



BOARD POLICY

**POLICY
NUMBER
POL 100-3**

Title:	Youth Eligibility		
Effective:	June 30, 2022	Revised:	N/A
Supersedes:	N/A	Version:	01

I. OF INTEREST TO

This policy is applicable to Youth Workers and Service Providers.

II. PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements of the Workforce Innovation and Opportunity Act (WIOA) Title I Youth Program Eligibility; and to further define who falls under the barrier of who “Requires Additional Assistance”.

III. BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires that all local boards and its service providers determine youth eligibility and participation into the WIOA Title I Youth Program be made before enrollment. Therefore, CareerSource South Florida has established the following youth eligibility criteria that must be considered prior to serving and enrolling a youth in the WIOA Title I Youth Program. When determining eligibility of participation, service providers must include an initial eligibility determination of need of services to ensure that educational goals, employment goals, and training opportunities are being provided to those who can benefit from and need such opportunities to obtain and retain employment.

IV. STATUTORY AUTHORITIES

- Workforce Innovation and Opportunity Act (WIOA) of 2014 (PL 113-125, July 22, 2014), § 129(a)(3)(B); 129(c)(I)(B); 129(c)(I)(A); 133(a)(2)
- 20 Code of Federal Regulations (CFR) 681.200, 210, 220, 250(C), 290, 290(b), 300 310(b)
- Training and Employment Guidance Letter (TEGL) 21-16; 08-15

V. POLICY

To participate in WIOA Title I Youth Program, a youth must be enrolled in WIOA. The eligible participant must meet all of the following eligibility elements **before** participation takes place...

1. Eligibility determination
2. The provision of an Objective Assessment
3. Development of an Individual Service Strategy
4. Enrollment in any of the 14 Youth Program Elements (**20 CFR 681.320**)

Youth Eligibility Requirements:

Youth program requirements are distinguished by In-School youth (ISY) and Out-of-School youth (OSY), which have different eligibility requirements. CareerSource South Florida prioritizes the delivery of WIOA services to Out-of-School Youth.

A Youth must be determined eligible prior to program enrollment and eligibility documentation must be maintained in the participant file.

In School Youth (Ages 14-21):

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 and not older than age 21 at the time of enrollment.
- (c) A low-income individual; and

One or more of the following:

- (1) Basic skills deficient; (at or below 8th grade or unable to compute/read/write as defined by the WIOA Final Rule)
- (2) An English language learner;
- (3) An offender;
- (4) A homeless individual aged 14 to 21 who meets the criteria defined in sec. 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 sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), or a runaway;
- (5) 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 sec. 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; or
- (8) An individual who **requires additional assistance** to complete an educational program Or to secure or hold employment. (§681.220)
- (9) A youth who lives in a high poverty area (HPA) is automatically considered to be a Low-income individual. (CFR §681.260)

Free or Reduced Lunch: The individual must be an **in-school (ISY)** youth at the time of enrollment. If the youth is attending a school that provides free or reduced lunch to all students then the youth is considered to be receiving free lunch. Verification documentation for free or reduced lunch eligibility must be current or, in the case of youth enrolling during the summer; verify that the lunch eligibility was determined no more than one year (or previous school year) prior to WIOA eligibility determination.

Out of School Youth (Ages 16-24):

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. and

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.
- (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 offender;
- (5) A homeless individual aged 16 to 24 who meets the criteria defined in sec. 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 sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)) or a runaway;
- (6) 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 sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- (7) An individual who is pregnant or parenting;
- (8) An individual with a disability; or
- (9) A low-income individual who **requires additional assistance** to enter or complete an educational program or to secure or hold employment. (§681.210)
- (10) Low-income and is a recipient of a high school diploma or its equivalent and is basic skills deficient (at or below 8th grade or unable to compute/read/write)
- (11) Low-income and is a recipient of a high school diploma or its equivalent, and is an English language learner.

Objective Assessment:

The Workforce Innovation and Opportunity Act (WIOA) requires that each youth participant be Provided an objective assessment of their academic levels, skill levels and service needs. Which Assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests an aptitudes (including interest and aptitudes for non-traditional jobs) Supportive service needs and developmental needs for the purpose of identifying appropriate Services and career pathways for each participant. **(WIOA Sec. 129 (c) (I) (A))**

WIOA requires all local areas to provide youth participants with an Individual Service Strategy (ISS) that is directly linked to one or more WIOA performance indicators and measures; and it shall identity career Pathways that include education and employment goals. **(WIOA Sec. 129 (c) (I) (B))**

- a. **Academic Levels**-Assessment of academic levels must include a review of the youth's basic skills. All youth must be assessed for basic skills utilizing a standardized

assessment tool. Such assessment tools must crosswalk to educational functioning levels. Examples include the Test of Adult Basic Education (TABE), or The Comprehensive Adult Student Assessment Systems as known as CASAS.

- b. **Skill Levels**-Assessment of skills includes review of occupational skills, prior work experience, employability and interests and aptitude skills.
- c. **Supportive Service Needs**-Assessment of youth must include a review of the youth's supportive service needs and developmental needs for the purpose of identifying career pathways. Supportive services include transportation, child care, dependent care, needs-based payments and other needs that must be addressed to facilitate participation the WIOA youth program.

Individual Service Strategy:

The ISS is a distinct plan designed specifically for the WIOA Youth Program participants and is based on the information obtained during the objective assessment. The ISS will serve as the basis for the entire case management service strategy and as a guide for delivery of appropriate services. For each participant, the ISS will identify and document:

- a. Appropriate career pathway;
- b. Educational goal(s);
- c. Employment goal(s), including, when appropriate, non-traditional employment goals;
- d. Objective assessment of current academic and skills levels, basic and occupational skills, prior work experience, employability, interests & aptitudes, developmental, financial, social, and supportive service needs;
- e. Appropriate achievement of goals and objectives;
- f. Appropriate services, the sequence and mix of the services, and justification for the services to be provided;
- g. Any referral(s) to external services/community originations or programs; that's not directly provided by the youth service provider

The ISS must document all services that will be provided to the individual. If changes in the employment goals and/or services occur, the ISS must be updated accordingly, at least once every 90 days. Any information that describes an individual's medical condition or disability must be maintained in a separate file consistent with policies and procedures and reference made to the separate file.

14 Program Elements

In order to support the attainment of a secondary school diploma or its recognized equivalent, occupational training, unsubsidized employment or entry into postsecondary education, and career readiness for participants, a youth service provider must successfully enroll a participant in, at least (1) of the following elements consisting 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 postsecondary credential;
2. Alternative secondary school services, or dropout recovery services, as appropriate;

3. Paid and unpaid work experiences that have as a component academic and occupational education, which may include—
 - a. Summer employment opportunities and other employment opportunities available throughout school year;
 - b. (b) Pre-apprenticeship programs;
 - c. (c) Internships and job shadowing; and
 - d. (d) On-the-job training opportunities;
4. occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials aligned with in demand industry sectors or occupations in the local area involved.
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, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
7. Supportive services;
8. Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
9. Follow-up services for not less than 12 months after the completion of participation, as appropriate;
10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
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 postsecondary education and training. **(WIOA Sec. 129(c)(2).**

Career Pathways:

Career Pathway.—the term “career pathway” means a combination of rigorous and high quality education, training, and other services that enable individuals to secure industry relevant certification and obtain employment within an occupation and ultimately advance to higher levels of future education and employment; youth service providers must take the following into consideration when completing an objective assessment and when creating a youth’s ISS plan; every Individual Service Strategy plan must have a career pathway identified, that..

- a. aligns with the skill needs of industries in the economy of the State or regional economy Involved;
- b. prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the National Apprenticeship Act;
- c. includes counseling to support an individual in achieving the individual’s education and career goals;

- d. includes, as appropriate, education offered concurrently with and in the same context as Workforce preparation activities and training for a specific occupation or occupational cluster;
- e. organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
- f. enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and
- g. Helps an individual enter or advance within a specific occupation or occupational cluster.

“An individual who requires additional assistance to enter, or to complete an educational program, or to secure and hold employment” is defined by CareerSource South Florida as a youth who meets ONE or MORE of the following criteria:

To qualify as someone who “Requires Additional Assistance” for the WIOA Title I Youth program, individuals must meet one or more conditions (youth eligibility barriers) listed in WIOA sec. 129(a)(1)(B)(iii) for OSY and (a)(1)(C)(iv) for ISY.

Determining Additional Assistance for OSY Only

- a) Has not enrolled in any Secondary or GED course or its equivalency, or Postsecondary school or entered a career path or occupational skills training within the last year or more since dropped out of secondary school or completion of secondary school to include lack of employment or history of employment with earnings below self-sufficiency.
- b) Has dropped out of postsecondary school and is documented by school records
- c) Has never held a full time job (30hrs or more in week) for more than 6 months (applies to 18 or older only)
- d) A youth who lives in public housing and household unit receives welfare or Cash assistance
- e) A youth who has currently or formerly had one or both parents incarcerated
- f) A youth who has been referred by a correctional facility, or by homeless shelter, or by an agency that treats substance abuse

Determining Additional Assistance for ISY Only

- a) A youth who has a letter from a guidance counselor asserting their needs of additional assistance to enter, or to complete an educational program or to secure and hold employment.
- b) A youth who lives in public housing and family receives welfare or Cash assistance
- c) A youth who has a GPA of 2.0 or lower
- d) A youth who has repeated one or more secondary grade level
- e) A youth who has been suspended from secondary school within the last 12 months
- f) A youth who has been expelled from secondary school and is attending an alternative school
- g) A youth who is confirmed at risk of failing a grade level or about to drop out of secondary school by a school official

- h) A youth who has been deemed, or required to take remedial or developmental coursework by a postsecondary school official or department
- i) A youth currently enrolled in postsecondary school who has failed an entire semester or has failed more than 2 credit bearing courses within the last 12 months.
- j) A youth who has been referred by a correctional facility, or by homeless shelter, or by an agency that treats substance abuse

Five-Percent Limitation for “Requires Additional Assistance”:

(20 CFR 681.300, 310) (ISY ONLY)

Per **WIOA Section 129(a)(3)(B)**, in any single program year, no more than 5% of a local area’s total ISY participants can be those who require additional assistance to complete an educational program or to secure or hold employment.

Five-Percent Exception for Low-Income Eligibility:

(20 CFR 681.250(c)) - (ISY AND OSY)

WIOA allows a low-income exception where five percent of WIOA youth may be participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth except low-income criteria. The program administrator must calculate the five percent based on the percent of newly enrolled youth in the local area’s WIOA youth program in a given program year who would ordinarily be required to meet low-income criteria.

The 5 percent “limitation” criterion only applies to the ISY youth who need additional assistance; whereas the 5 percent exception criterion applies to ISY and OSY who do not meet low-income criteria;

Determining Low-Income Eligibility:

The term "low-income individual" means an individual who—

- a) 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. 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;
- b) Is in a family with total family income that does not exceed the higher of— the poverty line; or 70 percent of the lower living standard income level;
- c) 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)));
- d) Receives or is eligible to receive a free or reduced price lunch under the Richard B Russell National School Lunch Act. In schools where the whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on an individual student’s eligibility to receive free or reduced price lunch or on meeting

one of the other low-income categories under WIOA. Exception: While the free/reduced lunch low-income category primarily applies to ISY, if an OSY is a parent living in the same household as a child who receives or is eligible to receive free or reduced price lunch based on their income level, then such an OSY would meet the low-income criteria based on his/her child's qualification.

- e) is a foster child on behalf of whom State or local government payments are made; or 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- For the purpose of this subsection, the term "low-income," used with respect to an individual, also includes a youth living in a high-poverty area. **[WIOA Sec. 3 (36) (A)]**

High Poverty Area Designation

For both ISY and OSY, a youth automatically qualifies as low income if they live in a high-poverty area. An area is designated as high poverty if it has a federal/state poverty rate of at least 25 percent as set every five years using American Community Survey five-year data. The Department of Economic Opportunity (DEO) developed a [Poverty Rate Map](#) as a tool to assist local staff in determining if an area meets the high poverty area criteria. Each youth service provider using the high poverty rate special rule to determine eligibility for WIOA Youth program services must still collect and record the appropriate documentation of a youth's income for federal data reporting purposes.

Basic Skills Deficiency:

The term BSD means, with respect to an individual – (20 CFR §681.290)

- Who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- 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.

CareerSource South Florida ensures that any formalized testing method is fair, cost effective, appropriate for the target population, and reliable; our service providers use the Test of Adult Basic Education (TABE), or The Comprehensive Adult Student Assessment Systems as known as CASAS to determine BSD. Reasonable accommodations, based on the youth's assessment, is provided, if necessary, in order to serve individuals with disabilities. Whenever a youth is determined to be BSD, it is recorded in the ISS/IEP, eligibility verification form and case noted in Employ Miami-Dade.

This policy provides maximum flexibility in capturing youth eligibility and additional barriers that youth in our region face. In addition, CareerSource South Florida's Local Workforce Development Board will follow established WIOA Youth 5% Eligibility and Limitation/Exception criteria guidelines as provided in TEGL 8-15.