



## **SFWIB YOUTH HIGH POVERTY AREAS RECRUITMENT POLICY**

### **I. OF INTEREST TO**

The Youth High Poverty Areas (HPA) Recruitment Policy should be of interest to members of the South Florida Workforce Investment Board (SFWIB), SFWIB staff, Contractors (Youth Service Providers), Training Providers, Businesses, and Youth Job Seekers in Workforce Development Area (WDA) 23 (Miami-Dade and Monroe counties).

### **II. SUBJECT**

Recruitment of Youth Living in High Poverty Areas (HPA)

### **III. PURPOSE**

The purpose of the HPA Recruitment Policy is to provide all SFWIB stakeholders with parameters regarding the recruitment of youth residing in areas of high poverty for purposes of providing WIOA services. In addition, it is put forth to align with the 2016-2020 Strategic Goals Operational Plan. This policy is expected to guide Youth Service Providers when recruiting opportunity youth who live in an HPA in WDA 23; as well as to decrease the amount of paperwork for a family to be eligible to receive WIOA program services.

### **IV. STATUTORY AUTHORITIES**

Workforce Innovation and Opportunity Act (WIOA), Public Law (Pub. L.) 113-125 enacted July 22, 2014, supersedes Public Law 105-220, Workforce Investment Act of 1998 (WIA), Florida Statutes, Title XXXI, Chapter 445, Workforce Innovation Act of 2000; 20 CFR 681.260; 20 CFR 681.230; Violence Against Women Act of 1994; McKinney-Vento Homeless Assistance Act of 2001; Social Security Act 1935 as amended in 1965; Richard B. Russell National School Lunch Act of 1966 (42 U.S.C. 1751 et seq.) as amended through P.L. 113-79, enacted February 07, 2014.

### **V. BACKGROUND**

Under the WIOA § 129(a)(2), a youth who lives in a High Poverty Area is automatically considered by law to be low-income, for purposes of providing WIOA services. The Department of Economic Opportunity (DEO) developed a Poverty Rate Map to identify whether an area qualifies as a HPA, based on the 30 percent threshold using the most current American Community Survey (ACS) data. Youth Service Providers are required to recruit opportunity youth from designated as HPA.

### **VI. DEFINITIONS**

#### ***A. Youth***

WIOA § 3(18)), defines Youth as an individual who is either In-School or Out-of-School between 14-24 years of age at the time of eligibility determination.



Both in-school youth (ISY) and out-of-school youth (OSY), as defined below, are eligible for youth services. (WIOA § 129(a)(1)(B) and 129(a)(1)(C) ).

### 1. Out-of-School Youth (OSY)

An OSY is an individual who is:

- a. Not attending any school (as defined under State law);
- b. Not younger than age 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:
  - i. A school dropout;
  - ii. 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. In cases where schools do not use quarters, local programs must use calendar year quarters;
  - iii. 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;
  - iv. An offender is defined as an individual who is subject to the juvenile or adult justice system (WIOA § 129(a)(1)(B)(iii)(IV));
  - v. A homeless individual aged 16 to 24 who meets the criteria defined in § 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e– 2(6)), a homeless child or youth aged 16 to 24 who meets the criteria defined in § 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)) or a runaway;
  - vi. An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under § 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
  - vii. An individual who is pregnant or parenting;
  - viii. An individual with a disability; or
  - ix. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment

### 2. In-School Youth (ISY)

An 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:
  - i. Basic skills deficient;
  - i. An English language learner;
  - ii. An offender is defined as an adult or juvenile
    - a) Who is or has been subject to any stage of the criminal justice process, and 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.
  - iii. A homeless individual aged 14 to 21 who meets the criteria defined in § 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)), a homeless child or youth aged 14 to 21 who meets the criteria defined in § 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), or a runaway;
  - iv. An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under § 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
  - v. An individual who is pregnant or parenting;
  - vi. An individual with a disability; or
  - vii. An individual who requires additional assistance to complete an educational program or to secure or hold employment.

#### **B. American Community Survey (ACS)**

The American Community Survey (ACS) helps local officials, community leaders and businesses understand the changes taking place in their communities. It is the source for detailed information about the American people and workforce that collects data on an ongoing basis, January through December, to provide every community with the information they need to make important decisions.

#### **C. Basic Skills Deficient**

The term “basic skills deficient” means, with respect to an individual— (A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8<sup>th</sup> grade level on a generally accepted standardized test; or (B) who is a youth or adult, that the



individual 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 § 3(5)(A) (B)).

**D. High Poverty Area (HPA)**

A high poverty area is 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 DEO has set the State of Florida's poverty rate threshold at a minimum 30 percent.

**E. Low Income Youth**

Under WIOA § 3(36)(iv), a youth who receives or is eligible to receive a free or reduced lunch under the Richard B. Russell National School Lunch Act, is considered to be low-income. In addition, a youth living in a high-poverty area is automatically considered to be a low-income individual.

**F. Low Income Exception**

The WIOA maintains a 5 percent low-income eligibility exception where 5 percent of Local Area youth participants who ordinarily would need to be low-income do not need to meet the low-income provision. However, because not all OSY are required to be low-income, the 5 percent low-income exception under WIOA is calculated based on the 5 percent of youth enrolled in a given program year who would ordinarily be required to meet the low-income criteria. The 5 percent low-income exception may include OSY (Reference Definitions, § VI (A) (1) (c) (iii) and (ix) of this policy), ISY, or a combination of both, not to exceed 5 percent of all WIOA youth participants served for a given program year.

**G. School**

Any secondary or post-secondary school as defined by applicable state law (Title 20 CFR, Part VI § 681.230).

**H. Secondary School**

A nonprofit institutional day or resident school, including a public secondary charter school, that provides secondary education, as determined under state law, except that the term does not include any education beyond grade 12. (Title 20 CFR Part A § 9101[38])

**I. Not Attending School**

An individual who is not attending a secondary or post-secondary school (WIOA § 129(a)(1)(B)(i)).

**J. Attending School**

Requires that the individual who is attending a secondary or post-secondary school (WIOA § 129(a)(1)(C)(i)).

**K. School Drop Out**

An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. (WIOA §3[54]), per TEGl 8-15, this term does not include individuals who dropped out of post-secondary school.

**L. Requires Additional Assistance**

1. Under WIOA § 129(a)(1)(B)(VIII), a low-income OSY who requires additional assistance to enter or complete an education program or to secure or hold employment.
2. Under WIOA, § 129(a)(1)(C)(VII), an ISY who requires additional assistance to complete an educational program or to secure or hold employment.

As it relates to both OSY and ISY, the characteristics for the youth identified for purposes of this policy, some example may include but are not limited to the following:

- a. Repeated at least one secondary grade level or are one year over age for grade;
- b. Less than a core grade point average (GPA) of 2.0;
- c. For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school
- d. Emancipated youth;
- e. Aged out of foster care;
- f. A previous dropouts or have been suspended five or more times or have been expelled;
- g. Received court/agency referrals mandating school attendance;
- h. Deemed at risk of dropping out of school by a school official;
- i. Referred to or are being treated by an agency for a substance abuse related problem;
- j. Experienced recent traumatic events, are victims of abuse, or reside in an abusive environment as documented by a school official or other qualified professional;
- k. Serious emotional, medical or psychological problems as documented by a qualified professional.

**VII. ELIGIBILITY**

**A. Youth Participant**



A youth participant who lives in an HPA is automatically considered to be a low-income individual and does not have to prove income for purposes of receiving WIOA services. Youth Providers must use the DEO Poverty Rate Map to determine if an individual lives in an HPA.

1. In accordance with Title 20 CFR, Part VI § 681.210(c) the following barriers to employment are not required to be low-income:
  - a. §681.210(c)(1) - School Drop Out
  - b. §681.210(c)(2) - Compulsory School Attendance
  - c. §681.210(c)(4) - Youth Offender
  - d. §681.210(c)(5) - Homeless Youth/Runaway
  - e. §681.210(c)(6) - Foster Care
  - f. §681.210(c)(7) - Pregnant or Parenting Youth
  - g. §681.210(c)(8) - Youth with a Disability
  
2. Low income is not a requirement to meet eligibility for most categories for OSY under WIOA. Low income is, however, a part of the criteria for youth who need additional assistance to enter or complete educational programs or to secure or hold employment under 20 CFR §681.210(c)(3) and §681.210(c)(9):
  - a. Basic Skills Deficient or an English Language Learner
  - b. Low-income individual who requires additional assistance to complete an educational program or to secure or hold employment
  
3. All ISY must be low-income to meet the eligibility criteria. Under WIOA §3(36) defines a youth as low income if he or she receives and/or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act; or if he or she lives in a HPA. (WIOA § 3(36)).

**VIII. EXCEPTIONS**

Exceptions to this policy, or any part thereof, must be approved in writing by the SFWIB Executive Director.