



JUN 24 2011

The Honorable Dennis Daugaard
Governor of South Dakota
State Capitol Building
Pierre, South Dakota 57501

Dear Governor Daugaard:

This letter provides approval of an extension of South Dakota'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 South Dakota'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

South Dakota'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 South Dakota'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

Each year, the Regional Administrator negotiates the forthcoming Program Year's performance goals with each state. Negotiations are completed by June 30th each year. 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 South Dakota'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 TEGE No. 17-10, the State requested extensions of South Dakota's PY 2010 waivers of statutory and regulatory requirements under WIA for PY 2011. The disposition of the State's waiver extensions are 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 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area.

The State was previously granted a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The State is granted an extension of this waiver through June 30, 2012. Under the waiver, transfer authority is limited to 50 percent. This limitation provides states flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs.

Waiver to permit the State to replace the performance measures at WIA Section 136(b) with the common measures.

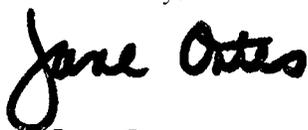
The State was previously granted a waiver that allows the State to replace the 17 performance measures under WIA Section 136(b) with the common measures. The State is granted an extension of this waiver through June 30, 2012.

This waiver permits the State to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The State will no longer negotiate and report to ETA on the following WIA measures: WIA adult and dislocated worker credential rates; participant and employer customer satisfaction; older youth measures; and younger youth measures. The State will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Adult and WIA Dislocated Worker programs. The State will use the three youth common performance measures to negotiate goals and report outcomes for the WIA Youth program. Workforce Investment Act Standardized Record Data system (WIASRD) item 619, Type of Recognized Credential, should be completed for each individual as appropriate, regardless of this waiver to report on common performance measure outcomes only.

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 Bernarda Cutter, the Federal Project Officer for South Dakota, at (972) 850-4618 or Cutter.Bernarda@dol.gov.

Sincerely,

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

Jane Oates
Assistant Secretary

Enclosure

cc: Joseph C. Juarez, Regional Administrator, ETA Dallas Regional Office
Bernarda Cutter, Federal Project Officer for South Dakota



SOUTH DAKOTA DEPARTMENT OF LABOR
PAMELA S. ROBERTS, SECRETARY

April 12, 2011

Division of Workforce System Support
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave. N.W. Room S-4231
Washington D.C. 20210

Attn: Federal Coordinator for Plan Review and Approval

As the Governor's Program Administration Designee, I respectfully submit South Dakota's request for a one-year extension to our Workforce Investment Act (WIAW-P) State Plan and WIA Waivers for Program Year (PY) 2011.

Following are the specific waivers SDDOL wishes to extend for PY 2011:

- Waiver of the funds transfer limit between Adult and Dislocated Worker Programs, to allow local areas to respond to the particular needs of their customers and labor markets.
- Waiver to permit implementation of (and reporting only) common measures in place of current measures.

In addition to the extension of the State Plan and Waivers, SDDOL is also seeking permission to renegotiate the Youth Literacy and Numeracy Gains Performance measure for PY 2011. The agreed upon 2010 level of 33% has proven to be a challenge for reasons SDDOL would be happy to discuss during the negotiation process. The request to renegotiate, and our proposed level of performance, has been submitted to the Regional Administrator.

South Dakota's intent to request State Plan and Waiver extensions and Performance Measure renegotiation has been shared with the South Dakota Workforce Development Council (SDWDC), which serves as the State Board. The SDWDC has endorsed these requests. Additionally, information has been shared with the public through notice on the internet and postings in the three largest daily newspapers. No comments were received.

Thank you for your consideration of these requests. We look forward to working with USDOL in the coming year.

Sincerely,

Pamela S. Roberts
Secretary