



CENTRAL REGION

Workforce Innovation and Opportunity Act Policy #YC 17-01

Subject: Youth Eligibility and Definition of Youth Needing Additional Assistance

Effective Date: January 10, 2018

Policy Statement: The Workforce Innovation and Opportunity Act (WIOA) provides funding for services to youth aged 14-24. In order to receive such services, an individual must first be determined eligible.

Part I. - Eligibility requirements: All eligibility factors must be explored and documented prior to WIOA youth enrollment.

An individual who is not less than 14 and not more than 24 shall be eligible to participate in WIOA Title I Youth Program if such individual:

Meets General Eligibility which consist of providing a verification source for each applicable category:

- Citizenship or Eligible to Work
- Selective Service Registrant (if applicable)

AND

Out-of-School Youth (OSY)

Under WIOA section 129(a)(1)(B), an out-of-school youth (OSY) is an individual who is:

- (a) Not attending any school (as defined under State law);
- (b) Not younger than 16 or older than age 24 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program; and
- (c) One or more of the following:
 - (1) A school dropout;
 - (2) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. School year calendar quarter is based on how a local school district defines its school year quarters;
 - (3) A recipient of a secondary school diploma or its recognized equivalent who is a low- income individual and is either basic skills deficient or an English language learner;
 - (4) An individual who is subject to the juvenile or adult justice system;
 - (5) A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under Section 477 of the Social Security Act, or an individual who is in an out-of-home placement;
 - (6) An individual who is pregnant or parenting;
 - (7) An individual with a disability;

(8) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA Section 129(a)(1)(B).)

In-School Youth (ISY)

Under WIOA section 129 (a)(1)(C), an in-school youth (ISY) is an individual who is:

- (a) Attending school (as defined by State law), including secondary and postsecondary school;
- (b) Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program;
- (c) A low-income individual; *and*
- (d) One or more of the following:
 - (1) Basic skills deficient;
 - (2) An English language learner;
 - (3) An offender;
 - (4) A homeless individual, a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under sec. 477 of the Social Security Act, or in an out-of-home placement;
 - (5) An individual who is pregnant or parenting;
 - (6) An individual with a disability;

An individual who requires additional assistance to complete an educational program or to secure or hold employment. (WIOA Section 129(a)(1)(C).)

LIMITATION – Not more than 5% of the ISY in Central Region may be determined eligible under the barrier – An individual who requires additional assistance to complete an educational program or to secure or hold employment as noted above.

Youth in Need of Additional Assistance

An eligible youth who requires additional assistance to complete an educational program, or to secure and hold employment, means, an individual, who is:

- (a) Previous termination from employment (and currently unemployed)

These youth exhibit poor work readiness skills that have caused issues in retaining employment. In addition, the highest percentage of those unemployed in the labor force are those who have lost previous employment or temporary jobs.

Documentation: Letter from previous employer, UI records if available or notes from phone conversation between employer and case manager.

- (b) Youth of an incarcerated parent

A parent's incarceration could cause youth to exhibit poor school behavior or an inability to maintain employment. Youth in this environment may lack appropriate role models as they transition from youth to adulthood. They are also more likely to be a part of a non-traditional household.

Documentation: Court or school documentation verifying parent's incarceration AND school records or letter from previous employer as applicable.

(c) Youth with mental health or substance abuse challenges

Youth that have struggled with these challenges often have social challenges and need additional support to succeed in reaching goals. Youth with mental health challenges must be stable on mental health medications or sustained counseling for at least two months.

Documentation: Letter from counselor (psychiatrist, psychologist, or social worker). Youth with substance abuse challenges must have successfully completed a rehabilitation program or counseling and have maintained sobriety for at least two months documented by a rehabilitation program or counselor.

(d) Youth attending an alternative high school

These youth have exhibited behavior that resembles youth that are at-risk of court or gang involvement and possible basic skills deficiencies. Youth that attend an alternative school need additional support in completing their education and guidance to employment or post-secondary education.

Documentation: School records indicating poor grades, behind grade level, and/or behavioral issues.

(e) Youth behind grade level

These youth need additional academic support because they are behind grade level.

Documentation: School records supporting this determination.

(f) No previous work experience

In light of the current economic conditions and excess number of people of all ages and levels of education and experience seeking jobs, a youth or young adult who has no previous work experience will have difficulty qualifying for many positions.

Documentation: Strong case notes as collected by the case manager, based on items such as interview during intake followed by individual or parent/guardian/family member affidavit, review of VEC wage records if available, referral letter from other youth service providers.

(g) Gang involved or at-risk of gang involvement

This is a barrier because of employability (demeanor, tattoos, etc.) as well as social and developmental risk factors (drugs, crime, etc.) associated with gang involvement. These youth exhibit poor behavior in school and may be basic skills deficient.

Documentation: Referral letter from a state or local police court division, or youth service agency AND if in school, school records indicating poor behavior, poor attendance and/or poor grades. An affidavit from a parent, family member or guardian can be acceptable at case manager discretion with strong case notes.

(h) Youth in Homeless Prevention Situation

Though the youth are not homeless yet, they are working with the prevention program to keep them from becoming homeless. All the family resources will be toward keeping their home instead of educational and employment support for the youth.

Documentation: Referral letter from program, church, or other community-based organizations and/ or service providers that would have verifiable knowledge.

Part II. – Exceptions to low-income requirement

1. A youth with a documented disability, whose family does not meet income criteria, is considered low income if the individual's own income, separate from the household's meets the income eligibility guidelines.
2. Not more than 5% of participants assisted in the youth program in Central Region may be individuals who do not meet the low income criteria to be considered eligible youth, where applicable.

The service provider shall receive prior written approval from the WDB director when using the 5% income exception for enrollment.

Attachment 1

Definitions related to eligibility as referenced in Policy YC 17-01:

Individuals must meet General Eligibility, which consists of Citizenship or Eligible to Work, Selective Service Registration and Low-income Individual (where applicable).

Citizenship or Eligible to Work – participation in programs and activities financially assisted in whole or part under WIOA shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States (applies to all programs under Title I). [Act 188(a)(5)]

Selective Service Registrant – each individual participating in any program established under WIOA, or receiving any assistance or benefit under WIOA, has not violated Section 3 of the Military Selective Service Act (MSSA) (50 U.S.C. App. 453) by not presenting or submitting to registration as required pursuant to such section.

Note: Males born on or after January 1, 1960 must register with the selective service system within 30 days after their 18th birthday or at least before they reach the age of 26. [Act 189(h)] Procedures are outlined in Training and Employment Guidance Letter 11-11, change 2, dated May 16, 2012.

Where applicable:

Low-income Individual – an individual who

(i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;

(ii) is in a family with total family income that does not exceed the higher of— (I) the poverty line; or (II) 70 percent of the lower living standard income level;

(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 H. R. 803—12 (42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement. [Act 3(36)]

Exception

SPECIAL RULE— the term “low-income”, used with respect to an in and out-of- school individual youth, also includes a youth living in a high-poverty area. [Act 129(a)(2)]