

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. Department of Labor Washington, D.C. 20210	CLASSIFICATION WIA/Youth Services
	CORRESPONDENCE SYMBOL OYS
	DATE February 21, 2002

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 12-01

TO: ALL STATE WORKFORCE LIAISONS
ALL STATE WORKER ADJUSTMENT LIAISONS
ALL STATE WORKFORCE AGENCIES
ALL ONE STOP CENTER SYSTEM LEADS

/s/

FROM: EMILY STOVER DeROCCO
Assistant Secretary

SUBJECT: Clarification on Selected Activities and Issues under the Workforce Investment Act (WIA)

1. **Purpose.** To provide clarification to states on selected issues identified by the Youth Services WIA Readiness Reviews.

2. **Authorities and References.**

- a. Workforce Investment Act of 1998 (Pub. L 105-220), August 7, 1998.
- b. WIA Regulations, 20 CFR Part 652 et seq.

3. **Background.** The Employment and Training Administration (ETA) recently convened four workgroups comprised of local, state, and federal subject-area experts to examine the status of WIA implementation. These workgroups were tasked with identifying suggested strategies designed to assist the workforce investment system in addressing issues that have been identified as barriers to the successful implementation of the WIA. One of the four groups, the Youth Services WIA Readiness Workgroup, identified several issues that needed further clarification, of which three immediate ones will be addressed in this document.

Three areas in particular where questions have arisen regarding the requirements under the WIA relative to youth services include: 1) the competitive selection process for occupational skills

RESCISSIONS	EXPIRATION DATE Continuing
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providers and the use of eligible training provider lists for youth; 2) the definition of “attending any school”; and 3) cross-cutting youth/adult eligibility issues (i.e., self-certification/self attestation, presumptive eligibility/proxy measures, and risk analysis of data elements).

Based on the workgroup’s activities, we are providing the attached information and guidance around these issues in the following format: statement and discussion of the issue, followed by relevant questions and answers.

4. **General Guidance.** The Department of Labor’s (Department) role in implementing the WIA is one of leadership, guidance, oversight, and support. States and local areas have the primary responsibility and the flexibility to develop their own service delivery systems, policies, procedures, and interpretations, consistent with the WIA and its regulations, as provided in 20 CFR 661.110(b), and 661.120(a)(b). States and local areas are encouraged to develop interpretations, policies and procedures that support the successful implementation of youth activities in their local communities. If the state elects not to develop these types of guidance tools, then local areas should be encouraged to develop their own particular policies/procedures and other guidance mechanisms to assist them in effectively meeting the needs of their local youth under the WIA.

5. **Action Required.** States should: (a) share this guidance with the appropriate staff; (b) transmit this guidance to the Local Workforce Investment Boards as expeditiously as possible; (c) in the event that the states do not elect to develop such policies and procedures, instruct Local Workforce Investment Boards to provide guidance on the relevant issues presented in this document and provide such guidance to the local grant recipients and program operators; and (d) provide the necessary technical assistance to local areas in the development and implementation of new policies and procedures.

6. **Attachments.**

- A. Competitive Procurement Process for Occupational Skill Providers and the Use of the Eligible Provider Training List for Youth
- B. Definition of “Attending Any School”
- C. Cross-Cutting Eligibility, Documentation, and Verification Issues for Adults and Youth under WIA