

Capital Region Workforce Partnership (CRWP)
Workforce Development Board (WDB)
Workforce Innovation and Opportunity Act (WIOA) Service Policy #SP112

Youth Service Delivery

References:

Workforce Innovation Opportunity Act; Final Rules, U.S. Department of Labor, Employment and Training Administration, (20 CFR §681. 570 and §688. 120, 20 CFR §680. 900-20 CFR §680, 970)

Workforce Innovation Opportunity Act; Final Rules, U.S. Department of Labor, Employment and Training Administration Training and Employment Guidance Letter #21-16, March 2, 2017

Employment and Training Administration, U.S. Department of Labor, Employment and Training Administration, Youth Connections-The Case Management Toolkit, Spring 2017

Virginia Community College System, Virginia Workforce Letter #16-11 and #16-12 Youth In Need of Additional Assistance Requirements; In-Youth 5% Limitation Barrier, February 28, 2017; and #15-02 WIOA Out of School Youth Eligibility Attachment D

Effective Date: December 15, 2017

Replaces: Resource Management Policy #3, #20, and #31

Purpose

To provide guidance for WIOA youth eligibility, program framework and the 14 youth program elements.

Background

The Workforce Innovation and Opportunity Act (WIOA) Title IB Youth Program provides services to in-school youth ages 14-21 and out-of-school youth ages 16-24, who have a barrier to success in educational advancement or employment. The main thrust of the Youth Program is to increase the focus on career pathways, longer-term academic, and occupational learning opportunities and provide long-term comprehensive service strategies.

The WIOA Youth Program outlines a broad youth vision that supports an integrated service delivery system and provides a framework through which states and local areas can leverage other Federal, state, local, and philanthropic resources to support In-School Youth (ISY) and Out-of-School Youth (OSY). Title I of WIOA affirms DOL's commitment to providing high-quality services for all youth and young adults beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries and occupations, such as pre-apprenticeships or internships, and culminating with a good job along a career pathway, enrollment in postsecondary education, or a Registered Apprenticeship. Youth programs promote evidence-based strategies to assist in achieving high levels of performance, accountability, and quality in preparing young people for the workforce.

WIOA makes key investments in serving Out-of-School Youth. It prepares vulnerable youth and other young job seekers for successful employment through increasing the use of proven service models. Highlights include:

- At least 75 percent of youth formula funds must be used to serve out-of-school youth;
- At least 20 percent of youth formula funds must be used for work experience activities such as work experience, internships, on-the-job training and pre-apprenticeship.

- Youth with disabilities receive pre-employment transition services so they can successfully obtain competitive integrated employment.
- WIOA brings together, in strategic coordination, the core programs of Federal investment in skill development. This includes adult education, literacy programs, and Vocational Rehabilitation programs.

Youth Program Eligibility

Under WIOA Youth can be determined eligible under different criteria for “in-school” and “out of school”.

The term “in-School youth (INY)” is a youth not younger than 14 nor older than 21 at the time of enrollment;
AND

- a) attending school, including secondary or post-secondary school; **AND**
- b) Low-income **AND**
- c) One or more of the following:
 - a. Basic Skills deficient;
 - i. An English Language Learner;
 - ii. An offender;
 - b. Runaway youth; youth in foster care or has aged out of the foster care system; youth under the Chafee Foster Care Independence Program; or a youth in an out-of-home placement.
 - c. Pregnant or parenting;
 - d. Individual with a disability;
 - e. An individual who requires additional assistance to:
 - i. complete an educational program: OR
 - ii. secure and hold employment

The term **out-of-school (OSY)** youth is a youth not younger than 16 nor older than 24 at the time of enrollment.

Eligible out-of-school youth are

- a) Not attending any school (secondary or post-secondary); **AND**
- b) One or more of the following:
 - a. School dropout;
 - b. Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
 - c. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either:
 - i. basic skills deficient; or
 - ii. an English language learner;
 - d. An individual who is subject to the juvenile or adult justice system;
 - e. A homeless individual which may include:
 - f. runaway youth; youth in foster care or has aged out of the foster care system; youth under the Chafee Foster Care Independence Program; or a youth in an out-of-home placement.
 - g. Pregnant or parenting;
 - h. Individual with a disability;
 - i. A low-income individual who requires additional assistance:
 - i. complete an educational program; OR
 - ii. secure and hold employment

Terms Further Defined

Youth Who Requires Additional Assistance

In accordance with WIOA legislation, not more than five percent of the ISY newly enrolled can be made eligible based on the "requires additional assistance to complete an educational program or to secure or hold employment" criterion. There is no such limitation on OSY.

In accordance with WIOA and VWL #16-11, the WDB must define and establish a local policy that is reasonable, quantifiable, based on evidence and documentable prior to program using "requires additional assistance to complete an educational program or to secure or hold employment" for enrollment.

The local WDB has determined that this enrollment category can only be used with permission of the CRWP administrative office. In those instances the program provider must meet the below conditions and submit a request to use "requires additional assistance to complete an educational program or to secure or hold employment" for enrollment. The request must include a strongly written justification and/or provide source documentation to support one of the qualifying categories.

The "Youth in Need of Additional Assistance" barrier may contain a variety of youth characteristics. As an example, these may include some of the following:

- a. is one or more grade levels below their actual grade level in reading or math;
- b. has an above average number of absences during the past school year in comparison to other students in the school;
- c. is placed on probation, suspended from school, or expelled from school one or more times during the past two years;
- d. has an incarcerated parent or guardian;
- e. is an out-of-school youth who has not held a full-time job for more than three consecutive months and lacks work readiness skills necessary to obtain and retain employment as documented by the youth objective assessment.

Low Income

An individual youth who meets one or more of the following:

- 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 (7U.S.C. 2011et 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. 601et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381et seq.), or State or local income-based public assistance;
- ii. Is in a family with total income that does not exceed the higher of
 - a. The poverty line; or
 - b. 70 percent of the lower living standard income level;
- iii. Is a homeless individual;
- iv. Receives or is eligible to receive free or reduced price lunch;
- v. Is a foster child on behalf of whom State or local government payments are made;
- vi. Is a youth who lives in a "high poverty area" defined in WIOA sec. 3(36).

The WIOA legislation does distinguish or have an order of priority when determining which eligibility category should be used. For example, if a youth is working and lives in a high poverty area the youth can be deemed eligible under low income based on residing in a high poverty area.

High Poverty Area

A youth that resides in a high poverty area is automatically eligible. WIOA Title I Youth Program contains a new provision that allows for youth living in a high poverty area to automatically meet the low income criterion that is one of the eligibility criteria for in-school youth, for some out-of-school youth in the WIOA youth program, and for youth in the Indian and Native American Supplemental Youth Program. "The WIOA regulations at 20 CFR § 681.260 define high-poverty areas as a Census tract, a set of contiguous Census tracts, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the U.S. Census Bureau), Alaska Native Village Statistical Area or Alaska Native Regional Corporation Area, Native Hawaiian Homeland Area, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-Year data. The regulations at 20 CFR § 684.130 allow Indian and Native American grantees to use either the poverty rate of the total population or the poverty rate of Indian and Native Americans in determining whether the poverty rate of an area meets the 25 percent threshold. All instructions will begin from the Census Bureau's American Fact Finder homepage at FactFinder.Census.Gov."

Five Percent for Non-Income Eligible Youth

In accordance with WIOA sec. 129 (a)(3)(A)(ii), each local workforce area must not enroll more than five percent of "covered individuals" who are not low-income into the WIOA Title I Youth program at any given time. The service provider must take appropriate action through the eligibility determination process to verify the individual may be served as non-low-income.

Covered Individual- WIOA defines an in-school youth and the following two categories of out-of-school youth as "covered individuals":

- A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is basic skills deficient or an English language learner.
- A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (WIOA sec. 129 (a) (3) (A) (i)).

The local WDB has determined that no "covered individuals" can be enrolled using the five percent Non-Income provision without written permission from the CRWP administrative office.

Documentation of Eligibility

VWL #15-02 provides guidance on acceptable source documentation for the validation and confirmation of eligibility. The documentation sources outlined in VWL#15-02 is established based on Data Validation requirements and concerns for the accuracy, effectiveness and reliability of the eligibility determination process. It is important to note that verification is far different than hard copy documentation.

As local providers validate eligibility, the local WDB has determined one restriction to the method in which birth certificates and passport are verified. Although the VCCS allows for the copying and retention of birth certificates and passports in the participant's file, the local WDB has determined that these documents cannot be copied, whether for the participant's eligibility or verification of a barrier. These must be inspected and captured on the WIOA Telephone and Document Inspection Form, for retention in the participant's file. This restriction adds additional protection of the customer's Personal Identifiable Information (PII) to the documentation process.

Enrollment and Participation in Youth Program

Enrollment is based on age and presenting situation at the time of enrollment, therefore, in-school participant may continue to receive services beyond age 21 and out of school youth beyond age 24.

The presenting situation also applies to educational status at time of enrollment, once school status is determined at eligibility that remains the same throughout the duration of program participation in WIOA program. For example, if a youth is determined to be an OSY at time of enrollment and subsequently re-enrolls in high school during program participation, that youth is still considered out of school.

According to WIOA, 20 CFR 681.302, in order for a youth to be considered a participant for performance purposes the youth must meet the following:

- a) Be eligible and enrolled
- b) Complete an objective assessment
- c) Develop an individual service strategy (ISS); AND
- d) Participate or receive in any of the 14 youth program elements.

After program providers have completed enrollment based on at least one barrier, providers' are strongly encouraged within the first 30 days of enrollment to identify, document and record in the state's system of record and participant's file as many barriers that apply to the youth at the time of enrollment.

Youth Program Design

WIOA section § 681.420 outlines how the youth program framework must be designed.

There are limited instances where WIOA youth funds may be expended on costs related to Individuals who are not yet participants in the WIOA youth program. Youth funds can be expended on outreach and recruitment and assessment for eligibility determination (such as assessing the basic skill level using TABE or CASAS) prior to eligibility determination, but they cannot be spent on youth program services, such as the 14 program elements, meals and/or promotional items that do not explain the purpose of the program and knowledge the funding stream prior to eligibility determination.

The WIOA youth program design requires an objective assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and developmental needs. Assessments must also consider a youth's strengths rather than just focusing on areas that need improvement.

"In assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. For purposes of the basic skills assessment portion of the objective assessment, local programs are not required to use assessments approved for use in the Department of Education's National Reporting System (NRS), nor are they required to determine an individual's grade level equivalent or educational functioning level (EFL), although use of these tools is permitted. Rather, local programs may use other formalized testing instruments designed to measure skills-related gains. It is important that, in addition to being valid and reliable, any formalized testing used be appropriate, fair, cost effective, well-matched to the test administrator's qualifications, and easy to administer and interpret results. Alternatively, skills related gains may also be determined through less formal alternative assessment techniques such as observation, folder reviews, or interviews. The latter may be particularly appropriate for youth with disabilities given accessibility issues related to formalized instruments. Local programs may use previous basic skills assessment results if such previous assessments have been conducted within the past six months."

In contrast to the initial assessment described above, "if measuring EFL gains after program enrollment under the measurable skill gains indicator, local programs must use an NRS-approved assessment for both the EFL pre-and post-test to determine an individual's educational functioning level." The EFL approved assessments in the Capital Region Area are the Test of Adult Basic Education

(TABE) or CASAS.

All youth, including youth with disabilities, can benefit from participation in career assessment activities, including, but not limited to, assessments of prior work experience, employability, interests, and aptitudes. Multiple assessment tools may be necessary since there is no standard approach that will work for all youth, including youth with disabilities. Career assessments help youth, including those with disabilities, understand how a variety of their personal attributes (e.g., interests, values, preferences, motivations, aptitudes, and skills) affect their potential success and satisfaction with different career options and work environments. Youth also need access to reliable information about career opportunities (based on labor market information) that provide a living wage, including information about education, entry requirements, and income potential. Youth with disabilities also may need information on benefits planning, work place supports (e.g., assistive technology), and accommodations, and also may benefit from less formalized career-related assessments such as discovery techniques. These assessments may be provided directly through WIOA youth program staff, and/or through referrals to national and community-based partners and resources.

The results of the objective and career assessment must be used to develop and update the participants individual service strategy (ISS), that identifies the participant career pathway and directly tied to one or more performance indicators as described in WIOA section 116 (b) (2) (A) (ii).

The local program must have a plan to make the below 14 program elements available as required in §681.460 and a referral process and links to “(1) Justice and law enforcement officials;(2) Public housing authorities; (3) Local education agencies; (4) Local human service agencies; (5) WIOA title II adult education providers; (6) Disability-serving agencies and providers and health and mental health providers; (7) Job Corps representatives; and (8) Representatives of other area youth initiatives, such as YouthBuild, and including those that serve homeless youth and other public and private youth initiatives.”

Youth Program must make available 14 youth program element. Not all services have to be delivered and funded by program providers. Services could be delivered as part of a referral or linkages to other community based resources.

- (1) Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;
- (2) Alternative secondary school services, or dropout recovery services, as appropriate;
- (3) Paid and unpaid work experiences that have academic and occupational education as a component of the work experience (CRWP SP #104), which may include the following types of work experiences:
 - (i) Summer employment opportunities and other employment opportunities available throughout the school year;
 - (ii) Pre-apprenticeship programs;
 - (iii) Internships and job shadowing; and
 - (iv) On-the-job training opportunities (CRWP SP#102);
- (4) Occupational skill training, which includes priority consideration for training programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupations in the local area involved, as described in CRWP SP#106;
- (5) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- (6) Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors;
- (7) Supportive services, including the services listed in §681.570 and as outlined in CRWP SP #108 and #109;

- (8) Adult mentoring for a duration of at least 12 months, that may occur both during and after program participation;
- (9) Follow-up services for not less than 12 months after the completion of participation, as provided in §681.580 and CRWP SP#111;
- (10) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth;
- (11) Financial literacy education, which must make available a financial literacy curriculum that supports the participant's ability to create a budget, opening checking and saving accounts at financial institutions, create saving goals, learn about credit, manage their finances effectively, and make informed financial decisions. The Service provider is strongly encouraged to collaborate with financial institutions;
- (12) Entrepreneurial skills training;
- (13) Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
- (14) Activities that help youth prepare for and transition to postsecondary education and training.

Throughout the duration of the program staff must provide the participant with evidence based and effective case management, which must include contact every 30 days to review, evaluate and if necessary update the ISS and service delivery activities and plan.

Incentives

Incentive payments to youth participants are permitted in the youth program's for recognition and achievement directly tied to training activities and work experiences. The WBD has outlined in CRWP SP#113 the policies and procedures that govern the award of incentive payments and CRWP SP#104 for work experiences.

Dual Enrollment

In accordance with §681.430 youth may participate in both WIOA youth and adult program concurrently. Program providers must ensure that they co-case manage and keep accurate track of paid services, service level and performance outcomes to the co-enrolled participants.

Signed By:

A handwritten signature in black ink, appearing to read "Benke Davis", is written over a solid black horizontal line.

Director