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| Policy Name: Youth Eligibility | Policy Number: 01-2019 | Date: August 15, 2019 |
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Propose

To provide the eligibility criterion for in school and out of school youth.

Eligibility

To be eligible to participate in WIOA youth activities during any program year an individual shall, at the time of the eligibility determination is made, be an out-of-school or an in-school youth who face serious barriers to employment meeting the following criteria:

A. Out-of School Youth (OSY) Eligibility Criteria

1. Under WIOA, an Out-Of-School (OSY) is an individual who is:
 - a. Not attending school (as defined by the state)
 - b. Not younger than age 16 or older than age 24 at the time of enrollment. And:
 - c. Meets one or more of the following criteria:
 - i. A school dropout (no longer attending school and has not received diploma.
 - ii. An individual, 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 for the purposes of the 75% expenditure requirement for out-of-school. A youth attending an alternative school (as defined by the state) at the time of enrollment is not a dropout.
 - iii. A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recently completed school year calendar quarter. School year calendar quarter is based on how a local school district defines school year quarters.
 - iv. 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.
 - v. An individual who is subject to the juvenile or adult justice system.
 - vi. A homeless youth or 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, or an individual who is an out-of-home placement.
 - vii. An individual who is pregnant or parenting.
 - viii. A youth who is an individual with a disability.
 - ix. A low-income individual that requires additional assistance to enter or complete an educational program or to secure or hold employment.

B. In-School Youth (ISY) Eligibility Criteria

1. The term in-school youth means an individual who is:
 - a. 14-21 years old and
 - b. Attending school(as defined by the state) and
 - c. Is a Low-income individual (includes youth living in a high-poverty area [Sec.129(a)(2)], and
 - d. Meets one or more of the following criteria:
 - i. Basic skills deficient
 - ii. English language learner
 - iii. An individual subject to the juvenile or adult justice system.
 - iv. A homeless youth or 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, or an individual who is an out-of-home placement.
 - v. An individual who is pregnant or parenting.
 - vi. A youth who is an individual with a disability.
 - vii. An individual who requires additional assistance to complete an educational program or to secure or hold employment.

C. Eligibility Exception for In-school Youth who are not Low Income Individuals

Up to 5 percent of youth who meet all the other eligibility requirements need not be low income. The 5 percent is calculated based on all youth served in the WIOA local youth program in a given program year.

D. Limitation

In each local area, not more than 5% of the in school youth assisted under this section may be eligible because the youth are in-school youth.


E. A youth is deemed to be in need of additional assistance to enter or complete an educational program or to secure and hold employment, as contemplated in section A and B of this policy, if they are:

1. A child of an incarcerated parent or guardian, verified by court documents and birth certificate.
2. A child living with their grandparent, verified by court documents, birth certificate, records from the Department of Children and Family Services or school records.
3. A child of a parent that is unemployed, verified by unemployment records.
4. A victim of sex trafficking, verified by court documents or the referring agency.

5. A youth 18 years or older who is not classified as a senior and is having to repeat core courses.
6. A person that is a resident of a federally declared disaster area in the last five years, verified by FEMA documents.

F. In school or out of school determination

1. Youth are deemed ISY or OSY at the time that eligibility of determined.
2. If the youth is deemed eligible during the summer and is in between school years, the youth is considered ISY if they enroll to attend school in the fall.
3. If the youth is deemed eligible between high school graduation and postsecondary education, and is registered for postsecondary education, the youth is considered ISY.
4. If the youth is deemed eligible between high school graduation and postsecondary education and they are registered for postsecondary education, but decide not to attend, the youth is considered OSY, if they are deemed eligible after they decide not to attend.
5. If the youth is only enrolled in non-credit-bearing postsecondary classes, they are considered to be attending postsecondary school and, therefore, the youth is considered OSY.
6. A youth attending postsecondary education who is twenty-two years old or older at the time at eligibility and is not considered ISY. They are considered adults for WIOA funding purposes.
7. Youth participating in adult education under Title II of WIOA, YouthBuild Programs, Job Corps Programs and high school equivalency programs are not considered ISY.



WIOA Chief Administrator/LWDB 21 Director

Historical Notes: Authorized by Public Law No: 113-128. Work Force Investment Opportunity Act 2014. Revised August 20, 2019.