

**STATE OF OREGON
WAIVER REQUEST**

**WORKFORCE INVESTMENT ACT:
SUBSEQUENT ELIGIBILITY OF TRAINING PROVIDERS**

SUPPLEMENTAL INFORMATION

Waiver of Portions of “All Students” Performance Data Requirements

The data-gathering tasks the state has taken on are wide-ranging, and complicated. In order to be able to report verifiable data for all types of training providers, many barriers must be overcome, such as confidentiality, informed consent of students in disclosing Social Security Numbers, and the meshing of independent and differently-configured data systems. These barriers may prevent the state from receiving compatible data on all students from all providers. This is only the case for a small subset of training providers; Oregon fully expects to have data on all WIA participants, and will have “all student” data for the great majority of providers. However, for some, the state may need to develop alternate data such as self-reported or other data and assure verifiability through means other than the UI data record. Oregon will investigate alternate data sources and will consider the cost-benefit of fully reporting all student data for a small number of programs on the ETPL.

Extension of Waiver

In the waiver request, Oregon has proposed a timeline for fully implementing the subsequent eligibility provisions. However, Oregon respectfully requests to extend the duration of the waiver itself for the period of the State Plan, until June 30, 2005. This will accommodate the possibility of collecting all data for all providers.

Description of Public Review Process

Oregon has consistently involved the state workforce board, local workforce boards, business, labor and the public in its efforts to build a successful Eligible Training Provider system. Beginning with the passage of the WIA, Oregon involved stakeholders in the development of the ETP system, and their work resulted in a diverse and robust ETPL.

However, significant difficult issues remained, including developing data for the subsequent eligibility measures and for the consumer report card. Work on these issues began in earnest in January, 2001, when the Department of Community Colleges and Workforce Development (CCWD) undertook a project to fully implement the system. The following timeline illustrates the involvement of stakeholders throughout the remainder of the year.

TIMELINE OF STAKEHOLDER INVOLVEMENT IN ETP DEVELOPMENT, 2001

- February 8 Memo from CCWD Commissioner to stakeholders detailing plan to resolve ETP issues.
- February-March Environmental Scan. Candid conversations were held with providers throughout the state to determine both to evaluate how current policy was working and to better understand the needs of customers and providers. Findings were summarized and widely distributed.
- February 28-March 1 Meeting with Consultant. State staff met with Jeff Padden to discuss possible solutions to Oregon's ETP system challenges.
- March 13 Memo from the Commissioner to stakeholders with preliminary findings from the environmental scan plus solicitation to participate on an ongoing work group.
- March 19 A statewide conference call, with all interested parties invited to participate, was organized explored Oregon's challenges, asked for input to the process, and again invited participation on the ETP Work Group.
- March – December ETP Work Group. This work group was formed to tackle the ETP data and reporting issues facing the state. The group included training providers, local board staff, workforce program providers, and state staff. The group met nearly monthly from April through September, with conference calls in between. Over a period of nine months, this group crafted the data collection and reporting solutions now in place or planned in Oregon. Minutes of the meetings were distributed, and output of the group was posted to the Web page.
- May 10 Packet of Proposals from the ETP Work Group, widely distributed to stakeholders. The packet contained an update memo from the Commissioner, and included products of the work of the ETP Work Group, including draft definitions for Program and Completer, draft definitions of the subsequent eligibility performance measures, and policy proposals for access to training for WIA participants.
- July 18 Meeting of Community College Workforce Strategies group. This group of administrators of community college workforce programs received a PowerPoint presentation of the progress of the ETP Work Group and gave their input to the process.

- July 20 Community College Council of Instructional Administrators meeting. The group was updated on ETP progress and approved the beginning of the development of the Employment Skills Training Program (EST), a new flexible less-than-one-year certificate program to meet the individual needs of WIA participants and others.
- September 11 Planning meeting including Department of Education, CCWD, and community college administrators to develop the EST.
- October 3 Summary report of progress on ETP issues presented to the Community College Workforce Strategies Group.
- October 25 Statewide Action Team (SWAT) presentation. The SWAT, made up of local workforce board staff and service providers, heard a presentation of ETP progress and challenges and the EST.
- October 26 Oregon Workforce Investment Board (OWIB) meeting. Agenda item presented on performance for the subsequent eligibility of training providers. OWIB urged the setting of performance goals for training providers, understood the need for flexibility from DOL.
- October 29 State/Local meeting on subsequent eligibility. Workforce program providers, training providers, local workforce board staff, and state staff met to discuss subsequent eligibility issues. Preliminary data reports were presented. Local representatives agreed to discuss subsequent eligibility with their local boards. Agreed to the principle of setting performance goals. Urged submission of a waiver to DOL.
- November 6 Memo to Local Boards concerning subsequent eligibility was distributed. The lack of data to make good decisions was noted. The memo discussed possible scenarios for local boards to follow and framed preliminary guidance to local boards.
- November 9 The Oregon Workforce Partnership (LWIA Directors) discussed access to training and subsequent eligibility.
- December 14 OWIB meeting, at which placeholder performance goals were adopted. Board was informed about requesting flexibility (waiver) from DOL.
- December 26 Waiver submitted. Notice went to all local board contacts and was posted on the Web site.

Methods of Involvement and Comment

As the waiver was in development, local board staff and local area directors, along with providers and other stakeholders, were updated on the progress, mostly through electronic media (see below). Local boards were encouraged to have discussions concerning subsequent eligibility. The Oregon Workforce Investment Board (OWIB) discussed subsequent eligibility issues at two consecutive meetings, Business and labor were directly informed through the local boards and the state board.

Oregon uses electronic media to reach a wide array of stakeholders. One such method is the Friday Facts, a subscription-based electronic newsletter that is distributed weekly to 564 recipients, including:

- Local and State board members
- Business owners
- Service providers
- Training providers (public and private)
- One-stop operators, and
- Other workforce stakeholders.

When new items are posted on the Web site, it is often noted in Friday Facts. This was the case for the proceedings of the ETP Work Group, ETP policy statements from CCWD, various meeting notices, and the waiver request itself. OWIB agenda packets are posted on the Website approximately ten days before each meeting, including minutes of the previous meeting and materials for discussion at the meeting.

The waiver request itself was distributed to all local workforce boards along with a request for comments. The request and the call for comments have been posted on the Web site since December 26, 2001. No comments have been received to date.