

**State of Delaware**  
**Waiver Request**

**Extension of Initial Eligibility for all Training Providers on**  
**the State List of Eligible Training Providers**

Statutory/Regulatory Provisions	Extension of Initial Eligibility for Training Providers on the State List of Eligible Training Providers Under the Workforce investment Act Title I
Citations	The Workforce Investment Act (WIA) Section 122(c)(5) and 20 CFR WIA Final Rules 663.530.
Entity	State of Delaware

**Statutory and Regulatory Sections to be Waived:**

WIA Section 122(c)(5) and WIA Final Regulations at 20 CFR Section 663.530 require time limit observance for initial eligibility of providers of training services before being considered for subsequent eligibility for inclusion on the State List of Eligible Training Providers. This waiver request, if approved, would extend the period of initial eligibility through June 30, 2010

**State and Local Statutory or Regulatory Barriers:**

There are no State or local statutory or regulatory barriers to impede the implementation of the proposed waiver. State of Delaware policies are in compliance with current Federal guidelines. Upon notification of approval this waiver request, state policies will be amended to comply with the terms of the waiver.

**Goals to be Achieved by the Waiver:**

The State of Delaware has developed and maintains an Eligible Training Provider list. In addition to requiring information related to WIA funded students, the Act requires performance information for all students participating in the eligible training provider's programs. A strict enforcement of this provision by the State unduly limits the training services available for WIA clients. While most training providers supply the State with performance information on "all students", some do not. In some cases, some providers, notably post secondary public and private colleges, do not provide social security numbers. Consequently, the State is not able to test the veracity of the training provider's information in all cases.

The State fully understands the need for accountability and supports efforts to ensure that customers are making informed decisions based on quality data; however, the ability to collect the required data is limited and the results could adversely impact customer choice and limit training opportunities for clients. The goal of this request is to increase the quality and quantity of all performance information for training providers on the State list of Eligible Training Providers. The State will continue to pursue this goal but does not want to be in the position of forcing the elimination of quality training providers,

especially the State's Community Colleges and Vocational Schools, or have providers opt out on the WIA system in the interest of complying with the privacy concerns of their non-WIA clients.

The approval of this waiver will allow the State to expand an established system that will continue to collect better and better performance information from individual providers on the State list.

**Individuals Impacted by the Waiver:**

Approval of this waiver will positively impact the Delaware Workforce Investment Board (DWIB), training providers, One-Stop staff, and customers.

**Process Used to Monitor the Progress in Implementing the Waiver:**

The Delaware Department of Labor, Division of Employment and Training (DOL/DET) and the Delaware Workforce Investment Board (DWIB) serve as the co-administrative entity for Workforce Investment Act and State Blue Collar Jobs Act programs. Further, the DOL/DET serves as the administrative entity for Wagner-Peyser, Veterans, and Trade Act Assistance programs. The waiver provides the DOL/DET and the DWIB with the flexibility to implement a seamless delivery of services and to customize the planning and delivery of services for applicable programs. The DOL/DET and the DWIB will monitor the implementation and impact of the waiver through a combination of performance reporting, evaluations, and discussions with stakeholders regarding our progress towards expected outcomes. The DOL/DET and the DWIB will review applicable policies and procedures and modify them accordingly.

**Process for Notice to Local Boards and Opportunity to Comment:**

The waiver request was discussed during a meeting of the Executive Committee of the Delaware Workforce Investment Board held on January 27, 2009 at which time they expressed their endorsement.