

## **State of Nevada Waiver Request Individual Training Accounts (ITAs)**

**Federal statutory/regulatory requirements to be waived:** Pursuant to the Workforce Innovation and Opportunity Act (WIOA) Title I and Wagner-Peyser Act waiver requirements and request process (WIOA sec. 189(i)(3)(B); 20 CFR §679.620; TEGL 8-18), the Nevada Department of Employment Training and Rehabilitation (DETR), designated state workforce agency for the State of Nevada, is requesting to waive the requirement limiting individual training accounts (ITAs) to only out-of-school youth (OSY) ages 16-24 pursuant to 20 CFR §681.550, and to allow the use of said training funds for ITAs for **in-school youth (ISY)** per WIOA sec. 134. The state is requesting this waiver for the WIOA Title I 2020 program year (July 1, 2020-June 30, 2021).

This request is for a statewide waiver to grant ISY the same participant opportunities and accesses that OSY have by allowing local workforce area staff to use ITAs, when appropriate, to provide education and training to ISY and promote training as another option to entry into an increasingly tough labor market. The waiver would permit local workforce boards to use Nevada's list of eligible training providers to secure training for ISY who are preparing to graduate and pursue their educational goals in postsecondary training opportunities. The waiver is designed to increase program flexibility and increase choice and access to opportunities based on youth customers' assessed needs in terms of training that leads to employment in high growth industry sectors and occupations. The waiver would remove barriers to training opportunities through not requiring local workforce board one-stop operators to register ISY participants who are 18 years or older in the WIOA Adult program, thus mitigating the disruption in training between WIOA Youth program enrollment to WIOA Adult program enrollment. If this waiver is approved, local workforce boards would be required to track performance of ISYs using ITAs.

**Actions for the removal of state or local statutory or regulatory barriers:** There are no State of Nevada or local statutory or regulatory barriers to implementation. DETR compliance policies meet current federal program requirements.

**State strategic goals/US Department of Labor priorities supported by waiver request:** In the preamble to the WIOA Final Rule, U.S. Department of Labor (USDOL) indicated that ISY age 18 or older *may* access ITAs through a WIOA adult program. This creates a gap issue for younger ISY (e.g., 16-18) having the ability to access ITA-funded education and training programs who are at risk of dropping out of school. Youth caught in this gap are then vulnerable to dropping out of school, leaving the workforce program, and not achieving the education, training and certifications needed to demonstrate requisite skills to employers.

**State of Nevada Strategic Goals:** Through this waiver, the state will:

- 1. Increase opportunities, access and choice to education and training programs for ISY:**  
By allowing the local boards the flexibility to use ITAs to provide education and training for ISY, this would result in an increased availability of workforce opportunities for ISY who may be at risk of dropping out of school.

2. **Increase WIOA Youth program completion:** By removing barriers for ISY to access education and training services, this would increase the probability of ISY successfully completing WIOA programs.
3. **Decrease WIOA Youth program disruption:** By allowing ISY who are 18 years or older, or who drop out of school, to remain in the WIOA Youth program, it would mitigate program disruption by not requiring youth to exit the ISY program and then wait 90-days to re-enroll as an OSY or to re-enroll in the WIOA Adult program. Once an ISY enrolls in a Youth WIOA program, that youth would retain ISY status until exiting from the program.

**U.S. Department of Labor (U.S. DOL) Priorities:** This waiver supports and aligns with the U.S. DOL's priorities in the following ways:

1. **Provide access and opportunities for education, training, employment, and supportive services:** By allowing ISY to gain the education and training resources that they need to obtain employment and be self-sustaining citizens.
2. **Increase program outcomes by decreasing program gaps:** By allowing ISY who drop out of school to retain ISY program status, this will decrease program disruption gaps, thus decreasing program dropouts and increasing program completion outcomes.
3. **Expand program options, increase flexibility and enhance customer choice:** By allowing the local boards the flexibility to provide ITAs to ISY, this expands WIOA education and training options for ISY, provides the local boards the flexibility to provide ISY the education and training resource choices they need to improve outcomes.
4. **Connecting education and training strategies:** By allowing ISY to use applicable knowledge gained in school and through training programs that improves job and career goals.

**Projected programmatic outcomes from waiver:** Approval of this waiver request would improve outcomes and provide other tangible benefits for jobseekers and employers as follows:

1. Increase the number of youth that utilize ITAs to gain an industry-recognized credential and/or other postsecondary credential.
2. Increase in performance accountability measures for youth as found in WIOA sec. 116(b)(2)(A)(ii), thus increasing credential attainment and measurable skills gains.
3. Increase innovative strategies to address student dropouts through dual-enrollment, occupational training, and work-based learning opportunities (e.g., pre-apprenticeship, internships, etc.).
4. Decrease WIOA Youth program dropouts by allowing ISY to remain enrolled as mitigating the program re-enrollment gap.

**Individuals, groups or populations impacted by the proposed waiver:** DETR intends for this waiver to positively impact eligible youth, youth service and eligible training providers, and Nevada's workforce system through increased access to a broader scope of training providers for youth in pursuit of industry-recognized credentials and/or postsecondary training opportunities through increasing flexibility of services offered by those training providers to allow them to provide to ISY. Furthermore, this waiver would provide an increased benefit to many ISY jobseekers who may be at risk of dropping out of school to participate in ITAs while in school to mitigate said risk.

**Long-term benefit to ISY participants:** DETR intends that this waiver will result in long-term benefits and gains to ISY by expanding training opportunities that will allow them to increase their career and work readiness, enhance their connections to training programs that align their occupational interests to prepare them for work-based learning and employment. Furthermore, by allowing ISY access to ITAs it enhances the continuity of services for all youth in Nevada by creating gainful and sustainable career pathways, as well as creating a sustainable trained workforce for Nevada employers for the long recovery period.

**Procedure for monitoring progress of waiver implementation/collection of outcome information:** DETR will continue monitoring state and local area performance to assess the effectiveness of this waiver using both state and federal accountability systems to ensure that all negotiated performance measures are met including expenditure percentages, results are accurately reported and will provide necessary technical assistance to the local workforce boards, one-stop operators and service providers. As part of the monitoring and performance accountability process, DETR will collect data on waiver outcomes which will be included in the Nevada WIOA Annual Report. Any waiver renewal requests will include the most recent available outcomes data.

**Assurance of state posting of the request for public comment and notification of affected local workforce development boards:** DETR will provide for meaningful public review and comment. It will publish the proposed waiver in compliance with Nevada statutory requirements and will review and develop a response to all comments received. DETR has notified all local workforce boards that the agency is seeking this waiver request and sought their input before submitting this request to USDOL ETA.