



**JUN 27 2011**

The Honorable Peter Shumlin  
Governor of Vermont  
109 State Street  
Montpelier, Vermont 05609

Dear Governor Shumlin:

This letter provides approval of an extension of Vermont's current Workforce Investment Act (WIA) and Wagner-Peyser Act (W-P) State Plan for Program Year (PY) 2011. This letter also provides approval of extensions for Vermont's waivers. Training and Employment Guidance Letter (TEGL) No. 17-10, issued on December 30, 2010, provides guidance for states to secure approval of their WIA/W-P State Plans and waivers for PY 2011.

#### Extension of State Plan

Vermont's existing State Plan will expire on June 30, 2011. This letter constitutes a written determination under WIA Section 112 (29 USC 2822) that the Employment and Training Administration (ETA) is extending the approval of Vermont's State Plan for WIA Title I and the Wagner-Peyser Act for PY 2011, July 1, 2011 through June 30, 2012. The State has already received its formula allotment for the WIA Youth program for PY 2011. The State is eligible to receive WIA formula allotments for Adult and Dislocated Worker programs and W-P initial base program allotments under the PY 2011 annual funding agreement for WIA and the PY 2011/Fiscal Year 2012 annual funding agreement for W-P.

#### Performance Levels

Vermont has requested re-negotiation of its Older Youth Earning Change and Credentials measures. The Regional Office is in the process of negotiating with Vermont to establish these revised performance levels. Once the final goals are established, the Regional Administrator's letter advising the State of the PY 2011 WIA and W-P final performance goals constitutes a modification to the State Plan. ETA will incorporate Vermont's final performance goals for PY 2011 into the Regional and National Office copies of the State Plan. Please include these final PY 2011 goals in the State's official copy of the State Plan.

## Waivers

As part of the State's extension of the WIA/W-P State Plan, and as described in TEGl No. 17-10, the State requested extensions of Vermont's PY 2010 waivers of statutory and regulatory requirements under WIA for PY 2011. The disposition of the State's waiver extensions is outlined below. This action is taken under the Secretary's authority at WIA Section 189(i) to waive certain requirements of WIA Title I, Subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act.

### Waiver of WIA Section 123 that requires that providers of Youth program elements be selected on a competitive basis.

The State was previously granted a waiver of the requirement for competitive procurement of service providers for three of the ten youth program elements: supportive services, follow-up services, and work experience. The State is granted an extension of this waiver through June 30, 2012. Under this waiver, the State is permitted to allow its One-Stop Career Centers or partner agencies to directly provide youth program elements. In utilizing this waiver, the State and local areas must still meet Office of Management and Budget requirements (codified in 29 CFR 95.40-95.48 and 97.36) and all state and local procurement laws and policies.

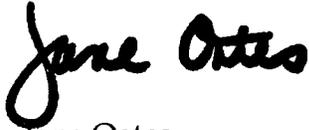
### Waiver of the provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers.

The State was previously granted a waiver of the time limit on the period of initial eligibility of training providers provided at 20 CFR 663.530. The State is granted an extension of this waiver through June 30, 2012. Under the waiver, the State is allowed to postpone the determination of subsequent eligibility of training providers. The waiver also allows the State to provide an opportunity for training providers to re-enroll and be considered enrolled as initially eligible providers.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, as described in TEGl No. 09-10, page 3, the State should address the impact these waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

We look forward to working together as you implement your State Plan for PY 2011. If you have any questions related to the issues discussed above, please contact Susan Desmond, Federal Project Officer for Vermont, at either (617) 788-0145 or [Desmond.Susan@dol.gov](mailto:Desmond.Susan@dol.gov).

Sincerely,

A handwritten signature in black ink that reads "Jane Oates". The signature is written in a cursive style with a large, looping initial "J".

Jane Oates  
Assistant Secretary

Enclosure

cc: Holly O'Brien, Regional Administrator, ETA Boston Regional Office  
Susan Desmond, Federal Project Officer for Vermont



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P.O. Box 488  
Montpelier, VT 05601-0488  
www.labor.vermont.gov**

**(phone) 802-828-4000  
(fax) 802-828-4022**

April 13, 2011

**Ms. Kimberly Vitelli  
Federal Contractor for Plan Review and Approval  
Division of Workforce System Support  
Employment and Training Administration  
U.S. Department of Labor  
200 Constitution Ave., NW, Room S-4231  
Washington, D.C. 20210**

**Dear Ms. Vitelli:**

The Vermont Department of Labor's Strategic State Plan for Title I of the Workforce Investment Act (WIA) and Wagner-Peyser Act will expire on June 30, 2011. In accordance with Training and Employment Guidance Letter (TEGL) No. 17-10, the Vermont Department of Labor (VDOL), as the designated State agency responsible for overseeing implementation of WIA and Wagner-Peyser, and acting on behalf of the Governor and the State Workforce Investment Board, is requesting that the U.S. Department of Labor extend the life of the existing Vermont Department of Labor WIA/Wagner-Peyser Act State Plan into Program Year 2011 (July 1, 2011 – June 30, 2012).

The Vermont Department of Labor will not be seeking to modify its current plan for PY 2011 given the recent changes in State government, pending changes to state planning guidance and the anticipation of new requirements resulting from WIA reauthorization. Extension of the current State Plan into Program Year 2011 will continue the State's emphasis on fostering regional initiatives and building upon existing partnerships to develop a public workforce system throughout the State that is responsive to the needs of job seekers and existing and emerging businesses.

The Vermont Department of Labor intends to renegotiate its negotiated Program Year 2010 WIA and Wagner-Peyser performance goals through Program Year 2011. As required by TEGL No. 17-10, the State will notify the appropriate Regional Administrator of this intention.

The Vermont Department of Labor is also requesting an extension of existing waivers through Program Year 2011, in compliance with the guidance provided in TEGL No. 17-10. No new waivers for Program Year 2011 are requested.



Letter to Kimberly Vitelli  
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For Program Year 2010, the Vermont Department of Labor was granted the following waivers:

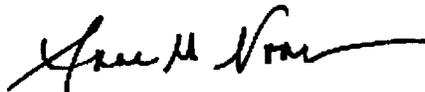
- 1) Competitive selection requirements for providers of youth services (Sec. 123); and
- 2) Subsequent eligible training provider requirements; all student reporting (Sec. 122(d)(1)(A)(1) and 20 CFR 663.535(c)(1).

The Vermont Department of Labor has reviewed these waivers and has concluded that they continue to support the strategies outlined in its existing State Plan and match the needs of the State's workforce system. Therefore, Vermont is requesting that these waivers be extended through Program Year 2011.

Notice of this request for an extension of the current WIA/Wagner-Peyser Act State Plan and waivers into Program Year 2011 has been made available on the VDOI website: [www.labor.vermont.gov](http://www.labor.vermont.gov). The current State Plan may be viewed there as well.

Thank you for your consideration of this request to extend our existing WIA/Wagner-Peyser Act State Plan and waivers into Program Year 2011. If you should have questions or require more information, please contact Rose Lucenti at 802-828-4271 or [rose.lucenti@state.vt.us](mailto:rose.lucenti@state.vt.us).

Sincerely,



Anne M. Noonan  
Commissioner

AN:ds