Montana
Department of Labor and Industry
Workforce Services Division
Governor Judy Martz

March 4, 2002

Mr. Joe Juarez
Regional Administrator
U.S. Department of Labor/ETA
525 Griffin Street Room 317
Dallas, TX 75202

ATTN: Maxine Bradley

Dear Mr. Juarez:

Enclosed is Montana's waiver request to postpone the implementation of the subsequent eligibility process for Eligible Training Providers as described in the Workforce Investment Act, Section 122 (c)(5) and WIA Regulations 663.530 until June 30, 2004.

This postponement will allow Montana to better determine the most effective and efficient method of collecting the training provider's performance data as well as alleviate our providers concerns with the types and amount of information being requested. Montana fully supports the concepts of consumer choice and program accountability as directed in the Workforce Investment Act and believes that this postponement will allow us, and our providers to better meet those goals. Implementation of the subsequent eligibility determination process would continue throughout the year with a final implementation date of June 30, 2004.

If you should have any questions regarding this request, please feel free to contact Cheryl Flint, MIS Program Specialist at (406) 444-0830.

Thank you for your consideration of our waiver request.

Sincerely,

Ingrid Childress

Ingrid Childress, Administrator
Workforce Services Division

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FAX (406) 444-3037 • TTD (406) 444-0532
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AMERICA'S WORKFORCE NETWORK
WORKFORCE SERVICES

State of Montana
Waiver Request
Workforce Investment Act
Subsequent Eligibility Determination of Eligible Training Providers

The Montana Department of Labor and Industry (MDLI), the State administrative entity for the Workforce Investment Act (WIA), is requesting a waiver to postpone the implementation of the Subsequent Eligibility Determination process for Eligible Training Providers until June 30, 2004. We request this postponement so that Montana can better determine the most effective and efficient method of collecting the training provider's performance data as well as alleviate our provider's concerns with the types and amount of information being requested. Many of Montana's training providers have expressed their concerns with the cost and time involved in developing a reporting system which will gather information relating to wages and/or placement of those individuals participating in their programs. These concerns affect those participants who received assistance under WIA as well as all other individuals participating in the applicable program. This postponement will also allow Montana the opportunity to complete the design of our ETP web site. This web site will be available to all participants, training providers and service providers and will allow them to view training information, eligibility status and on-line application submission.

Montana fully supports the concepts of consumer choice and program accountability as directed in the Workforce Investment Act and believes that this postponement will allow us, and our provider's to better meet those goals. Implementation of the subsequent eligibility determination process would continue throughout the year with a final implementation date of June 30, 2004.

This waiver is being requested in the format described in WIA Section 189 (i) (4) (B) and WIA Regulations 661.420.

1. Statutory or Regulatory Requirements to be waived: WIA Section 122 (c) (5) and WIA Regulations 663.530 dealing with the time limit for initial eligibility and/or subsequent eligibility.

2. State or Local Statutory or Regulatory Barriers: Montana has implemented the Eligible Training Provider process as required under WIA laws and regulations and there are no additional State requirements that will impede this process. Therefore, there are no State or Local statutory or regulatory barriers that need to be removed.

3. Goals to be achieved as a result of the Waiver: The goals that Montana intends to achieve as a result of the waiver are:

A. To develop an efficient and effective method of data collection from training providers.
B. To set reasonable criteria for subsequent eligibility performance information.

C. Alleviate providers concerns with the types and amount of information being requested.
D. Continue to increase the number of Eligible Training providers and retain those already approved, thereby ensuring maximum customer choice.
E. Maintain the highest level of provider accountability.
F. Continue to develop and enhance the ETP Web Site.
G. Review current ETP application process

4. Programmatic outcomes: Montana currently has 92 training providers with 1239 programs on its Eligible Training Provider listing. Of the 92 training providers 24 are University, College, Vo-Tech or College of Technology providers whose programs number 1017 (greater than 82% of all programs). These providers have been the most vocal in regards to the types and amount of data they will be required to supply for the subsequent eligibility process and have indicated that they would opt out of the program. This would mean a loss of more than 82% of our current training programs, which would severely impact the training choices of our participants.

This waiver will allow the State of Montana time to thoroughly assess our Eligible Training Provider process and develop an efficient and effective method of data collection as well as generate increased interest in the program. Our goal is to set criteria for performance data collection, which will ensure that all required information is obtained while easing the burden of data collection for the providers. Thus, we will be able to retain the providers currently providing training services to our participants while continuing to increase the number of new providers.

Additionally, Montana's goal is to complete the development of the ETP web site, which will be available to all participants, training providers and service providers and will allow them to view training information, eligibility status and submit training provider applications via the Internet.

These steps will help to ensure that a strong training provider base is developed offering participants greater choice.

The following are the outcomes Montana has set for the Eligible Training Provider process:

A. Provide technical assistance to service providers to better familiarize them with the Eligible Training Provider process of approval and inclusion on the ETP list. Training sessions are currently being conducted statewide, in which the Eligible Training provider process is one of the topics being discussed. Once the Subsequent Eligibility and Performance Data Collection and updated Provider Application processes have been developed, additional training sessions for State and Local area service providers will be scheduled to discuss the new processes and/or procedures.
B. The State and Local areas will work together in the review and update of the Eligible Training Provider application process. Based on concerns from training

providers and State and Local area staff, a committee has been formed to review the current training provider application process. The committee which is made up of State and Local area staff, is scheduled to meet to discuss how we can ensure that the application and application process is an effective tool in enrolling potential training providers. It is the goal of this committee to have a revised application form and process completed by June 30, 2002.

C. Continue to work with our Information Service Bureau to develop and enhance the Eligible Training Provider web site. A website had been developed and was ready for implementation, however after Montana's new Information System's Computer Program policy became effective the SQL based website did not meet the new criteria. Montana is in the process of converting the website to an Oracle based program. Once the conversion is completed, we will review the website for additional modifications as needed. As indicated above, the ETP web site will be available to all participants, training providers and service providers allowing them to view training information, eligibility status and submit training provider applications via the Internet. We feel that the on-line application submission capability will assist in increasing the number of new provider applications due to the ease of applying via the Internet. It is Montana's goal is to have the website converted and modified no later than June 30, 2002.

D. The State and Local areas will work together to set the criteria for subsequent eligibility performance collection with an implementation date of June 30, 2003. It is expected that with the setting of reasonable subsequent eligibility performance data criteria, Montana's potential training providers will be less resistant to applying and our training provider list will increase by an estimated 40 to 50%. In addition to retaining the providers currently listed, these additional providers will allow greater choice for our participants training needs.

5. Description of the Process to Monitor Progress: The Statewide Workforce Programs Bureau staff (WIA Oversight Entity at the MTDLI) will monitor the progress of the above-mentioned actions and activities to ensure timely completion of all goals. Meetings between the State and Local staff will be held to set time frames for TA sessions, develop the criteria for the subsequent eligibility process, and to discuss the current application process and how it can be improved. The State staff member, who oversees the Eligible Training Provider program, will facilitate these meetings and report progress to all entitities involved as well as the Regional Department of Labor representative.

6. Comment Period: A thirty (30) day comment period was established in which the Eligible Training Provider Subsequent Eligibility Waiver request was posted on the Montana Department of Labor and Industry's website with a link to our Local Service Delivery areas website for review and comment. A copy of the waiver request was also sent to all entities that utilize the training provider list for their review and comment as well.