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Workforce Innovation and Opportunity Act Eligibility (WIOA)



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Federal Youth Guidance

- Workforce Investment Opportunity Act of 2014
- Training and Employment Guidance Letter 21-16 - Third WIOA Title I Youth Formula Guidance - dated March 2nd, 2017



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State Youth Guidance

- WIOA E-Policy Chapter 5 - General Eligibility
 - WIOA E-Policy Chapter 5.1.1 - 1.1.4 - Selective Service
 - WIOA E-Policy Chapter 5.4 - General Youth Eligibility
 - WIOA E-Policy Chapter 5.4.1 - Out-of-School Youth
 - WIOA E-Policy Chapter 5.4.2 - In-School Youth
 - WIOA E-Policy Chapter 5.5 - Low-Income Individuals
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General WIOA Eligibility

- WIOA E-Policy Chapter 5 - General Eligibility
General Eligibility Requirements - all registered individuals must meet two general eligibility requirements:
 - All individuals participating in WIOA Title 1 programs must be authorized to work in the United States
 - All males born after December 31, 1959, who have reached age 18, must be registered with Selective Service
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WIOA Youth has significant change from WIA Youth

- **Workforce Investment Opportunity Act of 2014**
 - In-School Youth is a separate category from Out-of-School Youth and eligibility is dramatically different between the two Youth titles

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WIOA Youth

- **Workforce Investment Opportunity Act of 2014**
 - Minimum of 75% of local area WIOA youth funds (minus administrative costs) must be spent on out-of-school youth

Calculation Example: Local area receives \$1 million and spends \$100,000 (10%) on administrative costs, the remaining \$900,000 is subject to the minimum out-of-school expenditure rate of 75%. The local area is required to spend at least \$675,000 (75%) of the \$900,000 on out-of-school youth.

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WIOA Youth Work Experience

- **Workforce Investment Opportunity Act of 2014**
 - Minimum of 20% of local area WIOA youth funds (minus administration funds) must be spent on work experiences that include academic and occupational education, such as summer jobs, pre-apprenticeship programs, on-the-job training, job shadowing and internships.

Calculation Example: Local area receives \$1 million and spend \$100,000 (10%) on administrative costs, the minimum work experience expenditure requirement would be based on remaining \$900,000. The local area would be required to spend a minimum of \$180,000 (20%) on work experiences.

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WIOA Youth Work Experience

- **Workforce Investment Opportunity Act of 2014**
 - Minimum of 20% of local area WIOA youth funds (minus administration funds) **must be spent on work experiences that include academic and occupational education**, such as summer jobs, pre-apprenticeship programs, on-the-job training, job shadowing and internships.
- What does the underlined part above mean ?

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WIOA Youth Work Experience

- **Many questions were generated about the portion that speaks about academic and occupational components**
 - In the Notice of Rules that was put out by DOL in August 2016 it was clarified that the educational component (relating to “Academic and occupation education”) may occur concurrently or sequentially with the work experience, and that the academic and occupational education may occur inside or outside of the work site

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WIOA Youth Work Experience

Note: The entire 20% of funds that must be spent on work experiences may be spent on in-school youth or out-of-school youth or a combination of both in-school and out-of-school youth.

In TEGL 23-14, the following language is provided on what may count towards the 20% minimum expenditure rate:

http://wdr.doleta.gov/directives/attach/TEGL/TEGL_23-14_Acc.pdf - *“Program expenditures on the work experience program element include wages as well as staffing costs for the development and management of the work experiences.”*

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WIOA Youth Eligibility

- **WIOA E-Policy Chapter 5.4.1 - Out-of-School Youth**
 - **Out-of-School Youth - Youth not younger than 16 or older than age 24**

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Out-of-School Youth

- **WIOA E-Policy Chapter 5.4.1 - Out-of-School Youth**
 - **Not attending any school as defined under state law, individuals attending Adult Education provided under Title II of WIOA, YouthBuild or Job Corps are also classified as out-of-school youth;**

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Updated Guidance from TEGL 21-16

- If a youth graduates high school and registers for postsecondary education, but does not ultimately follow through with attending postsecondary education, then such a youth would be considered an OSY if the eligibility determination is made after the point that the youth decided not to attend postsecondary education
- If the youth is only enrolled in non-credit-bearing postsecondary classes, they would not be considered attending postsecondary school and, therefore, an OSY

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The following out-of-school youth barriers **do not** require the individual to meet low income criteria

1. School Dropout
2. Within the age of compulsory attendance but has not attended school for at least the most recent complete school year quarter
3. Subject to the juvenile or adult justice system
4. Homeless
5. Runaway
6. Foster care or aged out of foster care
7. Pregnant or parenting
8. An individual with a disability

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The following out-of-school youth barriers require the individual to meet low income criteria

- | | |
|--|---|
| <p>1. A recipient of a secondary school diploma or its recognized equivalent who is low-income individual and is</p> <ul style="list-style-type: none"> - Basic Skills Deficient, or - An English language learner | <p>2. A low-income individual requiring additional assistance to enter or complete an educational program or to secure or hold employment (must be justified based on local policy)</p> |
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Some Key WIOA Youth Definitions

- Basic Skills Deficient - for Youth clients the term “basic skills deficient” means, with respect to an individual, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test or comparable score on a criterion-referenced test

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Some Key WIOA Youth Definitions

- **English Language Learner** - the term “English language learner” when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and (A) whose native language is a language other than English; or (B) who lives in a family or community environment where a language other than English is the dominant language

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Some Key WIOA Youth Definitions

- **What does “Within the age of compulsory attendance but has not attended school for at least the most recent complete school year quarter” mean?**

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Within the age of compulsory

- “Within the age of compulsory attendance but has not attended school for at least the most recent complete school year quarter” - Youth who are not in school and have stopped attending secondary school for more than one school quarter

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Some Key WIOA Youth Definitions

- Subject to the juvenile or adult justice system - TEGL 21-16 gave guidance that this barrier is the same as the In-School Youth “Offender” definition - which is shown on the next slide

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Offender

- **Offender - An adult or youth (A) who 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.**

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WIOA Youth Eligibility

- **WIOA E-Policy Chapter 5.4.2 - In-School Youth**
 - **In-School Youth - Youth not younger than 14 or older than age 21**

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In-School Youth

- WIOA E-Policy Chapter 5.4.2 - In-School Youth
 - Attending school (as defined by state law)
 - 95% of the In-School Youth must meet low income criteria (see WIOA E-Policy Chapter 5.5 - Low-Income Individuals)

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Updated Guidance from TEGL 21-16

- For purposes of WIOA, providers of adult education under Title II of WIOA, YouthBuild programs, the Job Corps program, high school equivalency programs, and dropout re-engagement programs are not considered to be schools for the purposes of determining school status, with one exception:
 - Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, funded by the public K-12 school system that are classified by the school system as still enrolled in school are considered ISY

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WIOA In-School Youth Barriers

1. Basic Skills Deficient
2. An English Language Learner
3. An offender
4. Homeless
5. Runaway
6. Foster Child or aged out of foster care
7. Pregnant or Parenting
8. An individual with a disability
9. An individual requiring additional assistance to enter or complete an educational program or to secure or hold employment

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Some Key WIOA Youth Definitions

- A homeless individual (as defined in section 41403(6)) of the Violence Against Women Act of 1994 (42 USC. 14043e-2(6)), or a homeless child or youth (as defined under Section 725(2)) of the McKinney-Vento Homeless Assistance Act (42 USC. 11434a(2)) or,



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Homeless (Continued)

- **An individual who lacks a fixed, regular or adequate nighttime residence; and an adult or youth who has a primary nighttime residence that is a public or privately operated shelter for temporary accommodation; an institution providing temporary shelter or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings.**
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Some Key WIOA Youth Definitions

Foster Child - A minor on behalf of whom State or local government payments are made to a foster parent or other guardian.



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Workforce Innovation and Opportunity Act

(WIOA)

