

**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 initially outlined in TEGL 26-09 Section 8.2.C 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. The American Reinvestment and Recovery Act (ARRA) funding for summer youth programs during the summer of 2009 reached large numbers of youth. However, the need still exists for continued outreach and

opportunity. 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.

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 ECF. 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 14 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.

At this time 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.

The local areas are best positioned to make determinations and assessments of the youth participating in the summer employment opportunities. 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.

### **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.

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.