

Policy # 25		
SUBJECT:	WIOA Title I Youth Eligibility	
DATE ISSUED:	February 3, 2025	
DATE EFFECTIVE:		
REVISION DATE:		

SUMMARY:

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014 and enacted on July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 (WIA) and amends the Youth Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. This policy outlines the eligibility requirements for the WIOA Title I: Youth. Eligibility determination must be made before enrollment in WIOA. It must include an initial determination of the need for services to ensure that employment and training opportunities are being provided to those who can benefit from and need such opportunities to obtain or retain employment. WIOA is not an entitlement program, and eligibility alone does not entitle individuals to receive services.

POLICY:

Under section 134 (c)(1) of the Workforce Innovation and Opportunity Act (WIOA), funds allocated to the local area for youth shall be used to establish an American Job Center delivery system, to provide education and employment services to Youth. The WIOA Youth program is designed to provide services to serve low-income youth who face continued education and employment barriers. The program supports the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for program participants.

To achieve WIOA Title I Youth Program goals, Local Areas and local providers that are awarded competitive contracts must:

- 1. Determine youth program eligibility;
- 2. Conduct an objective assessment of each participant's skills;
- 3. Develop an Individual Service Strategy (ISS) with each participant; and,
- 4. Provide at least one of WIOA's 14 Youth Program elements to support each participant in reaching their career and academic goals.



POLICY GUIDELINES:

Youth Eligibility Criteria

Documentation verifying the eligibility of participants in WIOA is mandatory. Each of the following eligibility elements must be documented for each participant before receiving individualized /career services. Staff must obtain the required documentation for each eligibility data element as outlined in the comprehensive Eligibility Document Checklist of allowable source documentation contained in this attachment. Photocopies of documentation kept on file, or scanned documents stored in electronic document management systems, must be legible and current.

To participate in the WIOA Title I Youth Program, at a minimum, a youth must:

- 1. Be a U.S. citizen or non-citizen authorized to work in the U.S.;
- 2. Register for Military Selective Service, if applicable; (If a male youth turns 18 while participating in a WIOA funded program, he must register for Selective Service within 30 calendar days of age change. Specific individuals may be exempt from Selective Service. More details can be found at (https://www.sss.gov/.)

and,

3. Meet the WIOA In-School Youth (ISY) or Out-of-School Youth (OSY) eligibility criteria specified in this Policy Issuance.

In-School Youth

An In-School Youth (ISY) is defined by WIOA Section 129(a)(1)(c) as an individual who is:

- a. Attending school;
- b. Between the ages of 14-21 at the time of enrollment;
- c. Low-income; and
- d. One or more of the following:
 - a. Basic skills deficient;
 - b. An English Language Learner (ELL);
 - c. An offender;
 - d. A homeless youth or a runaway, in foster care or has aged out of the foster care system;
 - e. Pregnant or parenting;
 - f. A youth who is an individual with a disability; and,
 - g. An individual who requires additional assistance to complete an educational program or secure or hold employment, as defined by the Local Board's policy.



Out-of-School Youth

OSY is defined by WIOA Section 129(a)(1)(b) as an individual who is:

- 1. Not attending any school;
- 2. Between the ages of 16-24 at the time of enrollment;
- 3. One or more of the following:
 - a. A school dropout;
 - A youth 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;
 - c. 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;
 - d. An individual who is subject to the juvenile or Youth justice system;
 - e. A homeless individual or runaway;
 - f. An individual who is in foster care or 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 Section 477 of the Social Security Act (42 U.S.C. 677), or an individual who is in an out of home placement;
 - g. An individual who is pregnant or parenting;
 - h. An individual with a disability; and,
 - A low-income individual who requires additional assistance to enter or complete an educational program or secure or hold employment, as defined by the Local Board's policy.

"Requires Additional Assistance"

The Workforce Development Board of Kanawha County (WDBKC) interprets "requires additional assistance to complete an educational program or to secure or hold employment" as set forth in WIOA sections 129(a)(1)(B)(iii)(VII) and (a)(1)(C)(iv)(VII); as any youth with a barrier to employment (including individuals with a disability) who requires additional education, vocational training, or intensive career counseling and related assistance, in order to participate successfully in regular schoolwork or to secure and hold employment.

WDBKC has included the following barriers to be considered when determining whether a youth needs additional assistance:

Educational Barriers

- In school (secondary or postsecondary) with a Grade Point Average of less than 2.0
- Has quit secondary or postsecondary program without attaining a recognized credential
- Has repeated at least one secondary grade level
- One or more years behind modal grade for one's age group, with particular emphasis on those two or more years behind modal grade
- Below average academic test scores relative to students in his/her class with particular



emphasis on those in the bottom 25 percent of the test score distribution

- Scored levels 1 or 2 on the state standardized assessment within the past 12 months.
- Placed on probation, suspended from school, or expelled from school one or more times during the past two years
- Documented behavioral problems at school
- Are deemed at risk of dropping out of school by a school official
- Have received court agency/referrals mandating school attendance
- For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school

Employment Barriers

- Has never held a job
- Has been fired from a job within the 12 months prior to program application (18 -24 years of age)
- Has never held a full-time job for more than 13 consecutive weeks (18 -24 years of age)
- Has a family history of chronic unemployment, including long-term public assistance
- Has been unemployed six months out of the last two years
- Little or no successful work experience, a long and unsuccessful work search, or little to no exposure to successfully employed adults
- High school graduate who has not held a full-time regular job for more than three consecutive months

Living Arrangements

- Resides in a non-traditional household setting (i.e., single parent, lives with unofficial guardian, latchkey, grandparents, domestic partners, etc.)
- Lives with only one or neither of his/her natural parents
- Lives in public housing
- Lives in a federally designated high poverty area such as a census tract

Medical/Social/Family Barriers

- Lacks parental support
- Has emotional, medical, physical, cognitive, or psychological impairment which creates a significant impediment to employment
- Has been referred to, or is being treated by, an agency for a substance abuse related problem
- Has experienced recent traumatic events, is a victim of abuse, or resides in an abusive environment as documented by a school official or professional
- Faces significant personal challenges including dysfunctional domestic situations, lack
 of supportive services, documented behavioral problems, and substance abuse by the
 youth or a family members



Characteristics

- Children of incarcerated parents
- Emancipated youth
- Immigrant or refugee
- Migrant youth

By expanding the definition of "needs assistance" WDB-KC will be able to serve at-risk youth in a more equitable manner.

There is a limitation in WIOA related to the "additional assistance" criterion that applies only to ISY. WIOA Section 129(a)(3)(B) states that in each Local Area, not more than five percent of the ISY assisted may be eligible who requires additional assistance to complete an educational program or to secure or hold employment. Local Areas must ensure that in a given program year, no more than five percent of ISY enrolled in the program year are eligible only based on the "additional assistance" criterion.

Youth Program Elements

WIOA requires that 14 key program elements be available to all WIOA Title I Youth Program participants. The 14 program elements are:

- 1. Tutoring, skills training, and dropout prevention;
- 2. Alternative secondary school services;
- 3. Paid and unpaid work experiences;
- 4. Occupational skills training;
- 5. Leadership development opportunities;
- 6. Supportive services;
- 7. Youth mentoring;
- 8. Comprehensive guidance and counseling;
- 9. Concurrent education and workforce preparation activities;
- 10. Financial literacy education;
- 11. Entrepreneurial skills training;
- 12. Labor Market Information (LMI);
- 13. Preparing for post-secondary education and training; and,
- 14. Follow-up services.

Not every participant will receive each service; however, it must be available if an individual needs one of the 14 elements.



Eligibility Verification

When registering for WIOA services, service providers must ensure that the individual is eligible by the eligibility requirements for WIOA (age, selective service registration, and citizenship). Each file must include a completed application for each applicant and documentation that confirms general WIOA eligibility and any additional Youth eligibility data elements. All questions on the intake form must be answered, and both the applicant and intake staff must sign the intake forms.

Documents for Verifying WIOA Eligibility

Required WIOA eligibility documentation must be in every participant's file and available for review by the Local Program Director. Attachment A includes required documentation sources for general WIOA eligibility; at least one document from every relevant category must be provided. Documentation sources for all data verification elements used to verify Youth elements are included in Attachment A. The applicant must be informed that all information is subject to verification and that false information is grounds for termination and possible prosecution under the law.

Primary Eligibility Review is the Local Board's program staff's responsibility to ensure all registration paperwork is complete and accurate before WIOA enrollment. The program staff must maintain a secure file for each program applicant and registrant containing copies of all collected documents. The program staff will provide Federal, State, and WDB monitors access to such records given reasonable notice.

When determining eligibility, staff are encouraged to document all barriers to employment that an individual discloses. This information is key to determining local performance metrics and negotiating local performance goals. It also provides an accurate understanding of the customers served through Kanawha County's workforce system.

Timely and Accurate Data Entry

20 CFR 677.235 require states to submit to the Secretary of Labor individual records that include demographic information, information on services received, and information on resulting outcomes for each reportable individual and that states submit complete, valid and reliable performance reports. To meet this requirement, demographics of youth participants, services provided to youth and outcomes of services must be entered into the State's Management Information System (MACC) timely and accurately.

It is the responsibility of the program staff and sub-recipient to enter the appropriate eligibility data, services and notes into the MACC system within 48 hours / 2 calendar days. If a service must be recorded in MACC beyond the 48-hour requirement, the reason for the late entry must be documented in case notes. Services in MACC must be attached to the correct program of enrollment, align with the objectives, outcomes and deliverables associated with the program of enrollment and be documented in case notes.



Dates of services recorded in MACC must reflect the date of actual service. Case notes must support the demographics, services and outcomes recorded in MACC. MACC entries and case notes will be monitored to ensure compliance with these requirements.

Self-Attestation

Self-attestation may be used as a minimum documentation requirement for selected eligibility criteria, unless specific documentation requirements are provided in DOL ETA guidance that preclude the use of self-attestation. An Applicant Statement form can be used as a self-attestation to capture income, cultural barrier, and language barrier, previously self-employed. Self-attestation should be used when other acceptable documentation is unattainable and there is compelling reason to believe the criteria in question would have been met had other source documentation been attainable. Staff must document the reason for using self-attestation in case notes. The Eligibility Determination Application Form can also count as a self-attestation form if the individual identifies their status for the permitted criteria and signs and dates the application form attesting to this self-identification.

<u>Determination of Appropriateness for Training Services</u>

As the WIOA program is designed to provide employment and training opportunities to those who can benefit from and who need such opportunities, the local WDBs must ensure that eligible individuals are determined to be appropriate for training services based upon a consistent and equitable assessment that is relevant to the type of training for which the individuals are applying. WIOA staff must gather information and assess appropriateness promptly. Local WDBs should strive to establish a customer flow that allows an expedited path to needed services.

Under section 134 (b)(3)(A) of the WIOA, training services may be provided to youth who, after an interview, evaluation, or assessment and career planning, has been determined by American Job Center staff or American Job Center partner staff to be:

- Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
- In need of training services to obtain or retain employment that leads to economic selfsufficiency or wages comparable to or higher than wages from previous employment; and
- Have the skills and qualifications to participate in the selected program of training.

Training services must be linked to in-demand employment opportunities in the Local Area or the geographic area where the participant is willing to commute or relocate. The selection of training services must be:

- Conducted in a manner that maximizes customer choice;
- Linked to in-demand occupations, based on LMI;
- Informed by the performance of relevant training providers; and,
- Coordinated with other sources of assistance to the extent possible.

Out-of-School Youth Eligibility Criteria PROOF OF RESIDENCY	Acceptable Documentation • Driver's License or State Issued ID (unexpired)
ROOT OF RESIDENCE	Current Lease or Mortgage
	Current Utility Bill with Name and Address Indicated (Electricity, Water, Gas)
	Voter Registration Card
	Current Computer Printout from Government Agencies
CITIZEN OR AUTHORIZED TO WORK IN THE	Alien Registration Card indicating Right to Work
J.S.	(INS Forms I-151, I-94, I-94A, I-197, I-179, I-766)
	United States Birth Certificate
	• DD-214, Report of Transfer or Discharge (If Place of Birth is Shown)
	Naturalization Certification
	U.S. Passport or U.S. Passport Card (Unexpired)
	Baptismal Certificate (If the place of birth is shown)
	SNAP Records
	 Foreign Passport Stamped Eligible to Work (Unexpired)
	Public Assistance Records
	Native Tribal Document
	Voter Notification Card
	Consular Report of Birth Abroad
SOCIAL SECURITY NUMBER	Social Security Card
	Passport
er TEGL 5-08, local grantees should request a	Military ID
ocial Security number from all applicants to aid in	Other Federal or State ID with SSN
erformance reporting, but services cannot be denied to	DD-214, Report of Transfer or Discharge
nyone for refusing to furnish a Social Security number	Social Security Administration NUMI Printout
hen their citizenship/alien status can be documented	• IRS Form Letter 1722
ia other means.	Employment records (if SSN is listed)
	W-2 Form
	• Pay stub (if SSN is listed)
	Crossmatch with Unemployment Insurance (UI)
	Clossifiated with Glenployment insurance (GI)
AGE/BIRTH DATE	Birth Certificate
	DD-214, Report of Transfer or Discharge Paper
	Driver's License
	Federal, State or Local Government Identification Card (unexpired)
	Passport (unexpired)
	Baptismal Record
	Public Assistance/Social Security Records
	School Records or ID Cards
	Work Permit
	Family Bible
SELECTIVE SERVICE REGISTRATION	Selective Service Acknowledgment Letter
MALES 18-26 BORN ON OR AFTER 1/1/1960	Form DD-214, Report of Separation
MUST HAVE COMPLIED WITH THE	Selective Service Registration Card
SELECTIVE SERVICE ACT)	Selective Service Verification Form (Form 3A); or
	Stamped Post Office Receipt of Registration
	Screen printout of sss.gov Registration Verification
LOW-INCOME	Award Letter from Veteran's Administration
	Bank Statements
	Compensation Award Letter
	Court Award Letter
	Pension Statement
	Pay Stubs
	 Pay Stubs Public Assistance Eligibility Verification
	Public Assistance Eligibility Verification
	 Public Assistance Eligibility Verification Copy of Public Assistance Check Cross Match with UI wage records
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	 Public Assistance Eligibility Verification Copy of Public Assistance Check Cross Match with UI wage records Self-Attestation with UI Wage Record Support Employer Statement/Contract
	 Public Assistance Eligibility Verification Copy of Public Assistance Check Cross Match with UI wage records Self-Attestation with UI Wage Record Support Employer Statement/Contract Family or Business Financial Records
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	 Public Assistance Eligibility Verification Copy of Public Assistance Check Cross Match with UI wage records Self-Attestation with UI Wage Record Support Employer Statement/Contract Family or Business Financial Records Housing Authority Verification Quarterly Estimated Tax for Self0Employed Persons
	 Public Assistance Eligibility Verification Copy of Public Assistance Check Cross Match with UI wage records Self-Attestation with UI Wage Record Support Employer Statement/Contract Family or Business Financial Records Housing Authority Verification

WIOA TITLE I

YOUTH PARTICIPANT ELIGIBILITY – ATTACHMENT A

YOUTH PART	FICIPANT ELIGIBILITY – ATTACHMENT A
SCHOOL STATUS AT PARTICIPATION	 Cross-Match with Postsecondary Education Database Copy of Educational Institution Enrollment Record Applicable Records from Education Institution (GED certificate, diploma, attendance record, transcripts, report card, dropout letter, or school documentation) Signed Intake Application or Enrollment Form Electronic Records Self-Attestation
BASIC SKILLS DEFICIENT/LOW LEVELS OF LITERACY;	 Assessment Test Results Applicable Records from Education Institution (transcripts or other school documentation Case notes OR
ENGLISH LANGUAGE LEARNER;	 Assessment Test Results Applicable Records from Education Institution (transcripts or other school documentation Signed Intake Application or Enrollment Form Case notes Self-Attestation
AN INDIVIDUAL WHO IS SUBJECT TO THE JUVENILE OR ADULT JUSTICE SYSTEM;	Documentation from Juvenile or Adult Criminal Justice System Documented Phone Call with Court or Probation Representative WIOA Intake or Registration Form Self-Attestation
A HOMELESS INDIVIDUAL AND A RUNAWAY,	 Written Statement or Referral Transmittal from a Shelter or Social Service Agency Signed Intake Application or Enrollment Form Needs Assessment Signed Individual Service Strategy A letter from caseworker to support provider Case Notes Self-Attestation
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	Written Statement or Referral Transmittal from a Shelter or Social Service Agency Signed Intake Application or Enrollment Form Needs Assessment Signed Individual Service Strategy A letter from caseworker to support provider Case Notes Self-Attestation
AN INDIVIDUAL WHO IS PREGNANT OR PARENTING;	OR Case Notes Needs Assessment Women, Infants, and Children (WIC) Eligibility Verification TANF Single Parent Eligibility Verification Signed Intake Application or Enrollment Form Signed Individual Service Strategy Self-Attestation
AN INDIVIDUAL WITH A DISABILITY;	OR School 504 Records Provided by the Student Self-Attestation.
A LOW-INCOME INDIVIDUAL WHO REQUIRES ADDITIONAL ASSISTANCE TO ENTER OR COMPLETE AN EDUCATIONAL PROGRAM OR TO SECURE OR HOLD EMPLOYMENT. (WIOA SECTIONS 3(46) AND 129(A)(1)(B).	Case Notes Signed Intake Application or Enrollment Form Needs Assessment Signed Individual Service Strategy Self-Attestation

Youth. If the applicant shows no income, they must provide proof of their financial support system for the six (6) month period immediately preceding the application date.

In-School Youth Eligibility Criteria	Acceptable Documentation
PROOF OF RESIDENCY	 Driver's License or State Issued ID (unexpired) Current Lease or Mortgage Current Utility Bill with Name and Address Indicated (Electricity, Water, Gas) Voter Registration Card Current Computer Printout from Government Agencies
CITIZEN OR AUTHORIZED TO WORK IN THE U.S.	 Alien Registration Card indicating Right to Work (INS Forms I-151, I-94, I-94A, I-197, I-179, I-766) United States Birth Certificate DD-214, Report of Transfer or Discharge (If Place of Birth is Shown) Naturalization Certification U.S. Passport or U.S. Passport Card (Unexpired) Baptismal Certificate (If the place of birth is shown) SNAP Records Foreign Passport Stamped Eligible to Work (Unexpired) Public Assistance Records Native Tribal Document Voter Notification Card Consular Report of Birth Abroad
SOCIAL SECURITY NUMBER Per TEGL 5-08, local grantees should request a Social Security number from all applicants to aid in performance reporting, but services cannot be denied to anyone for refusing to furnish a Social Security number when their citizenship/alien status can be documented via other means.	 Social Security Card Passport Military ID Other Federal or State ID with SSN DD-214, Report of Transfer or Discharge Social Security Administration NUMI Printout IRS Form Letter 1722 Employment records (if SSN is listed) W-2 Form Paystub (if SSN is listed) Cross-match with Unemployment Insurance (UI)
AGE/BIRTH DATE	 Birth Certificate DD-214, Report of Transfer or Discharge Paper Driver's License Federal, State, or Local Government Identification Card (unexpired) Passport (unexpired) Baptismal Record Public Assistance/Social Security Records School Records or ID Cards Work Permit Family Bible
SELECTIVE SERVICE REGISTRATION (MALES 18-26 BORN ON OR AFTER 1/1/1960 MUST HAVE COMPLIED WITH THE SELECTIVE SERVICE ACT)	 Selective Service Acknowledgment Letter Form DD-214, Report of Separation Selective Service Registration Card Selective Service Verification Form (Form 3A); or Stamped Post Office Receipt of Registration Screen printout of SSS.GOV Registration Verification
LOW-INCOME	 Award Letter from Veteran's Administration Bank Statements Compensation Award Letter Court Award Letter Pension Statement Pay Stubs Public Assistance Eligibility Verification Copy of Public Assistance Check Cross Match with UI wage records Self-Attestation with UI Wage Record Support Employer Statement/Contract Family or Business Financial Records Housing Authority Verification Quarterly Estimated Tax for Self0Employed Persons Social Security Benefits

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Family Size Annualized Income 70% of LLSIL	Gross 6-Month Income	Maximum
1	\$7,530	\$15,060
2	\$10,220	\$20,440
3	\$13,311	\$26,622
4	\$16,433.50	\$32,867
5	\$19,395.50	\$38,791
6	\$22,684	\$45,368
Each additional member add \$6,577		

INCOME SOURCE				
Includable Income	Excludable Income			
Wages/tips/Compensation	SSI			
Self-employment (net-after business expenses/deductions)	Transitional Cash Assistance			
Farm Income (net-after business expenses/deductions)	Public Assistance: SNAP, TANF, Refugee Cash			
	Assistance, and General Assistance			
Lifetime Pensions	Foster Care Payments			
Military Retirement	Military Active Duty Earnings / Military Disability			
	Earnings			
SS Old Age/Survivor Benefits*	Educational Financial Assistance from Title IV			
Alimony	Workers' Compensation			
Workers' Compensation	Needs-based payments			
Short- & Long-Term Disability				
Child Support*				
Unemployment Benefits*				
SS Disability				

A "Wage" is payment or compensation earned by an employee for work performed under an employer's direction or with the employer's knowledge or consent. Generally, wages are paid as currency (U.S. Dollars) representing a length of time worked, but may also include the following:

- Bonus. This could include a monetary reward for finishing a particular project or completing a length of employment.
- Commission. This is usually a portion of the sale price of some commodity or service which the employee has sold on behalf of the employer or some promised amount of money as a reward for making the sale.
- Fringe Benefit. This could be many things, but it often involves accrued or accumulated compensation such as vacation ("annual"), leave sick leave, or other promised benefits.
- Overtime

Any Other "Remuneration" (compensation) promised for work performed. Examples could include room and board, materials and inventory, etc.

Under WIOA, there is no exclusion of payments for unemployment compensation, child support payments, and old-age survivors' insurance benefits from the income calculations for determining if an individual is low-income. *

Calculate the amount of income received from each source, for each family member, for the six months immediately preceding the application date. Multiply the total x 2 to calculate Annualized Family Income. The source documentation must show the last six months of income. Staff must use the Income Calculation Worksheet when determining eligibility for all In-School and Out-of-School.