorization, Oregon is faced with an early expiration date for its existing waiver. We request an additional year of the waiver, until June 30, 2005, with the anticipation that the WIA will be reauthorized and performance reporting requirements amended before that date.

Thank you very much for your consideration of this request. If you have questions or comments, please feel free to call me or Greg white, Executive Staff of the Oregon Workforce Investment Board, at 503-378-8648 ext. 465, greg.white@state.or.us.

Sincerely,

Cam Preus-Braly
Commissioner

C: Betty Lock