



JUN 12 2018

The Honorable Dennis Daugaard
Governor of South Dakota
500 East Capitol Avenue
Pierre, South Dakota 57501

Dear Governor Daugaard:


Thank you for your waiver request of certain statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA), and the accompanying plan to improve the statewide workforce development system, submitted as part of your WIOA State Plan modification on March 14, 2018 (copy enclosed). This letter provides the Employment and Training Administration's (ETA) official response to the State's request, and memorializes that South Dakota will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by South Dakota 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: The State is requesting a waiver of the required collection and reporting of performance-related data on *all* students participating in training programs listed on the State's Eligible Training Provider List (ETPL), as outlined in WIOA Sections 116 and 122.

The State's request to waive the requirement to collect and report performance data on all students participating in training programs on the State's ETPL is approved. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of South Dakota to implement its plan to improve the workforce development system. The State must provide information regarding how the Governor will take into account the outcomes of all students in an ETP program of study, with respect to their employment and earnings, as required for the demonstration of continued eligibility in 20 CFR 680.460(f)(1)(iii) and WIOA Section 122. While the Department recognizes the importance of informing consumer choice through the provision of quality data on training outcomes, we also recognize that the systems and willingness to collect the required performance data from providers may discourage training provider participation, which is a critical component of 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 State to support achieving its goals. Also, the Department proposed additional flexibility in its Fiscal Year 2019 Budget to give governors more flexibility 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,



Rosemary Lahasky
Deputy Assistant Secretary

Enclosure

cc:

Marcia Hultman, Secretary, South Dakota Department of Labor and Regulation
Nicholas Lalpui, Dallas Regional Administrator, Employment and Training Administration
Daniel Bernhardt, Federal Project Officer, Employment and Training Administration