

**WORKFORCE INVESTMENT BOARD OF TULARE COUNTY
WORKFORCE INNOVATION AND OPPORTUNITY ACT TITLE I**

DATE:
January 27, 2016

SUBJECT:
WIOA Youth Requirements

WIB DIRECTIVE

TUL 15-07

APPROVED BY
WORKFORCE INVESTMENT BOARD
MINUTES OF 01-27-2016

TO: WIB Service Providers
WIB Staff

SUBJECT: WIOA YOUTH PROGRAM REQUIREMENTS

EXECUTIVE SUMMARY

Purpose

This policy provides guidance and establishes the procedures regarding the *Workforce Innovation and Opportunity Act* (WIOA) youth program, including the 75 percent out-of-school (OSY) youth and 20 percent work experience minimum expenditure requirements.

Note that, at the time of issuance, this guidance was established using the WIOA Notices of Proposed Rule Making (NPRM). The policies and procedures may be subject to change upon the issuance of the final regulations.

Scope

This directive applies to the Local Workforce Development Board (local board), Local Workforce Development Area (local area), and all Providers of Workforce Innovation and Opportunity Act (WIOA) Title I funded youth services.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA (Public Law 113-128) Sections 3, 107, 116, 123, 128, and 129
- *Workforce Investment Act* (WIA) (Public Law 105-220) Sections 101 and 129
- Title 2 *Code of Federal Regulations* (CFR) Chapter I, Chapter II, Part 200, et. al, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule" (Uniform Guidance)
- Title 2 CFR Part 2900 et al., "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- Title 20 CFR WIOA NPRM, Sections 681 and 683.215
- Training and Employment Guidance Letter (TEGL) [23-14](#), *WIOA Youth Program Transition* (March 26, 2015)
- TEGL [19-14](#), *Vision for the Workforce System and Initial Implementation of the WIOA* (February 19, 2015)
- TEGL [12-14](#), *Allowable Uses and Funding Limits of WIA Program Year (PY) 2014 funds for WIOA Transitional Activities* (October 28, 2014)
- TEGL [13-09](#), *Contracting Strategies That Facilitate Serving the Youth Most In Need* (February 16, 2010)
- California *Education Code* (EC) Section 58500

- Workforce Services Directive (WSD) 14-9 Subject: *30 Percent Expenditure Requirement—Youth Formula Funds* (February 13, 2015)
- Workforce Services Directive WSD15-03, *WIOA Youth Program Requirements*, (September 16, 2015)

WIB-IMPOSED REQUIREMENTS

This directive contains some WIB-imposed requirements. These requirements are indicated by ***bold, italic*** type.

FILING INSTRUCTIONS

Retain this directive until further notice.

BACKGROUND

The WIOA Section 129 introduces key investments in OSY and work experience. Specifically, it increases the minimum OSY expenditure rate from 30 percent under WIA to 75 percent under WIOA, and introduces a 20 percent work experience expenditure requirement. Additionally, it adds new program elements, increasing the number of required youth program elements from 10 under WIA to 14 under WIOA.

Operational implementation of the WIOA youth program began July 1, 2015, with all provisions taking effect July 1, 2016. The WIB will use WIOA youth formula funds to properly align youth programs and services in preparation for full WIOA youth program implementation effective July 1, 2016.

POLICY AND PROCEDURES

Youth Eligibility Criteria

The WIOA Section 129(a) (1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA youth program, an individual must be an out of school youth (OSY) or an in- school youth (ISY).

Youth enrolled beginning July 1, 2015 must meet the new eligibility criteria. On July 1, 2015, all WIA youth participants who were still enrolled in the WIA youth program were grandfathered into the WIOA youth program, even if the participant would not otherwise have been eligible for WIOA. Local youth programs were not required to complete an eligibility re-determination if the participant had been determined eligible and enrolled under WIA. Furthermore, these participants must be allowed to complete the WIA services specified in their individual service strategy (ISS). Additional guidance will be issued to provide more detail on the new eligibility criteria as it is released by the Department of Labor.

Definitions

For the purposes of this directive, the following definitions apply:

School - any secondary or post-secondary school (20 CFR NPRM Section 681.230).

Attending School - An individual is considered to be attending school if the individual is enrolled in secondary or post-secondary school. These include, but are not limited to: traditional K-12 public and private, and alternative (e.g., continuation, magnet, and charter) schools.

Not Attending School - an individual who is not attending a secondary or post-secondary school* (NPRM Preamble page 20732).

NOTE: An individual who is enrolled in adult education, YouthBuild, or Job Corp is not considered to be attending school (20 CFR NPRM Section 681.230).

School dropout - an individual who is not attending school and who has not received a secondary school diploma or its recognized equivalent.

Alternative school - An alternative school is a type of school designed to achieve grade-level (K12) standards and meet student needs (Ed. Code Section 58500). Examples of alternative schools include, but are not limited to: continuation, magnet, and charter schools. If the youth participant is attending an alternative school at the time of enrollment, the participant is considered to be in-school.

Out of School Youth Eligibility (OSY)

In order to receive services as an OSY, an individual must meet the following eligibility criteria:

1. Not attending any secondary or post-secondary school (not including adult education, YouthBuild, or JobCorps), and
2. Age 16-24 years old, and
3. One or more of the following barriers:
 - A school dropout.
 - A youth who is within the age of compulsory school attendance (6-18 years of age), but has not attended school for at least the most recent complete school year calendar quarter. (Note that, "school year quarter" is defined by the local school district calendar).
 - 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.
 - An individual who is subject to the juvenile or adult justice system.
 - A homeless individual, a runaway, an individual who is 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* (**Attachment A**), or an individual who is in an out-of-home placement.
 - An individual who is pregnant or parenting.
 - An individual with a disability.
 - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (Reference: WIOA § 129[a][1][B])

A youth participant's eligibility is determined at intake; therefore, the youth remains eligible for youth services until exited. For example, an individual who is an OSY at time of enrollment and is subsequently placed at an alternative school, or any school, is still considered an OSY. Additionally, an individual who is an OSY and between the ages of 16-24 at the time of enrollment, and is now beyond the age of 24, is still considered an OSY until exited.

In School Youth Eligibility (ISY)

In order to receive services as an ISY, an individual must meet the following eligibility criteria:

1. Attending school, including secondary and post-secondary schools, and
2. Age 14-21 years old (**due to limited funding, local policy is age 16-21 years old**), and
3. Low income individual, and
4. Meets one or more of the following barriers:
 - Basic skills deficient.
 - An English language learner.
 - An offender.
 - A homeless individual, a runaway, an individual who is 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* (**Attachment A**), or an individual who is in an out-of-home placement.

- Pregnant or parenting.
- Individual with disability.
- An individual who requires additional assistance to complete an educational program or secure and hold employment. (Reference: WIOA Section 129[a][1][C])
 - **WIOA §129(a) (3) (B) Limitation** – *There is a new limitation in WIOA related to “additional assistance” criterion that applies only to ISY. In each local area, not more than 5 percent of ISY assisted may be eligible...because the youth are ISY and the only barrier they have is “requires additional assistance”. It is therefore strongly recommended that the use of “requires additional assistance” as a barrier for ISY be limited to exceptional circumstances. Programs must have WIB authorization prior to enrollment of ISY if their only barrier is “requires additional assistance”.*

A youth participant’s eligibility is determined at intake; therefore, the youth remains eligible for youth services until exited. For example, an individual who is an ISY and between the ages of **16-21** at the time of enrollment, and is now beyond the age of 21, is still considered an ISY until exited.

Low-income Eligibility

A. Only two categories of OSY must be low-income:

- Youth who have a diploma/equivalent and are basic skills deficient, or an English language learner; and
- Youth who require additional assistance to enter or complete an educational program or secure and hold employment.

B. All ISY must be low-income.

- **Low-income exception (5% window):**
 - *WIOA allows a low-income exception where five percent of all WIOA youth participants, who meet all other eligibility criteria, except low-income, may be eligible for services.*
 - *The calculation is based on five percent of all youth served in the local area in a given program year.*
 - *Programs must have WIB authorization prior to enrollment of ISY under the low-income exception.*

C. Free or reduced price lunch and high Poverty Area:

The definition of low income under WIOA is expanded to include youth who are **eligible for a free or reduced price lunch** under the *Richard B. Russell National School Lunch Act*, and youth who live in a high-poverty area (Title 20 CFR NPRM Sections 681.250[d] and 681.260). **“High poverty area is a Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 30 percent as set every 5 years using American Community Survey 5-Year data.” (20 CFR § 681.260)** Local areas may access American Community Survey 5-Year data on the US Census Fact Finder website to determine the poverty rate by entering in the youth participant’s zip code. ***The use of “free or reduce lunch” or “high poverty census tract” for determining income eligibility must be documented in the participant file.***

<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

Requires Additional Assistance (ISY and OSY)

Local definition for “requires additional assistance” to complete an educational program or to secure and hold employment to determine eligibility for OSY and ISY. Definition or criteria for youth who:

- *Have repeated at least one secondary grade level or are one year over age for grade.*
- *Have a core grade point average (GPA) of less than 1.5.*
- *Are emancipated youth.*

- *Are previous dropouts or have been suspended five or more times or have been expelled.*
- *Have received court/agency referrals mandating school attendance.*
- *Are deemed at risk of dropping out of school by a school official. (Use the youth referral form)*
- *Have experienced recent traumatic events, are victims of abuse, or reside in an abusive environment as documented by a school official or other qualified professional;*
- *Has a personal or family history of seasonal or chronic unemployment (i.e., migrant-seasonal farmworker).*
- *Is a disconnected youth that is neither attending school nor employed.*

Out-of-School Youth

The WIOA shifts the primary focus of youth formula funds to support the educational and career success of OSY.

OSY Expenditure Requirement

Local areas must spend at least 75 percent of their WIOA youth formula allocation on youth workforce investment activities for OSY (WIOA Section 129[a] [4]). The OSY expenditure rate is calculated after subtracting funds spent on administrative costs.

The following example illustrates how the WIB will calculate its 75 percent OSY expenditure requirement:

Youth Formula Allocation	Administration Costs (WIB Admin. Costs)	Youth Program Expenditure	75 Percent Requirement
\$2,000,000	\$180,000	\$1,820,000	\$1,365,000

Beginning July 1, 2016, the WIB intends to meet the full 75 percent OSY expenditure requirement. The WIB will calculate ISY and OYS expenditures after the end of each quarter and will provide the figure to each youth Service Provider. If a Service Provider is not meeting the 75 percent OSY expenditure rate, the Service Provider must submit a corrective action plan to the WIB. The corrective action plan is available as Attachment B to this directive and must include the following information:

- *How the Service Provider plans to meet the 75 percent OSY expenditure rate with their formula funds.*
- *Strategies the Service Provider has taken to transition their youth program focus from ISY to OSY.*

Recruiting OSY

The first year of WIOA implementation (i.e., July 1, 2015 through July 30, 2016) programs must begin to align their youth program design towards meeting the 75 percent OSY expenditure requirement. For tips and best practices regarding outreach and recruiting OSY, see ***Attachment C, Outreach and Recruitment of Out-of-School Youth.***

Work Experience

The WIOA places a priority on providing youth with occupational learning opportunities through work experience.

Work Experience Criteria

Work experience provides ISY and OSY an invaluable opportunity to develop work place skills. Paid and unpaid work experiences must include academic and occupational education and may include the following types of work experiences:

- Summer and year-round employment opportunities (work experience, internships)
- Pre-apprenticeship programs
- Job shadowing

- On-the-job training opportunities (***through co-enrollment with adult programs***)
(Reference: Title 20 CFR NPRM 681.600)

The required academic and occupational education (e.g., workforce preparation activities, basic academic skills, and hands-on occupational skills training) must be taught within the same timeframe and connected to training in a specific occupation, occupational cluster, or career pathway [WIOA Section 129 (c) (2) (E) and Title 20 CFR NPRM 681.640].

Youth formula funds may be used to pay wages and related benefits for work experience in the public, private, for-profit or non-profit sectors when the participant’s objective assessment and individual service strategy indicate that a work experience is appropriate. ***The local policy regarding work experience may be found at <http://www.tularewib.org>, Local Work Experience/Internship Policy, TUL 14-02.***

Work Experience Expenditure Requirement

Local areas must spend at least 20 percent of their WIOA youth formula allocation on work experience (WIOA Section 129[c] [4]). The work experience expenditure rate is calculated after subtracting funds spent on administrative costs. Additionally, the expenditure rate is not applied separately for ISY and OSY.

The following example illustrates how a local area would calculate its 20 percent work experience expenditure requirement:

Youth Formula Allocation	Administration Costs	Youth Program Expenditure	20 Percent Work Experience Requirement
\$2,000,000	\$180,000	\$1,820,000	\$364,000

In this example, the local area’s work experience expenditure requirement is \$364,000. The local area received \$2 million and spent \$180,000 or nine percent ($\$2,000,000 \times .09$) on administration costs. The remaining \$1,820,000 ($\$2,000,000 - \$180,000$) is subject to the 20 percent work experience expenditure requirement. Therefore, the local area would be required to spend at least \$364,000 ($\$1,820,000 \times .20$) on work experience for ISY and OSY.

In-School Youth

Under WIOA, fewer resources are available to serve ISY; therefore, ***WIB Service Providers should identify resources and/or establish partnerships to continue serving ISY that are cost effective, and reach more students.***

Transitioning WIA ISY Participants

Local areas may still be serving large numbers of ISY as they transition into WIOA on July 1, 2015. Although there is a shift in emphasis under WIOA to OSY, local areas should not prematurely exit WIA ISY from the program. ***WIB Service Providers must continue serving the ISY enrolled prior to July 1, 2015 (WIOA implementation) until services are completed. New ISY enrollments should be carefully monitored to ensure a shift in program focus to OSY, consistent with the minimum 75 percent OSY expenditure requirement.***

Youth Standing Committee

Youth councils are not required under WIOA; however, local boards may continue to operate a youth council as a standing committee. A youth standing committee could serve to provide information and to assist with planning, policy development and other issues relating to the provision of services to youth. The youth standing committee membership must include (1) a member of the local board, who must chair the committee, (2) members of community based organizations with a demonstrated record of success in serving eligible youth, and (3) other

individuals with appropriate expertise and experience who are not members of the local board. The committee may also include parents, participants, and youth.

The WIB is still responsible for conducting the oversight of youth activities under WIOA Section 129(c) and identifying eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis.

(References: WIOA Section 107[b] [4] [A] [ii] and 20 CFR NPRM Sections 681.100 - 681.120)

Procurement of WIOA Youth Service Providers

As required in WIOA Section 123, local boards must award youth service provider contracts through a competitive process. This competitive process must meet the procurement guidelines specified in Title 2 CFR parts 200 and 2900.

As local boards transition from WIA to WIOA, they must ensure Request for Proposals (RFPs) and youth service provider contracts incorporate the new WIOA youth provisions, (e.g., new eligibility requirements for ISY and OSY, increased expenditure requirements for OSY and work experience, and the five new program elements). Local boards must ensure that all RFPs and youth service provider contracts incorporate the new WIOA provisions by July 1, 2017. ***The local procurement policy may be found at <http://www.tularewib.org>, (Resources, Policies and Procedures), Workforce Investment Board of Tulare County Procurement Policy, revised September 2014.***

Program Elements

The WIOA Section 129(c)(2) includes 14 program elements, which include the original ten program elements under WIA (which have been consolidated to nine as the summer employment opportunities program element is now a sub-element under paid and unpaid work experiences) and five new program elements. The five new program elements are (1) financial literacy, (2) entrepreneurial skills training, (3) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local areas, (4) activities that help youth prepare for and transition to post-secondary education and training, (5) and education offered concurrently with and in the same context as workforce preparation activities and training for specific occupation or occupational clusters. The following is a complete list of the 14 required program elements:

1. Tutoring, study skills training, and evidence-based dropout prevention and recovery strategies that lead to completion of secondary school diploma or its recognized equivalent 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, including the following:
 - Summer and year-round employment opportunities
 - Pre-apprenticeship programs
 - Internships and job shadowing
 - 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.
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 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, including 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 providing labor market and employment information about in-demand industry sectors or occupations in the local area, such as career awareness, career counseling, and career exploration services.
14. Activities that help youth prepare for and transition to post-secondary education and training.

Local areas are not required to provide the 14 required elements to each participant. Local areas have the flexibility to determine what specific services a youth will receive based upon the youth’s assessment and service strategy. Local boards, however, must ensure that all 14 program elements are available in their local area.

Program Design

The WIOA enhances the youth program design through an increased emphasis on individual participant needs by adding new components and incorporating career pathways to the objective assessment and individual service strategy. Additionally, the WIOA requires that the individual service strategy be directly linked to one or more of the performance indicators. A program design framework is an essential step to help local areas develop comprehensive service strategies based upon individual needs. A program design framework consists of an objective assessment, an individual service strategy, case management, and follow-up services that lead toward successful outcomes for youth participants (WIOA Section 129[c] [1]).

ACTION

Bring this directive to the attention of staff and other relevant parties.

INQUIRIES

Please direct inquiries regarding this directive to the Workforce Investment Board at (559) 713-5200.

ADAM PECK
Executive Director

AP:EC:

- ATTACHMENT A: 477 of the Social Security ACT
- ATTACHMENT B: OSY Expenditure Requirement Corrective Action Plan
- ATTACHMENT C: Outreach and Recruitment of OSY
- ATTACHMENT D: Summary of Comments, WSD15-03

JOHN H. CHAFEE FOSTER CARE INDEPENDENCE PROGRAM

SEC. 477. [42 U.S.C. 677] (a) PURPOSE — The purpose of this section is to provide States with flexible funding that will enable programs to be designed and conducted—

- (1) to identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);
- (2) to help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;
- (3) to help children who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions;
- (4) to provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults;
- (5) to provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood;
- (6) to make available vouchers for education and training, including postsecondary training and education, to youths who have aged out of foster care;
- (7) to provide the services referred to in this subsection to children who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption; and
- (8) to ensure children who are likely to remain in foster care until 18 years of age have regular, ongoing opportunities to engage in age or developmentally-appropriate activities as defined in section 475(11).

Out-of-School Youth Expenditure Requirement Corrective Action Plan

Service Provider Name:

Mailing Address

City, State

Zip

Contact Person

Contact Person's Phone Number

Date of Submission

Policy

The *Workforce Innovation and Opportunity Act* (WIOA) states that Local Workforce Development Areas (local areas) must spend at least 75 percent of their WIOA youth formula allocation on workforce investment activities for out-of-school youth (OSY) (WIOA Section 129 [a][4]).

Beginning January 1, 2016, the WIB will calculate ISY and OYS expenditures after the end of each quarter and will provide the figure to each youth Service Provider. If a Service Provider is not meeting the 75 percent OSY expenditure rate, the Service Provider must submit a corrective action plan to the WIB.

Instructions

Answer the following questions related to your efforts to meet the OSY expenditures requirement:

1. What strategies did you use in order to shift the primary focus of youth formula funds to serving OSY?
2. What strategies did you use to conduct outreach and recruit OSY?
3. How do you plan to meet the 75 percent OSY expenditure requirement?

Summary of Comments
EDD Draft Directive *WIOA Youth Program Requirements*

Commenter #1 asked if out-school (OS) youth are required to meet the low income eligibility criteria.

Resolution: Unlike in-school (IS) youth eligibility, an OS youth is not always required to meet low income eligibility criteria under the *Workforce Innovation and Opportunity Act (WIOA)*. In order to clearly explain the OS youth eligibility, the Employment Development Department (EDD) changed the bulleted list to numbers and letters.

Low income is a requirement if the individual is eligible as an OS youth using Barrier C, recipient of a secondary school diploma or its recognized equivalent who is low-income and either basic skills deficient or an English learner, or Barrier H, a low income individual who requires additional assistance to enter or complete and educational program or to secure or hold employment (WIOA Section 129 [a][1][B][iii][III] and [VIII]). Individuals who are determined eligible under the barriers A, B, D, E, F or G are not required to be low-income.

Commenter #2 asked if an individual who is the recipient of a secondary school diploma or its recognized equivalent is eligible for OS youth services if the individual is not low-income.

Resolution: Yes, an individual who is a recipient of a secondary school diploma or its recognized equivalent may still be eligible for OS youth services, even if they are not low-income. To be eligible, the individual must not be attending secondary or post-secondary school and meet one or more of the listed barriers. The only OS youth eligibility barriers with a low-income requirement are Barriers C and H. For further clarification, the EDD added a definition for “not attending school” to the directive.

Commenter #3 asked if a youth attending an alternative school or adult school meets the “not attending school” OS youth eligibility criteria.

Resolution: Title 20 *Code of Federal Regulations (CFR)* “Notice of Proposed Rulemaking” (NPRM) Section 681.240 states that a youth who is attending an alternative school at the time of enrollment is not considered a drop-out. If the individual is currently enrolled in an alternative school then the individual would be considered to be in-school. For further clarification, the EDD added a definition for “alternative school” to the directive.

Individuals enrolled in adult education are considered to be out-of-school. Local programs may determine a youth eligible as an OS youth, for the purposes of WIOA youth program eligibility, if the youth is attending adult education under Title II of WIOA, YouthBuild, or Job Corp. (Preamble page 20733 and 20 CFR NPRM Section 681.230).

Commenter #4 requested that the 30 percent high poverty rate under the low income eligibility criteria be reduced to 20 percent if other mitigating factors are documented (i.e., high school dropout rate, college attrition, high teen pregnancy rate).

Resolution: The Title 20 CFR NPRM determined a preliminary high-poverty rate of 30 percent as calculated using the American Community Survey 5-Year data. The EDD will maintain the proposed 30 percent high-poverty rate, however will revisit the topic if the Department of Labor (DOL) later issues updated guidance.

Commenter #5 inquired about acceptable documentation for the low income eligibility criteria of the *Richard B. Russell National School Lunch Act* and living in a high poverty area.

Resolution: The DOL has not issued Data Element Validation criteria guidance on acceptable documentation for WIOA eligibility; however local areas must collect and retain records to substantiate youth program eligibility. In the interim, the EDD added acceptable documentation for the low income criterions, free or reduced price lunch under the *Richard B. Russell National Lunch Act* and youth living in a high-poverty in CalJOBSSM under the Public Assistance portion of the online WIOA application. The acceptable documentation for these new low income criterions includes the following:

- *Richard B. Russell National Lunch Act:* a letter of eligibility for free or reduce priced lunch, school documentation, and self-attestation.
- Youth living in a high-poverty area: print out of the poverty rate from the American Community Survey 5-year data on the [US Census Fact Finder](#) website for the participant's zip code.

Commenter #6 inquired about acceptable documentation for the homeless eligibility criteria.

Resolution: The DOL has not issued Data Element Validation criteria guidance on acceptable documentation for WIOA eligibility; however local areas must collect and retain records to substantiate youth program eligibility. In the interim, acceptable documentation listed on CalJOBSSM for the homeless criterion includes the following:

- A written statement from a shelter.
- A written statement from an individual providing temporary assistance.
- A written statement from a social service agency, telephone verification, and self-attestation.

Commenter #7 requested clarification regarding the difference between the OS youth eligibility barrier “an individual who is subject to the juvenile or adult justice system” [WIOA Section 129(a)(1)(B)(iii)(IV)] and the in-school (IS) youth barrier “offender” [WIOA 129 Section (a)(1)(C)(iv)(III)].

Resolution: Offender is defined in WIOA Section 3(38) as “an adult or juvenile who is or has been subject to any stage of the criminal justice process, and for whom services under WIOA may be beneficial; or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.” Therefore, the EDD interprets that the WIOA definition of offender is applicable to both the OS youth [WIOA Section 129(a)(1)(B)(iii)(IV)] and IS youth [WIOA Section 129(a)(1)(C)(iv)(III)] eligibility criteria.

Commenters #8-10 asked if the EDD could further define the academic and educational components required with a work experience and provide an example.

Resolution: The EDD has elevated this question to the DOL Region VI office for technical assistance and have been advised that additional guidance on work experience is forthcoming. Once issued by DOL, the EDD intends to develop further guidance on work experience as well.

Commenters #11-12 asked if costs related to the academic and occupational education component of a work experience such as tuition, books, and supplies, could count toward meeting the 20 percent work experience expenditure requirement.

Resolution: The EDD elevated this question to DOL for technical assistance and were advised that additional guidance on work experience will be forthcoming. Once issued by DOL, the EDD intends to issue guidance on work experience as well.

Commenter #13 inquired if subsequent unsubsidized employment obtained by a youth must be in the same job or career path as the work experience.

Resolution: The intent of the law regarding the work experience priority is to offer youth work-based learning opportunities focused on career exploration and development of work readiness skills. The law does not mandate youth participants to enter employment or education similar to the work experience activity; however as a best practice local programs should continue to support the work experience. Examples of this are providing youth with job referrals and/or information on vocational and post-secondary education within the career path.

Commenter #14 expressed a concern that costs associated with a work experience could not be reimbursed if the youth did not obtain unsubsidized employment similar to the work experience.

Resolution: Reimbursement of program costs associated with the work experience is not dependent on the youth participant obtaining unsubsidized employment in a job or career pathway similar to the paid or unpaid work experience. However, local areas and youth service providers should ensure that youth participants are placed in work experiences with opportunities to receive education and training in in-demand industries and occupations that lead to good jobs along a career path or enrollment into post-secondary school.

Commenter #15 asked when the EDD expected for Local Workforce Development Boards (local boards) to establish its policies regarding work experience.

Resolution: The WIOA youth program provisions go into effect July 1, 2015. Local boards must implement the WIOA youth program requirements beginning July 1, 2015, and establish local policy and procedures for work experience no later than January 1st, 2016.

Commenter #16 inquired if the EDD's citation of the Section 447 of the *Social Security Act* in the OS and IS youth eligibility criteria is correct?

Resolution: The EDD has corrected the citation to Section 447 of the *Social Security Act* in OS and IS youth eligibility criteria sections of the directive.

Workforce Innovation and Opportunity Act Outreach and Recruitment of Out-of-School Youth

The *Workforce Innovation and Opportunity Act* youth program must operate as a comprehensive, integrated, and streamlined system to provide high-quality services for all youth and young adults. The law also provides a framework through which Local Workforce Development Areas (local areas) can leverage other federal, state, and non-federal resources to support successful education and employment outcomes for youth participants.

Outreach and Recruiting Out-of-School Youth

Community outreach and recruitment often times represents the first contact youth may have with a community-based employment and training program. Therefore, successful outreach and recruitment of youth must draw on a range of strategies designed to appeal to eligible youth. Approaches that have been found to be effective in recruiting out-of-school (OS) youth include the following:

- Collaborate with partner agencies, community and faith-based organizations, local government and non-government entities, and schools to recruit the hardest-to-reach youth. Actively involve community partners on the outreach and recruitment team.

Examples

- Identify and partner with organizations to assist in the recruitment and/or referral of youth isolated from mainstream organizations (e.g., youth with disabilities, homeless and runaway youth, teen parents, youth on probation, and youth with limited English proficiency).
 - Conduct presentations for local officials, such as high school principals, juvenile court judges, probation officers, and counselors at drug treatment facilities.
 - Request referrals for OS youth from juvenile justice systems, agencies that coordinate services for foster youth or youth on probation.
 - Coordinate with the local health department and clinics serving families to refer pregnant and parenting young adults who may be eligible for program services.
 - Set up information booths at youth centers, local Boys and Girls Clubs, and public housing developments.
 - Prepare a memorandum of understanding about how recruitment will be coordinated among two or more youth-serving organizations. Ensure that front-line staff from each partnering agency is familiar with the services provided as well as the eligibility requirements of all partnering agencies.
- Ask current youth participants to serve as recruiters. Actively involve youth program participants on the outreach and recruitment team. Encourage the youth to speak positively and honestly about their experience. In addition to serving as an effective recruiting strategy, engaging participants in outreach and recruitment promotes youth development. Recruitment serves as “work experience” and youth recruiters learn a sense of responsibility and increase their communication skills.
 - Connect with youth where they are – going to those places where young people are most likely to be found (e.g., parks, recreation centers, shopping malls, health clinics, clubs,

movie theatres, community-based and faith-based organizations, day labor agencies, unemployment offices, emergency food programs and homeless shelters).

- Communicate with youth in a way that is most effective for the youth (e.g., home phone, cell phone, text message, and email, phone calls during or outside of business hours, meetings, and scheduled visits).
- Canvass homes door-to-door, stores, and community centers, particularly in neighborhoods where youth are most likely to be eligible for services.
- Use strategies such as walking through the neighborhood, engaging youth and others in conversation about the program, and distributing brief, easy-to-read, colorful flyers or brochures.
- Use a “sector approach,” dividing the community geographically into areas and assign recruitment teams to each one.
- Schedule recruitment activities during evening and weekend hours to target those youth who may have been missed during the day.

Additional Target Audiences and Outreach

In addition to identifying OS youth, other target audiences that local areas may use to reach out of school youth include the following:

- Parents
- Community volunteers in youth services and activities such as mentors, tutors, advocates
- Community partners
 - Other youth serving agencies and organizations (foster care, juvenile justice, homeless shelters)
 - School districts, 2-year and 4 year colleges
 - Adult education
 - Faith-based organizations
 - Community organizations (Big Brothers Big Sisters, YMCA/YWCA)
 - Service organizations (Kiwanis, Elks, Rotary, Lions)
- Employers

Resources

[Focused Futures: Serving Out of School Youth](#)

This guide was developed for the State of Ohio to assist *Workforce Investment Act* youth service providers in effectively reaching out, recruiting, and engaging OS youth.

[Improving Services and Performance: Toolkit for Effective Front-Line Services to Youth](#)

This toolkit provided by the U.S. Department of Labor includes a manual on taking a youth-development approach to prepare youth to become increasingly more self-sufficient and a series of nine related training modules. Topics include case management, recruitment, intake, assessment, meeting the needs of the labor market, implementing the plan, follow-up, documentation, and evaluation.

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