U.S. Department of Labor

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

SEP 28 2018

The Honorable Tom Wolf
Governor of Pennsylvania
508 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Governor Wolf:

Thank you for your waiver request on July 18, 2018, regarding statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA) and the accompanying plan to improve the statewide workforce development system (copy enclosed). This letter provides the Employment and Training Administration's (ETA) official response to the Commonwealth's request and memorializes that Pennsylvania will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Pennsylvania 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.

The Commonwealth's request to waive the requirement limiting ITAs to only out-of-school youth ages 16 – 24 is approved. The Commonwealth may now use ITAs for in-school youth as well as out-of-school youth. ETA reviewed the Commonwealth's waiver request and plan and determined that the requirements requested to be waived impede the ability of Pennsylvania to implement its plan to improve the workforce development system. Therefore, ETA approves this waiver for Program Years 2018 and 2019 (July 1, 2018 – June 30, 2020).

ETA is available for further discussion and to provide technical assistance to the Commonwealth to support achieving its goals. The Department of Labor proposed additional flexibility in its Budgets to give governors more decision-making authority to meet the workforce needs of their states.

If you have questions or wish to explore additional flexibility, feel free to contact my office at (202) 693-2772.

Sincerely,

Molly E. Conway
Principal Deputy Assistant Secretary

Enclosure

cc:
W. Gerard Oleksiak, Secretary, Pennsylvania Department of Labor and Industry
Eileen Cipriani, Deputy Secretary, Workforce Development
Leo Miller, Philadelphia Regional Administrator, Employment and Training Administration
Melissa Lehman, Federal Project Officer, Employment and Training Administration

pennsylvania
DEPARTMENT OF LABOR & INDUSTRY

July 18, 2018

Mr. Leo Miller, Regional Administrator
U. S. Department of Labor Employment and Training Administration Region 2
170 S. Independence Mall West
The Curtis Center, Suite 825 East
Philadelphia, PA 19106-3315

Dear Mr. Miller:

The Commonwealth of Pennsylvania is requesting the U. S. Department of Labor's approval for a waiver of the statutory and regulatory requirements of the Workforce Innovation and Opportunity Act (WIOA) to allow individual training accounts to be created on behalf of WIOA Title I eligible in-school youth. This request is submitted in accordance with the Secretary's authority at WIOA Section 189(i)(3)(B) and 20 Code of Federal Regulations, or CFR, § 679.600 to waive certain requirements.

Specifically, the Commonwealth of Pennsylvania is requesting from Employment and Training Administration (ETA) a waiver of 20 CFR 681.550 to allow eligible in-school youth (ISY), ages 16 to 21 at time of program enrollment, the opportunity to employ an individual training account (ITA). This waiver will assist the Commonwealth to further develop our workforce investment system while continuing to focus on promoting a demand-driven system. Under this wavier, Pennsylvania will be better positioned to serve youth who are still in school, support and expand training services capacity, build a diverse talent pipeline and add flexibility to better respond to changing labor market demands. Of note, our registered pre-apprenticeship and registered apprenticeship programs will be positively impacted. The waiver request was made available for public review and comments; comments were received and responses supplied. The attached document details the waiver requested by the Commonwealth.

Your review and immediate consideration of this waiver request are appreciated. Please contact me with any questions.

Sincerely,

Eileen Cipriani,
Deputy Secretary for Workforce Development

Enclosure

PA Department of Labor & Industry WIOA waiver request: ITAs for ISY

The Commonwealth of Pennsylvania is requesting from Employment and Training Administration (ETA) a waiver of 20 CFR 681.550 to allow eligible in-school youth (ISY), ages 16 to 21 at time of program enrollment, the opportunity to employ an individual training account (ITA). The commonwealth provides ETA with supporting information using the waiver request template found at: https://www.doleta.gov/wioa/Docs/847112-Waiver%20Request%20Tool.pdf

1. The statutory and/or regulatory requirements the State would like to waive;

> ***§ 681.550 Are Individual Training Accounts permitted for youth participants?***
> *Yes. 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 to 24 using WIOA youth funds when appropriate.*

2. Actions the State has undertaken to remove State or local barriers;

Pennsylvania's WIOA Combined State Plan articulates a vision of identifying, promoting, and helping to initiate worthy programs, activities, practices and other innovative initiatives that will benefit Pennsylvania citizens. In support of this vision the Pennsylvania Workforce Development Board and the commonwealth's multitude of state-wide and local area workforce development stakeholders have continued to identify, research, discuss and act to address barriers that would prevent the commonwealth from reaching this vision. This work is reflected in both the broad and the strategic goals identified in Pennsylvania's WIOA Combined State Plan.

The broad goals include:

- Goal 1: Establish career pathways as the primary model for skill, credential, and degree attainment and provide all Pennsylvanians, with an emphasis on Pennsylvanians with barriers to employment, an opportunity to obtain a job that pays.
- Goal 2: Expand public-private investment in the state's pipeline of workers and in incumbent workers for targeted industry sectors from entry-level skills to middle skills through Next Generation Sector Partnerships, the Workforce and Economic Development Network of Pennsylvania (WEDnet PA), and other innovative strategies.
- Goal 3: Increase opportunities for all youth to participate in work-based learning through summer employment, pre-apprenticeship, apprenticeship, internships, and other experiences in the workplace.

Specific state strategic goals were developed to overcome the barriers. Strategic goals that speak to this waiver request include (as identified in the state plan):

- Goal 1.4: The commonwealth will promote and support the creation of pre-apprenticeship and Registered Apprenticeship (RA) programs, particularly in non-traditional occupations and for non-traditional populations, as part of relevant career pathway models. The commonwealth will add apprenticeship opportunities to the JobGateway® and Commonwealth Workforce Development Systems (CWDS), and will promote them as career options to job seekers.
- Goal 2.5: The commonwealth will expand access to online education and training programs that result in industry-recognized credentials.

- Goal 2.7: The commonwealth will use state grant funds to promote the development of Registered Apprenticeship programs and utilization of pre-apprenticeship standards, with a focus on non-traditional industries and occupations. The grant will also support efforts of existing Registered Apprenticeship programs to recruit female and minority apprentices. The state Apprenticeship and Training Office (ATO) will provide technical assistance to grantees and will promote the creation and growth of apprenticeship programs beyond the grantees.
- Goal 3.10: The commonwealth will use the ATO to promote pre-apprenticeship and Registered Apprenticeship opportunities to youth, including establishing new partnerships with secondary and postsecondary education institutions.

In terms of Pennsylvania's youth, activities and initiatives supporting strategic goals are reaping rewards. The commonwealth and its workforce development stakeholders are focused on expanding career pathway and opportunities for career readiness and certificate attainment. New work-based training programs have been introduced throughout the commonwealth and its local workforce development areas (LWDA); a focus on science, technology, engineering, and math (STEM) and apprenticeship training opportunities is evident. Many of Pennsylvania's workforce development stakeholders recognize the strong demand to introduce high school age youth (whether attending secondary school or not) to activities and training that will lead to a post-secondary certificate.

Some of the activities and initiatives supporting the commonwealth's strategic goals include:

- *PAsmart* is a workforce development initiative that helps connect Pennsylvanians with resources for working and training in the commonwealth. The *PAsmart* initiative supports the governor's goal to increase the number of workers with postsecondary training from 47 percent today to 60 percent by 2025. The *PAsmart* initiative will improve coordination across commonwealth agencies. Targeted investments:
    - $7 million in apprenticeships with the goal of doubling the number of registered apprentices by 2025;
    - $25 million in STEM and computer science education;
    - $10 million for innovative approaches to help students and workers get skills training for STEM and other in-demand careers;
    - $5 million to employers and educators to partner and develop training and educational programs that prepare students for high demand jobs that local employers need; and
    - $3 million to support Industry Partnerships.
- The PA Department of Labor & Industry (L&I), in February 2016, created a new workforce development bureau to promote and establish programs; it is known as the "Apprenticeship Training Office (ATO)". ATO has made strong strides helping to achieve the commonwealth's vision, as evidenced by the 81 new registered apprenticeship (RA) occupations statewide created since its inception. ATO has also increased the number of RA programs to 758 and RA participants to 15,636.
- Responding to the market demand to increase the pipeline of potential RA participants and to ensure program integrity, ATO began a designation process for qualified pre-apprenticeship programs to be certified as a Pennsylvania registered pre-apprenticeship program. One key criteria applied is that the pre-apprenticeship program must have a direct relationship with at least one RA.
- L&I awarded apprenticeship grants through the local boards across the commonwealth. The grants provide funding for pre-apprenticeship and registered apprenticeship programs, and help sponsoring

organizations build capacity to improve and expand their programs. L&I awarded 28 grants totaling $2 million to support pre-apprenticeship programs that are actively working with registered apprenticeship programs, or apprenticeship programs that are already registered in Pennsylvania. L&I awarded $1.5 million to support 33 capacity building grants. These grants are designed to support businesses, industry associations, chambers of commerce, training providers, career and technical centers, and intermediaries interested in sponsoring registered apprenticeship programs.

- The commonwealth created a new pre-apprenticeship and apprenticeship program through the Department of Community and Economic Development (DCED) that will enable more Pennsylvania employers to develop the specialized training their workers need to close skills gaps in the workplace, while also providing rewarding career pathways for students and adults. DCED is accepting grant proposals from apprenticeship sponsors such as single employers, employer consortiums, workforce development boards, economic development organizations, labor organization, career tech schools, Pennsylvania community colleges, and community organizations. Eligible apprenticeships must be registered with the ATO. Grants can be used to complement hourly salaries of in-house instructors for training that supports on-the-job training, costs of books and training materials, contracted professional services directly related to academic competency, and other expenses deemed eligible by DCED. The new apprenticeship program is funded through money that has been "clawed back" from businesses and organizations that have received state support and failed to meet the state requirements of the contract, whether it be based on job numbers, capital investment figures, or additional requirements outlined in the program guidelines.
- Pennsylvania was among the first states to extend training and career-building efforts beyond individual companies to networks of companies in specific industries. Industry Partnerships foster industry collaboration on incumbent worker training, school-to-career and other workforce pipeline initiatives, career pathways, recruitment and retention, and other human resource challenges. The commonwealth will encourage local workforce development boards (LWDB) to assist with Next Generation Sector Partnerships and other multi-employer workforce partnerships, where relevant, on industry-specific career awareness, school-to-work, and other pipeline activities for youth.

The commonwealth establishes and maintains workforce development policy and guidance that addresses the requirement for program flexibility and accountability in how the local areas support the goals of the WIOA Combined State Plan. Pennsylvania's workforce development stakeholders have responded positively to the state plan goals. Local boards and other local stakeholders are engaging with employers, educational entities and training providers to develop and offer new programs and activities of worth that will address the needs of youth.

The WIOA Title I Youth program embodies program elements that are supported with the use of an ITA. WIOA's vision for an emphasis on serving out-of-school youth (OSY) has had multiple impacts to the state's strategies and local area's youth programs. Many of the programs and activities local areas are focusing their efforts on are in-alignment with the commonwealth's strategic goals of creating and/or supporting career pathways, partnering with local education entities to expand opportunities for degree attainment, establishing pre-apprenticeships and registered apprenticeships, increasing the number and quality of work-based training options, selecting training providers able to offer recognized industry certificates and employing activities such as online training.

The commonwealth reached out to local boards to gauge the interest and viability of allowing ISY to use an ITA. Many LWDBs were in strong support of this waiver and there were no negative responses. The following provide a sample of the local board comments received:

- LWDB 1 – As high school graduates may become eligible for OSY status and use ITAs to participate in certificate programs at community colleges or pre-apprenticeship programs it is logical to provide the same opportunity to ISY students who have already met the income requirement for WIOA to immediately access ITA funded training opportunities upon graduation.
- LWDB 2 – ITAs for in-school youth would be a great option to provide in the WIOA youth program. High schools are trying to utilize more certifications within the districts, but often do not have the funds to pay for the students. Also, LWDA businesses have established nurse aide training and manufacturing pre-apprenticeship that can be done while the youth is in high school; an ITA could be utilized for this purpose. Finally, situations arise when an older ISY is enrolled in a training program and funds are needed to continue; an ITA would allow the ISY to finish the training.
- LWDB 3 – The ISY ITA waiver would help in serving youth who were in-school at the time of initial enrollment and then graduated and are looking for an ITA to attend post-secondary education.
- LWDB 4 – In addition to the possible considerations around pre-apprenticeships, this could allow our youth program to work more closely with school districts to help increase Career Readiness Indicators as relates to at-risk youth in school.
- LWDB 5 - We have a few programs at our local community college and at an on-line training provider which offer curriculums that do not require completion during the school day. These options would be achievable after school hours and each have proven to provide a career pathway for any client who completes the training.

That said, *the WIOA emphasis on out-of-school youth has created a local area funding barrier for programs designed for in-school youth.* To help offset the funding barrier, local areas are employing innovative ways to braid WIOA funds and other funding streams to serve the ISY population; however, the funding barrier continues to hinder the effectiveness of serving ISY participants.

The commonwealth, after collaboration with key stakeholders, has determined the use of ITAs for in-school youth a strategy consistent with the vision of WIOA and the Pennsylvania WIOA Combined State Plan.

3. State strategic goal(s) and Department of Labor priorities (i.e. expansion of apprenticeship, improved employer engagement, etc.) supported by the waiver;

Approval of this waiver request will allow the commonwealth's local areas the option to offer eligible in-school youth (ISY) the use of individual training accounts (ITA). The employment of ITAs leads to multiple characteristics that are desired by the commonwealth and its local areas and beneficial to youth. WIOA permits the use of ITAs for the out-of-school youth (OSY) and the commonwealth has seen positive movement in many areas because of this use of ITAs.

The advantage to opening ITAs to in-school youth are multiple and include:

- ITAs will encourage youth participants to consider and evaluate career pathways and in-demand occupations in a different light. Further, it empowers youth participants to make valued career decisions leading to occupational training, attainment of post-secondary industry recognized certificates, and ultimately, employment.

- The opportunity to encourage some youth to finish high school and be career-ready by giving them a head start on training that will lead to a better-paying job.
- Individual training accounts promote the development of career pathways. ITAs increase the effectiveness and viability of career pathways, expand training opportunities, increase program flexibility, enhance customer choice and reduce paperwork for the youth participant.
- Additional exposure to technical occupations through skills training to introduce careers attained with a career and technical education (CTE) path.
- The ability to provide STEM-related training to encourage further education and career pathways in STEM fields.
- Enable dual-enrollment opportunities for high school students to simultaneously take courses at community colleges and other postsecondary institutions.
- Supports ATO registered pre-apprenticeship training opportunities.
- Local areas can leverage youth program activities and funding on behalf of participants to increase the effectiveness of youth program activities leading to more positive outcomes.
- The use of ITAs help support the growth of youth career training programs and factor into their sustainability.
- Local areas will be able to increase efficiencies and realize cost savings when they are able to employ the Eligible Training Provide List (ETPL) on behalf of ISY.
- Using an ITA for ISY frees up alternative funding (e.g. WIOA Adult and Dislocated Worker).
- Employers benefit as the pipeline of qualified applicants increases.

The OSY population has this set of characteristics, advantages and benefits. It is these same attributes the commonwealth has in mind when it requests a waiver to allow eligible ISY to use an ITA.

4. Projected programmatic outcomes resulting from implementation of the waiver;

The movement of WIOA eligible youth being able to attain work-place skills, credentials, industry-recognized certificates and post-secondary degrees is gaining strength across the commonwealth. The promotion of career pathway related activities and programs will cause higher levels of eligible ISY to be attracted to programs such as ATO registered pre-apprenticeships, RAs and other occupational training. Through the implementation of this waiver it is expected that ISY participants will opt for many of these training opportunities that will lead most participants to earn family sustaining livelihoods. This trend bodes well for Pennsylvania's employers too as ISY participants will help fill the pipeline of applicants drawn to many of the in-demand occupations available now and into the future.

5. Individuals, groups or populations benefitting from the waiver;

Eligible in-school youth (ISY), ages 16 – 21 at time of program enrollment.

6. How the State plans to monitor waiver implementation, including collection of waiver outcome information;

Upon USDOL's approval of this waiver request, the Pennsylvania Workforce Development Board will communicate the waiver allowance to all its members and state-wide partners.

The L&I Bureau of Workforce Development Administration (BWDA) will revise applicable policy and ensure applicable operational guidance reflects the waiver allowance parameters. BWDA will widely communicate these changes by posting revised policy on its public website. Additionally, BWDA will communicate directly with all key stakeholders by way of email to announce the revised policy and other information important to convey regarding the waiver allowance. BWDA will also request that new cost categories reflecting training such as registered pre-apprenticeship, registered apprenticeship (RA), and other occupational training attended by ISY will be programmed into the ISY section of the state's workforce development financial record system to be able to account eligible youth participant costs.

The L&I Bureau of Workforce Partnership and Operations (BWPO) will track and be able to report youth participant activities by way of the official system of record known as the Commonwealth Workforce Development System (CWDS). New data entry options will be added to the CWDS for local case workers to account for the number of occupational, pre-apprenticeship and apprenticeship trainings authorized; data collected will include participant eligibility status, demographic data including age, program start and end dates and reported outcomes.

The L&I Apprenticeship Training Office (ATO) will provide registered pre-apprenticeship/ registered apprenticeship (RA) reporting forms that program sponsors will employ if a youth is enrolled into an ATO registered pre-apprenticeship/RA program. The form templates are found on the ATO website. Local case managers are tasked with completing, up-dating and returning the form to ATO on behalf of the participant. Case managers may collaborate with program sponsors. Case managers will maintain copies of the reporting form into youth participant case files. ATO may request additional information from program sponsors or employers.

Pennsylvania registered pre-apprenticeships and apprenticeships are granted automatic inclusion onto the statewide Eligible Training Provide List (ETPL). Considering this, ATO and BWPO will coordinate to revise statewide ETPL operational procedures and field guidance, accordingly.

The L&I Center of Workforce Information & Analysis (CWIA) will coordinate with ATO and BWPO so that appropriate CWDS revisions are scheduled to permit recording of youth program services and training activity and to allow for the reporting of WIOA performance measures.

Three full program years after the waiver allowance is implemented, L&I will evaluate impacts, if any, the availability of in-school youth ITAs have had on the state's workforce development system.

If the local board decides to offer ITAs for eligible ISY, ages 16 – 21 at time of program enrollment, the board will amend their local ITA policy accordingly and may amend any other local policies impacted by this waiver as need be. As is the case with WIOA funded activities, the local board is responsible for oversight and monitoring. The local board will ensure local area policies pertaining to this waiver allowance and ITAs will be adhered to by all parties concerned. The local board is responsible to communicate relevant information to local stakeholders, PA CareerLink® partners, lead agencies and youth program providers. Local case workers will be directed to document the use of an ITA in each eligible youth's individual service strategy,

which contains the goals and objectives for the youth's participation in WIOA programs and activities as well as the participant service plan. Per existing commonwealth policy and operational procedures, youth participant service activity must be recorded in the state's system of record (CWDS) including ITA-related training, supportive services, follow-up and outcomes.

7. Assurance of State posting of the request for public comment and notification to affected local workforce development boards.

The Commonwealth of PA assures USDOL that this waiver request was posted on the L&I public website, found at:
http://www.dli.pa.gov/Businesses/Workforce-Development/Pages/Plans%20and%20Reports.aspx

Appendix detailing public comments received and L&I responses follows

PA Department of Labor & Industry WIOA waiver request: ITAs for ISY

Appendix: Public comments received and L&I responses

The PA Department of Labor & Industry (L&I) invited comment on Pennsylvania's request for the U. S. Department of Labor's (USDOL) approval to waive some requirements of the Workforce Innovation and Opportunity Act (WIOA); that being, *the Commonwealth of Pennsylvania is requesting from Employment and Training Administration (ETA) a waiver of 20 CFR 681.550 to allow eligible in-school youth (ISY), ages 16 to 21, the opportunity to employ an individual training account (ITA).* The waiver proposal was made available to the public on the L&I website from Tuesday, June 26, 2018 through Thursday, July 12, 2018. The following comments were received and are addressed accordingly.

1. PA Workforce Development Association (PWDA)
PWDA represents the state's 22 local workforce development boards and offered the following comments.

Comment: "The state's local boards appreciate the greater flexibility this waiver would provide to the local system to address local/regional priorities, including in-school youth. The WIOA mandate to prioritize out-of-school youth has restricted or even eliminated to ability to serve eligible in-school youth with Title I services. Some boards have leveraged TANF Youth Development and other funds to offer in-school-age programs. This waiver would enable those local areas that would like to provide training to in-school young people the ability to do so. As high school graduates may become eligible for OSY status and use ITAs to participate in certificate programs at community colleges or pre-apprenticeship programs, it makes sense to provide the same opportunity to ISY students who have already met the income requirement for WIOA to immediately access ITA-funded training opportunities." Thereafter, PWDA offered many advantages the waiver allowance would provide.

Response: L&I has modified the waiver; these advantages have been incorporated within the waiver request.

Comment: "While we fully support the flexibility afforded by this waiver, we strongly recommend that local boards retain the ability to determine whether to amend their policies related to ISY ITAs based on local need, and that this not be a broad requirement across all local areas. To that end, we recommend the removal of language on page 7 of the waiver that states "Local boards will amend their local ITA policy to allow the use of ITAs for eligible ISY, ages 16-21 at time of program enrollment, as well as any other policies impacted by this waiver. Local board directors will contact all local lead agencies and/or youth program providers to communicate and coordinate activity impacted by the waiver."

Response: L&I has modified the waiver language so that local boards may choose to adopt the commonwealth's policy regarding ITAs for ISY.

2. Bucks County Workforce Development Board (BCWDB)
BCWDB collected and aggregated comments from many of its stakeholders.

Favorable Comments:

- "It would be very beneficial if ISY and ISY graduates were able to enroll in an ITA. Many youth are eligible for ISY because they have a school IEP. The IEP allows them to be counted as a family of one. The youth work diligently for an entire year on developing workforce readiness skills and we assure them that the ISY program will help propel them toward future success. Upon high school graduation, when it is time to place them in training programs to give them hands-on skills, ISY funding is not applicable. If they are unemployed or underemployed and reside at home and their family is not low income, that ISY graduate is no longer eligible for critical supports such as ITA's. The ISY waiver will allow the crucial continuation of support for special

population ISY, our most disadvantaged and vulnerable youth, to smoothly transition from high school to a high quality occupational skills program.

- By allowing In-School-Youth to access ITAs through WIOA funding, post-graduation placement in both employment or education may be expedited by gaining an occupational skill. In turn, it may lead to a higher starting wage as young people embark on their career path.

- Many community colleges have agreements with high schools to allow students to dual-enroll which enables a current high school student to attend college courses while completing their senior year. These students have not earned their high school diploma however they are able to begin on their post-secondary education. Would an ITA be any different? If a student is at the local community college in the afternoon or at a technical training facility in the afternoon it is a stepping stone into their post-education.

- This waiver could assist with student post-secondary transitions by financially supporting our students in continuing their education after graduating from our programs.

- This waiver has the potential of increasing the connections between our schools and apprenticeship programs. There appear to be many definitions and interpretations of pre-apprenticeship programs so I would recommend a clear definition. If the definition requires the secondary school to have a partnership with a registered apprenticeship program so students can transfer easily from secondary pre-apprenticeships to apprenticeships, then many of our programs qualify as this."

Response: L&I appreciates the commenters inputs; no changes to the waiver request were made.

Unfavorable Comment:

- "The intention of this waiver appears to be unfavorable to secondary career and technical schools and in favor of establishing options and funding for secondary students to attend the community college and other training avenues. It appears the school choice movement that brought charter schools in competition with districts is now making its way to career and technical education.
    - Duplication of Services: One of the reasons CTCs exist is to minimize duplication of services (and equipment) and make career training more affordable for districts through the formation of a consortium. Opening opportunities for high school students to go elsewhere may negatively impact enrollment at CTCs. The example on page 4 identifies an opportunity for high-school aged students to enroll in business-sponsored nurse aide programs. This is great if the local CTC does not have the program, but not good if they do. Unless the enrollment regionally justifies multiple training locations, it is not cost-effective to outfit multiple training sites with equipment and personnel.
    - Encouraging the bypassing of CTCs: The document appears to have a focus on bypassing CTCs. On page 4, a comment reads, "In addition, it would better poise us to work around some of the existing stigma associated with CTEs." I don't believe bypassing CTCs will assist us with eliminating the stigma attached to our school unless with this funding those populations of students who attend CTCs and help to maintain the stigma of CTE are bypassed to external programs. Either way, I'm not sure that is the road we wish to take. One option bypasses CTCs from the career pathway for students and the other option creates opportunities for discrimination in enrollment practices. So neither option will be helpful. Again, on page 4, the document references opportunities to learn online or at the community college after school.
    - Free & Public Access to Education: We adhere to a Free and Public Education for Students with Disabilities under Section 504 of the Rehabilitation Act of 1973. In fact, any entity that receives federal funding must also adhere to this. Since the funding comes from the department of labor (rather than the dept of ed) for educational training, would these entities now be responsible for accommodating students with

special needs? This would also mean that entrance criteria for admittance into these programs may not be legal if it excludes students with disabilities.

- Diminished Training Quality: With districts adopting CTE-light programs (those programs taught by non-industry experts that are career exploration rather than career preparation programs), this initiative could increase these offerings and decrease the number of students who graduate prepared to enter the workforce. Increasing career exploration at the high schools is always a good idea, but we would really need to make sure marketing identified the clear difference between exploration programs and preparation programs.
- Oversight of programming: If we are focusing on school choice, then the department of education should also have oversight on these in-school youth programs to ensure quality of programming and accountability to outcomes.
- CTCs are the most cost-effective workforce development programs Pennsylvania operates. Let's focus on making them even MORE cost-effective and better. Earmark dollars for CTCs to create more pre-apprenticeship and credential programs.
- Regarding the statement on p. 4 of the document ("In addition, it would better poise us to work around some of the existing stigma associated with CTEs.") I am offended by this comment. Instead of trying to "work around" this concern, address it by spending some money to improve any perceived stigma. Let me remind you that Bucks County Technical High School turns away over 200-300 students per year due to lack of space. I do not believe that is a stigma problem, but a lack of (local and state) funding to expand a proven cost-effective way to help the workforce."

Response: L&I appreciates the commenter's input. L&I supports the vision and goals of the Workforce Innovation Opportunity Act; it is this support that has led to the submission of the waiver request. Also, L&I supports the vision and goals of the CTE program as well as the significant contributions CTE's across the commonwealth have made. Additionally, L&I recognizes the unique characteristics that CTE's possess and how they help accomplish the goals of Pennsylvania's state and the local workforce development boards. L&I concurs with the commenter and has removed the statement within a LWDB's statement supporting ITAs for ISY (found on page 4 of the waiver request). No other changes to the waiver request were made