

**Local Workforce Area #10 Policy Letter 04-06**  
**on**  
**Eligibility for WIOA Services for Youth**

**Purpose:** To facilitate the determination of eligibility for services for youth to meet requirements of the Workforce Innovation and Opportunity Act.

**Background:** This policy describes the process for initial eligibility for youth services under the Workforce Innovation and Opportunity Act.

This policy is based on eligibility criteria as listed in the Workforce Innovation and Opportunity Act, Pub. L. 113-128 and ODJFS Workforce Innovation and Opportunity Act Policy Letter 15-03.

**Action:**

**In-School Youth Eligibility Requirements**

Eligibility for in-school youth, who at the time of enrollment, is:

- a. Attending school;
- b. Not younger than 14 or (unless an individual with a disability who is attending school under state law) older than age 21;
- c. Is a low-income individual; and
- d. Has one or more of the following barriers:
  - Basic skills deficient;
  - An English language learner;
  - An offender;
  - 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 the John H. Chafee Foster Care Independence Program, or in an out-of-home placement;
  - Pregnant or parenting;

- An individual with a disability; or
- An individual who requires additional assistance to complete an education program or to secure or hold employment as defined by the local area.

### **Out-of-School Youth Eligibility Requirements**

Eligibility for out of school youth, who at the time of enrollment, is:

- a. Not attending any school;
- b. Not younger than 16 or older than age 24; and
- c. Has one or more of the following barriers:
  - A school dropout;
  - 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;
  - A recipient of a secondary school diploma or its recognized equivalent who is a low income individual and is basic skills deficient or an English language learner;
  - An individual who is subject to the juvenile or adult justice system;
  - 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 the John H. Chafee Foster Care Independence Program, or in an out-of-home placement;
  - An individual who is pregnant or parenting;
  - A youth who is an individual with a disability; or
  - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment as defined by the local area.

## **School**

For the purposes of youth eligibility, school includes secondary and post-secondary schools. It does not include attending classes with Adult Basic and Literacy Education (ABLE), YouthBuild, or JobCorps.

### **Compulsory School Attendance**

Children of certain age range are required to receive some type of formal education whether it be through public, private, or home schooling. In Ohio, compulsory education laws require children between the ages of six (6) and 18 to attend school. The laws make some exception, including if the child:

- a. Received a high school diploma before the age of 18;
- b. Is over the age of 14 years old, lawfully employed, and it is necessary that he or she work;
- c. Has a physical or mental condition that does not allow for school attendance; or
- d. Is homeschooled.

For the purposes of this policy, if a child is being homeschooled, the child would be considered to be an in-school youth as long as all other eligibility criteria have been met.

### **Most Recent Complete School Year Calendar Quarter**

Because school districts differ in what they use for school year quarters, the time period of a school year quarter is based on how the local school district or the charter school defines its school year quarters.

### **Dropout Status**

Local areas must verify a youth's dropout status at the time of enrollment into the youth program. A youth attending an alternative school at the time of enrollment is not a dropout. A youth who is out-of-school at the time of enrollment and subsequently placed in an alternative school or any school, is an out-of-school youth.

### **Basic Skills Deficient**

In assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target population. The local program must also provide reasonable accommodation in the assessment process, if necessary, for people with disabilities. The Test of Basic Adult Education (TABE) is the preferred assessment.

### **Additional Criteria for Low Income**

The term, low income, used to determine youth program eligibility includes a youth living in a high-poverty area. Census data is available to the local areas to assist in determining poverty rates for particular communities. If the poverty rate for a particular community is at least 30%, a youth living in that community may be considered low income.

The website containing this information is [http://development.ohio.gov/reports/reports\\_am\\_com\\_survey.htm](http://development.ohio.gov/reports/reports_am_com_survey.htm). Information is contained under "Selected Socio-economic Measures" and is broken down by county and within the county, by city or village. The spreadsheet will show the "Ratio of Income to Poverty Level." If the percentage for the "0% to 99%" is at least 30%, the high-poverty area criterion is met.

### **5% Exception of Youth Eligibility**

Up to 5% of in-school and out-of-school youth participants served by youth programs in a local area may be individuals who would be covered individuals except that the persons are not low-income.

### **5% Limitation of In-School Youth Eligibility**

Not more than 5% of in-school youth may be eligible based upon being an individual who requires additional assistance to complete an educational program or to secure or hold employment.

### **Selective Service Eligibility**

Male youth participants who are 18 years of age and older and have fulfilled registration requirements of the Military Selective Service Act (MSSA) are eligible to participate in WIOA-funded programs and services. Workforce Innovation and Opportunity Act Policy Letter No. 15-04, Selective Service Registration, provides guidelines for selective service registration requirements.

A male youth applicant, age 18 years old and older, who has not registered for the selective service or who is unwilling to register, will be denied any WIOA program services.

### **Co-Enrollment with other Programs**

Youth may participate in both the WIOA youth program and the adult program at the same time if they are eligible for both, and it is appropriate. The determination of the appropriateness of co-enrollment is based on the service needs of the participant and if the participant is career-ready based on an objective assessment of their occupational skills, prior work experience, employability, and participant's needs.

If such concurrent enrollment occurs, the local area must track expenditures separately by program.

Youth may not be co-enrolled in the WIOA dislocated worker program, because any youth meeting the eligibility for the dislocated worker program would have already successfully attained a job and would most likely be more appropriately served under the dislocated worker program.

Youth who are eligible under both programs may enroll concurrently in the WIOA youth program and the Adult Basic and Literacy Education (ABLE) under WIOA Title II.

## **VI. Out of School Priority**

For any program year, not less than 75% of the funds available to local areas shall be used to provide youth workforce development activities for out-of-school youth.

## **VII. Monitoring**

The WBD Director will review the youth applications prior to enrollment. The WBD Director will review and return them within one week. If additional information is needed, the Youth worker will gather the information and return to the WBD Director within one week.