



Policy and Procedure

Title:	Youth Policy	Number:	OP-12-12
Effective Date:	July 1, 2015	Revisions:	4/11/19

Purpose

The purpose of this Revised Youth Policy and Procedure is to establish a guide for determining eligibility under Title I of WIOA for Youth services in the Shenandoah Valley Workforce Development Board's (SVWDB) service area. It also provides guidance to the Board's contractors for some of the fiscal requirements which drive certain programmatic aspects of the services provided.

Reference

- Section 129 (a)(1)(B)(iii)(VIII) and (a)(a)(C)(iv)(VIII) of Workforce Innovation and Opportunity Act (WIOA)
- ETA TEGL 23-14
- Virginia Workforce Letter #15-02
- Virginia Workforce Letter # 16-11
- WIOA Regulations CFR 20 681.300 and 681.310

Policy

WIOA establishes a framework for a comprehensive year-round program for youth, where activities and services are tailored to meet the unique needs of each youth within a local workforce area. SVWDB programs are to be designed to meet the specific needs of the youth as well as the development of a variety of community resources to provide the services to the youth of the community.

Eligibility determination for youth programs identifies youth who are in most need of the services developed in the community. Program design issues take into consideration the changes brought about by the Workforce Innovation and Opportunity Act in youth programs and are comprehensive in providing the required activities. More specifically youth programs shall be offered year-round and be designed to provide services appropriate to the individual client including:

- (i) activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;
- (ii) preparation for postsecondary educational and training opportunities;
- (iii) strong linkages between academic instruction (based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311)) and occupational education that lead to the attainment of recognized postsecondary credentials;
- (iv) preparation for unsubsidized employment opportunities, in appropriate cases; and
- (v) effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets.

Procedure

In conformance with WIOA requirements at least 75% of the youth formula-funded program expenditures by the Board's contractors must be for Out-of-School Youth. In addition, contractors must spend a minimum of 20 percent of their youth funds on paid and unpaid work experience. This work-based learning shall have as a component academic and occupational education and may include: summer employment opportunities and other employment opportunities available throughout the school year; pre-apprenticeship programs; internships and job shadowing; and on-the-job training opportunities.

Out-of-School Youth eligibility: 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 (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2))), a runaway, in foster care or
 - (6) Has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or 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

In-School Youth Eligibility: An individual who is attending school, not younger than 14 or older than 21 (unless an individual with a disability who is attending school under State law), a low income individual, and has one or more of the barriers listed in WIOA section 129(a)(1)(C)(iv):

- (1) Basic skills deficient.
- (2) An English language learner.
- (3) An offender.
- (4) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2))), a runaway, 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 (42 U.S.C. 677), or in an out-of-home placement.
- (5) Pregnant or parenting.
- (6) A youth who is an individual with a disability.
- (7) An individual who requires additional assistance to complete an educational program or to secure or hold employment.

In addition to the above listed eligibility criteria, all youth applying for services must meet these additional requirements:

1. Must have complied with the requirements of the Military Selective Service Act by providing documentation to demonstrate compliance with those requirements [WIOA Section 189(h); **and**
2. Must be lawfully eligible to work in the United States.

Up to **five percent** of youth participants served by youth programs in a WIOA Area IV may be individuals who do not meet the income criterion for eligible youth, provided that they otherwise meet the eligibility requirements for the specific youth program in which they are enrolled. Prior to using the 5% exception, participant enrollment must be approved by the SVWDB Operations Officer or CEO. The priority of service remains low income individuals.

Youth programs include 14 program elements which shall be incorporated into the framework of delivering youth services. While these elements shall be available to all youth, the services provided to each youth must meet the individual's needs, based on an objective assessment. These elements consist of:

- (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 post-secondary 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, 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;
 - (4) Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123;
 - (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;
 - (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;
 - (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;
 - (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 post-secondary education and training.

Definitions

The following definitions are applicable to the eligibility for youth services under WIOA:

Low-income individual – The term means 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 (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.

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.

Lower Living Standard Income Level—The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size)

determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

Basic skills deficient – An individual who

(A) has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

[WIOA, Section 3 (5)].

Offender – The term means any adult or juvenile who:

A. is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; or

B. who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction [WIOA, Section 3 (38)].

Pregnant or parenting – The term means an individual who is 24 years of age, or younger, and who is pregnant, or a youth (male or female) who is providing custodial care for one or more dependents under age 18

Runaway youth – The term means an individual under the age of 18 years of age who absents himself or herself from home or place of legal residence without the permission of parents or legal guardian [45 CFR 1351.1(k)] Runaway and Homeless Youth Act].

Homeless Individual- a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))) or a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

Unemployed – an individual who is without a job and who wants and is available or work. This status is defined by the criteria used by the Bureau of Labor Statistics:

Individual aged 16 years and older who had no employment during the prior week, was available for work, except for temporary illness, and had made specific efforts to find employment sometime during the 4-week period ending with the current week. Persons who were waiting to be recalled to a job from which they had been laid off need not have been looking for work to be classified as unemployed.

Youth in Need of Additional Assistance – Documentation of the need for additional assistance must be collected and maintained. A specific need for additional assistance not listed below must be approved by the SVWDB Operations Officer or CEO. The term "In need of additional assistance" includes but is not limited to individuals who:

Out Of School:

- Has been referred to or treated by an agency for substance abuse problems;
- Has unstable living conditions which might include abuse or neglect ;Has a poor work history:
 - a. Has not held a job for more than three consecutive months and lacks work readiness skills necessary to obtain and retain employment, or;
 - b. Is 18-24 years of age and has been unemployed for the last six months or;
 - c. No work history, never employed, or two or more terminations for cause in the last calendar year.
- Has no plans for post-secondary education or training.
- Does not have a valid Driver's License
- Has at least one incarcerated parent.
- Lacking any documented or credentialed skills to offer employers.

In School:

- Is a court/agency referral mandating school attendance;
- Has a chronic truancy, missing an average of two days, or more, a week of school;
- Has repeated school disciplinary problems;

- Has a grade point average (GPA) of 1.5 or less;
- Has been suspended two or more times from school or has been expelled;
- Is deficient in the number of academic credits for their high school grade level;
- Has been referred to or treated by an agency for substance abuse problems or;
- Has unstable living conditions which might include abuse or neglect;
- Has not passed the Standards of Learning tests (SOL);
- Has at least one incarcerated parent.
- Has no plans for post-secondary education or training;
- Enrolled in an alternative education program;
- Do not have any stated or clearly delineated career path.

Revisions:

November 19, 2015

August 22, 2018

April 11, 2019