

**U.S. Department of Labor**

Employment and Training Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210



October 26, 2022

The Honorable John Bel Edwards  
Governor of Louisiana  
P.O. Box 94004  
Baton Rouge, LA 70804-9004

Dear Governor Edwards:

Thank you for your waiver request submission to the U.S. Department of Labor (Department) regarding certain statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA) and the accompanying plan to improve the statewide workforce development system (enclosed). The waiver request was received on August 30, 2022. This letter provides the Employment and Training Administration's (ETA) official response to your request and memorializes that Louisiana will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Louisiana and ETA. This action is taken under the Secretary's authority to waive certain requirements of WIOA Title I, Subtitles A, B, and E, and Sections 8–10 of the Wagner-Peyser Act in WIOA Section 189(i).

Requested Waiver: Waiver of 20 CFR 681.550 to allow WIOA individual training accounts (ITAs) for in-school youth (ISY).

ETA Response: ETA approves, for Program Year (PY) 2022 and PY 2023, the State's request to waive the requirement limiting ITAs to only out-of-school youth (OSY), ages 16–24. In addition to these OSY, the State may use ITAs for ISY, ages 16–21. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Louisiana to implement its plan to improve the workforce development system. Approval of this waiver should not impede the State's efforts to prioritize OSY, including outreach to the OSY population.

The State must report its waiver outcomes and implementation of the approved waiver in the WIOA Annual Report. ETA will use this information to assess continued waiver approval and to identify promising practices that may be adopted more widely. ETA is available to provide technical assistance to you in support of your goals. If you have questions, feel free to contact my office at (202) 693-2772.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Parton".

Brent Parton  
Acting Assistant Secretary

Enclosure

cc: Ava Cates, Secretary, Louisiana Workforce Commission  
Andrea V. Morrison, Assistant Secretary, Louisiana Office of Workforce Development  
Nicholas Lalpui, Regional Administrator, ETA  
Eva Drinkwine, Federal Project Officer, ETA



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John Bel Edwards, Governor  
Ava Cates, Secretary

**Office of the Secretary**

August 22, 2022

Nicholas Lalpui, Regional Administrator  
Office of Employment and Training Administration  
United States Department of Labor  
525 S. Griffin Street, Room 317  
Dallas, Texas 75020

RE: Request for Waiver of requirement that only permits WIOA Individual Training Accounts (ITAs) for Out-of-School (OSY) for Program Years (PY) 2022 and 2023

Dear Administrator Lalpui,

Louisiana's waiver request for PY 2020 and PY 2021 was approved on October 19, 2021 waiving the requirement limiting ITAs to only OSY ages 16–24 and allowing the use of ITAs for In-School Youth (ISY), ages 16–21. Louisiana submits the attached request to waive the same provisions of the Workforce Innovation and Opportunity Act (WIOA) for PY 2022 and PY 2023. Please know the Louisiana Workforce Commission has worked closely with its Local Workforce Development Boards (LWDBs) to develop a comprehensive request that is both reasonable and responsive to barriers that LWDBs are facing during the COVID-19 pandemic. In addition, we believe this waiver complies with federal regulations.

Statewide implementation started in October 2021 with a slight increase of ITAs for ISY during October 1, 2021 – March 31, 2022. Although current performance outcomes has captured only six months of data, Louisiana expects increased ISY enrollments and ISY ITAs to continue on an upward trajectory through the end of PY 2021, which will be captured in performance reporting. Louisiana also expects to see an increase of ISY enrollments by 25 percent based on the current approved waiver, which will also include an increase in ITAs for ISY. Approval of this requested waiver for PY 2022 and PY 2023 will allow the local areas to continue to increase ISY enrollments over the next two program years.

Should you have any question or require additional information, you may contact Andrea V. Morrison, Assistant Secretary, Office of Workforce Development at (225) 342-3483 or [AMorrison@lwc.la.gov](mailto:AMorrison@lwc.la.gov).

Sincerely,

Ava Cates  
Secretary

cc: Local Workforce Development Directors  
Renita Ward Williams  
Sonya Williams

**Louisiana Workforce Commission**  
**Workforce Innovation and Opportunity Act (WIOA) Waiver Request Submission**

**I. The statutory and/or regulatory requirements the State would like to waive**

The State of Louisiana seeks approval of the following statutory waiver in accordance with the Workforce Innovation and Opportunity Act (WIOA).

- A waiver of the requirement that permits WIOA Individual Training Accounts (ITAs) for out-of-school youth only for Program Years 2022 and 2023. In 20 CFR 681.550, it states “in order to enhance individual participant choice in their education and training plans and provide flexibility to service providers, the Department allows WIOA Individual Training Accounts (ITAs) for OSY, ages 16-24 using WIOA youth funds when appropriate.”

Louisiana is requesting that ITAs be allowed for in-school youth. This would allow the State to increase services to eligible in-school youth to better address the negative educational and employment impacts of the COVID-19 pandemic and the hurricanes that have impacted our State.

**II. Actions to Remove Barriers**

While the provision of services to youth is vital, the lack of the ability to use ITAs as part of a youth’s career path inhibits Louisiana and its 15 local workforce development areas discretion when serving youth based on local demographics, resources, economies, employment outlook, and other labor market factors. The current requirement also weakens our ability to design and deliver meaningful career pathway programs to all youth, regardless of school status. Furthermore, it limits the local workforce development area’s ability to carry out initiatives that provide much needed education and training experiences for students and that address the employer’s workforce education and skills needed.

Consistent with WIOA’s increased emphasis on credential attainment, the flexibility that this waiver would allow, if approved, would allow the Local Workforce Development Boards an opportunity to provide ITAs. The ability to provide youth with access to training necessary to obtain jobs in our state is vital to our commitment to enhancing choices available to eligible youth and to encourage them to complete secondary education, enroll in postsecondary education and advanced training, progress through a career pathway and enter into unsubsidized employment that leads to economic self-sufficiency. It will also provide opportunities for youth to obtain industry-based certifications (IBCs) prior to, or shortly after, completing their secondary education, thereby improving their ability to obtain unsubsidized living-wage employment and career opportunities.

### III. Strategic Goals

Currently, ISY wishing to access ITAs may only do so through the WIOA adult program. Approval of this waiver request will allow Louisiana and its local workforce development areas

the option to offer eligible ISY and OSY the use of ITAs, eliminating the funding barrier created by the emphasis on OSY thereby expanding training opportunities, increasing program flexibility, and enhancing customer choice. More specific advantages to granting this waiver request and allowing ISY the opportunity to use ITAs are:

- ITAs will encourage youth participants to consider and evaluate career pathways and in-demand occupations, empowering the participants to make valued career decisions leading to occupational training, attainment of post-secondary industry recognized certificates and ultimately gainful employment making a family sustaining wage.
- The ability to target at-risk ISY by providing early intervention to prevent them from dropping out by exposing them to technical occupations while in school, giving them a head start on training that will lead to a better paying job. Early intervention will increase attachment to the workforce and enrollment in post-secondary training, thereby improving student retention and mitigating dropout behaviors.
- The promotion of career pathway related opportunities and programs for ISY will lead to a great number of ISY becoming interested in pre-apprenticeships, registered apprenticeships, technical and occupational training, and other forms of post-secondary education.
- Increased outreach to ISY, while maintaining a focus on serving OSY, will contribute to the development of a larger pool of young people who are qualified for, and prepared to meet the current and future needs of employers in their workforce areas and throughout the state.

### IV. Projected Programmatic Outcomes Resulting from Implementation of the Waiver

Louisiana's 15 local boards have shown interest in, and support of this waiver request which would allow ISY to use an ITA. Areas have projected a 20-25% increase in the number of ISY served. The following provides a representative sample of the plans these local areas have made in anticipation of the approval of this waiver.

- Increase resources to ISY JAG program in our area – Areas could expand JAG participation to seniors in the high school programs. Areas could also offer stipends and incentives, as well as work experience, to the OSY JAG participants.
- Partner with current Jump Start initiatives by providing pre-apprenticeship activities connecting youth with apprenticeship programs giving youth an earlier platform for skill development. We are enrolling participants in work experience as a “pre-apprenticeship” program.

- Use ISY funds along with ISY ITAs to meet the needs of a growing population of students who, due to job loss and financial hardship, may not have funding to continue current educational opportunities or enter into potential educational opportunities. This is where the waiver would have the most impact for some of our local areas – enrolling Youth-eligible students already registered in community college/university without using Adult funds. We currently have individuals under the age of 21 that we are serving as Adults that would fall into this Youth IS category.
- Serve ISY in low-income communities within the parish by helping them overcome unique economic and employment challenges that face those youth residing in impoverished urban communities. According to city-data.com, 23.7% of parish residents live in poverty, with that number increasing to 33.5% when focusing solely on children. This rate increases drastically to 55% for residents who did not graduate high school.
- Local area currently partners with OSY JAG program through the local community college. Approval of this waiver will allow for the development of an in-school JAG program.
- Increase the number of ISY allowed to participate in the local area’s year-round “work readiness” training series by providing additional opportunities for high school juniors and seniors taking less than a full course load to participate in ITAs and pre-apprenticeship programs (primarily in the areas of healthcare, technology, and construction) that lead to IBCs.
- Since high school graduates are eligible as OSY and are allowed the opportunity to utilize ITAs to participate in certificate programs at community colleges, in pre-apprenticeship programs, and proprietary training institutions, it is only logical to provide the same opportunities to ISY who have been deemed WIOA eligible allowing them to immediately access ITA funded training opportunities upon graduation. We project enrolling more students right out of high school going to summer school and already registered before WIOA enrollment.
- An increase in participants is projected and area expressed they could see a potential to double youth participants if we are given this waiver as it opens the doors to much more flexibility. With the increased participant enrollment, some areas want to do an in-school JAG program (25-30 participants) and also want to expand a “Career Exploration Project” (additional 15-20 youth) that was just kicked off this summer, but limited it to just OSY. They also have ideas of putting in a carpentry pre-apprenticeship project (15-20 participants) at a Community College. Many areas have the partners ready to go and they are just waiting on us to get the waiver. This isn’t counting those enrolling in ITA’s that we currently enroll as adults as they don’t meet the OSY criteria and we can afford to show them as an ISY. Enrollment would increase significantly across the state if this waiver were granted.

**V. Alignment with Department policy priorities**

This waiver request is consistent with USDOL’s policy priorities in that the request will:

1. Focus on ensuring that eligible youth achieve secondary and postsecondary educational success;
2. Increase youth access to much needed opportunities for education, training, employment and supportive services; and
3. Align with WIOA’s intent by supporting career pathways and the preparation of young people for in-demand careers.

**VI. Individuals, groups or populations affected by the waiver**

The intent of this waiver is to benefit at-risk ISY who face barriers to education, training and employment. OSY will also benefit as they will continue to be served as a priority population as required by WIOA. Local boards will benefit from increased flexibility to develop unique solutions to improve service to all youth according to local conditions and needs.

**VII. Plan for State Monitoring of Waiver Implementation**

Annual WIOA on-site programmatic reviews will include an evaluation of the impact of the waiver on local programs to ensure programmatic goals and outcomes are being met. In addition, local areas will monitor their own progress under this waiver by reviewing their monthly expenditures, along with their performance reports.

**VIII. Public Comment and Notification**

This waiver request was posted on a publicly accessible website with a link to provide and/or accept public comment for a minimum of 30 days on June 16, 2022. The state notified all 15 Local Workforce Development Board Directors and other stakeholders of the publication and comment period. No substantive comments were received.

Local Workforce Development Boards were provided a copy of this waiver request and given the opportunity to contact the Office of Workforce Development prior to submission of Louisiana’s WIOA State Plan modification to discuss and have input on the waiver request.

October 3, 2022

Nicholas Lalpui, Regional Administrator  
Office of Employment and Training Administration  
United States Department of Labor  
525 S. Griffin Street, Room 317  
Dallas, Texas 75020

RE: Request for waiver of requirement that only permits WIOA Individual Training Accounts (ITAs) for Out-of-School Youth (OSY) for Program Years (PY) 2022 and 2023

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Statewide implementation started in October 2021 with the approval of our PYs 2020 and 2021 waiver. We have seen a slight increase of ITAs for ISY during October 1, 2021 – June 30, 2022. Louisiana anticipates having a steady increase of enrollments over the next two program years with the approval of this waiver. Opportunities for ISY will include the pursuit of career pathways in high-demand occupations, increase training and employment outcomes, and stimulate youth to make their own choices. As stated in our waiver request, the state anticipates a 20 – 25 percent increase in ISY enrollments yielding the following:

- 10 – 15 percent increase in ISY ITAs over the next two program years.
- At least 75 percent of our ISY enrolled in ITAs will earn an industry recognized credential and/or some other postsecondary credential; thus, increasing both credential attainment and measurable skills.
- The number of registered training providers serving youth on the Eligible Training Provider List (ETPL) will increase by at least 5 percent over the next two program years.



Our ISY will gain knowledge and resources on dual college enrollment, occupational skills training, and registered apprenticeship programs. With this waiver, Louisiana is looking to see an increase in ISY engagement in the education system.

Should you have any questions or require additional information, please contact Andrea V. Morrison, Assistant Secretary, Office of Workforce Development at (225) 342-3483 or [amorrison@lwc.la.gov](mailto:amorrison@lwc.la.gov).

Sincerely,

Ava Cates  
Secretary

cc: Renita Ward, Deputy Assistant Secretary  
Sonya Williams, Deputy Assistant Secretary