

WORKFORCE INNOVATION OPPORTUNITY
ACT (WIOA) PROGRAM POLICY REVISION

4

EFFECTIVE DATE:

SUBJECT: YOUTH SERVICES

REFERENCES.

- Title 1 of the Workforce Investment Opportunities Act (WIOA) of 2014 et.al; WIOA Regulations,
- TEGL 23• 14;
- TEGL 21-16;
- Office of Management and Budget (OMB) cost principles codified in 2 CFR Part 220, Part 225 and Part 230;
- 20 CFR 681.430;
- 20 CFR 681.460;
- 20 CFR 681.600; 20 CFR 683.255.
- [Section 129\(a\)\(I \)\(B\)\(iii\); \(a\)\(I\)\(C\)\(iv\)](#)

PURPOSE.

This policy instruction and guidance on the provision and administration of WIOA youth services throughout the Northern Area.

BACKGROUND.

The WIOA of 2014 established a high emphasis on prioritizing service deliver to individuals that are out of school and face challenges to successfully entering the workforce or higher education. The purpose of the legislation is to provide the structure and support to youth to facilitate a path of lifelong learning and career development opportunities.

ACTION.

The WIOA requires that 14 mandatory service related elements be included and available in the structure and design of WIOA youth programs in local areas. It prioritizes that provision and availability of the services be targeted primarily on out of school youth and establishes the minimum amount of funding that must be spent on the delivery of work related activities. WIOA outlines a broader youth vision that supports an integrated service delivery system.

A. Program Elements

The WIOA has identified that the following services be made available to all individuals participating in the WIOA youth program:

- (1) Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that lead to the completion of the requirement for a high school diploma



or its equivalent or for a recognized post-secondary credential. Such services focus on providing academic support, helping youth identify areas of academic concern, assisting with overcoming learning obstacles, and providing tools and resources to develop learning strategies. These services can be provided one on one, in a group setting, through resources and workshops.

Secondary school dropout prevention strategies include services and activities that keep a young person in-school and engaged in a formal learning and/or training setting. Strategies include but are not limited to tutoring, literacy development, active learning experiences, after-school opportunities, and individualized instructions.

- (2) Alternative secondary school services, or dropout recovery services, as appropriate. Alternative secondary school services, such as basic education skills training, individualized academic instruction and ESL training are those that assist youth who have struggled in traditional secondary education. The goal is to help youth re-engage and persist in education that leads to the completion of a recognized high school equivalent.
- (3) Paid and unpaid work experiences that have academic and occupational education as a component of the work experience which may include the following types of work experience:
 - (i) Summer employment opportunities and other employment opportunities available throughout the school year;
 - (ii) Pre-apprenticeship programs;
 - (iii) internships and job shadowing; and
 - (iv) On the job training opportunities.

20 CFR 681.600 defines work experience as a "planned, structured learning experience that takes place in a workplace for a limited period. Work experience may be paid or unpaid, as appropriate. A work experience may take place in the private or public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable law exists. Funds provided for work experiences may not be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike or being locked out in the course of a labor dispute. Work experiences provide the participant with opportunities for career exploration and skill development. WIOA 20 CFR 681.590 requires that a minimum of 20 percent of local area funds for the Title I youth program be spent on Work experience. Leveraged resources cannot be used to fulfill any part of the 20 percent minimum. Further information regarding this requirement will be provided in Section "C" of this document.

Work experiences must include academic and occupational education. The academic and occupational education component may occur concurrently or sequentially with the work experience. The academic and occupational education component refers to contextual learning that accompanies a work experience. It includes information necessary to understand and work



in specific industries and/or occupations. For example, if a youth is in a work experience in a hospital, the occupational education could be learning about the duties of several types of hospital occupations such as phlebotomist, radiology tech, or physical therapist. Whereas, the academic education could be learning about some of the information individuals in those occupations need to know such as why blood type matters, the name of a specific bone in the body, or the function of a specific ligament. Local programs have the flexibility to determine the appropriate type of academic and occupational education necessary for a specific work experience.

(4) Occupational skills training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with demand industry sectors in the local area. As stated in 20 CFR 681.540, occupational skills training is defined as an organized program of study that provide specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. The local program must give priority consideration to training programs that lead to a recognized post-secondary credential that aligns will local demand occupations. The programs must:

- a) Be outcome oriented and focused on an occupational goal specified in the ISS;
- b) Be of sufficient duration to impart the skills needed to meet the occupational goal; and
- c) Lead to the attainment of a recognized postsecondary credential.

In addition, the training program must meet the quality standards outlined in WIOA section 123.

This training can be funded with the use of ITAs. In school youth (ISY) cannot use program funded ITAs. However, ISY between the ages of 18-21 may co-enroll in the WIOA adult program if it is appropriate to the needs of the youth.

(5) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

20 CFR 681.630 states that this program element reflects an integrated education and training model and describes how workforce preparation activities, basic academic skills, and hands on occupational skills training are to be taught within the same time frame and connected to training in a specific occupation, occupational cluster, or career pathway.

While programs developing basic academic skills, which are included as part of alternative secondary school services and dropout recovery services, workforce preparation activities that occur as part of a work experience, and occupational skills training can all occur separately and at different times this program element refers to the concurrent delivery of these services which make up an integrated education and training model.



- (6) Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors. These activities can include but are not limited to:
 - a) Exposure to postsecondary educational possibilities;
 - b) Community and service learning projects;
 - c) Peer-centered activities; including peer mentoring and tutoring;
 - d) Organizational and team work training, including team leadership training;
 - e) Training in decision making, including prioritization and problem solving;
 - f) Citizenship training, including life skills training such as parenting and work behavior training;
 - g) Civic engagement activities which promote the quality of life in a community; and
 - h) Other leadership activities that place youth in a leadership role such as serving on youth leadership committees such as a Standing youth committee.
- (7) Supportive Services as described in 20 CFR 681.570. This program element and its components are detailed in the NALWDB supportive services policy and as such are not further addressed in this document.
- (8) Adult mentoring for duration of at least 12 months that may occur both during and after program participation. This element must be provided in a formal relationship between the participant and an adult mentor that includes structured activities where the mentor offers guidance, support and encouragement to develop the competence and character of the mentee. While group and electronic mentoring are allowable as part of the service, at a minimum the local youth program must match the youth with an individual mentor with whom the youth interacts on a face to face basis. Mentoring may include workplace mentoring where the local program matches a participant with an employer or employee of a company. The local provider should ensure that appropriate processes are in place to adequately screen and select mentors.
- (9) Follow-up services for not less than 12 months after the completion of participation. 20 CFR 681.580 sites this element as "critical services provided following a youth's exit from the program to help ensure the youth is successful in employment and/or education and training. The services may include regular contact with a participant's employer, including assistance in addressing work-related problems that arise. Follow up services may begin immediately following the last expected date of service in the youth program or other DOL funded coenrolled program when no future services are scheduled.

Follow up services may include:

- a) Supportive services;
- b) Adult mentoring;



- c) Financial literacy;
- d) Services that provide labor market information; and
- e) Activities that help the youth prepare for transition to postsecondary education and training.

Follow up services must be provided for a minimum of 12 months following exit unless the participant declines to receive follow-up services or the participant cannot be located or contacted.

When repeated (10 or more contact attempts in 2 consecutive quarters) contact by phone, email, alternate contacts and employer contact have repeatedly resulted in an inability to obtain any information regarding the youth's needs or status or if the youth is repeatedly resistant to follow up service contact then the youth program staff may case note the attempts and provide whatever written documentation via upload to the MIS. No further follow up efforts will be required.

- (10) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth. 20CFR 681.510 states that this element provides individualized counseling to participants. This includes drug and alcohol abuse counseling, mental health counseling, and referral to partner programs as appropriate. The local youth program must coordinate with the organization providing the service to ensure continuity of service.
- (11) Financial Literacy education are services designed to increase the ability of the participant to manage their finances and may include the following activities:
 - a) Support the ability of the participants to create budgets, initiate checking and savings accounts and make informed financial decisions;
 - b) Support participants in learning how to effectively manage spending, credit and debt, including student loans, consumer credit and credit cards;
 - c) Teach participants about the significance of credit reports and credit scores, their rights regarding credit and financial information, how to identify and correct inaccuracies in their credit reports and how to improve or maintain good credit;
 - d) Support a participant(s) ability to understand, evaluate and compare financial products;
 - e) Educate participants about identify theft and in other ways understand their rights and protections related to personal identity;
 - f) Support activities that address the financial literacy needs of non-English speakers, including distribution of multilingual financial literacy and education materials;
 - g) Support activities that address the financial literacy needs of individuals with disabilities, including connecting them with benefits planning and work incentives counseling;



- h) Provide financial education that is age appropriate, timely and provides opportunities to put lessons into practice, such as by access to safe and affordable financial products that enable money management and savings.
 - i) Implement other approaches to help participants gain knowledge, skills and confidence to make informed financial decisions that contribute to financial health and stability.
- (12) Entrepreneurial skills training is addressed in CFR 681.560 which states this program element provides the basics of starting and operating a small business. Such training must develop skills associated with entrepreneurship. Such skills may include but are not limited to, the ability to:
- a) Take initiative;
 - b) Creatively seek out and identify business opportunities;
 - c) Develop budgets and forecast resource needs;
 - d) Understand various options for acquiring capital and the trade-offs associated with each option; and
 - e) Communicate effectively and market oneself and one's ideas.

More information on approaches to teaching this element may be found in TEGl 21-16

- (13) Services that provide labor market and employment information about in demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services are addressed in 20 CFR 681.460 and 20 CFR 651.10. It is described as the body of knowledge that describes the relationship between labor supply and demand. These tools can help young adults make appropriate decisions about education and careers. LMI identifies in-demand industries and occupations and employment opportunities; and provides knowledge of job market expectations including education and skills requirements and potential earnings.
- (14) Activities that help youth prepare for and transition to post-secondary education and training are activities that help youth prepare youth for advancement to postsecondary education after attaining a diploma or its equivalent. These services include exploring postsecondary education options including technical training schools, community colleges, 4-year colleges and universities and registered apprenticeship. Additional services include but are not limited to assisting youth to prepare for ACT/SAT testing, assisting with college admission paperwork and financial aid applications and connecting youth to postsecondary education programs.
- (15) Limitations:
- Section 188(a)(3) of WIOA prohibits the use of funds to employ participants to carry out the construction, operation, or maintenance of any part of any facility used for sectarian instruction or as a place for religious worship with the exception of maintenance of facilities



that are not primarily used for instruction or worship and are operated by organizations providing services to WIOA participants.

29 CFR part 2, subpart D, governs the circumstances under which Department support, including WIOA title financial assistance, may be used to employ or train participants in religious activities. Under that subpart, such assistance may be used for such employment or training only when the assistance is provided indirectly within the meaning of the Establishment Clause of the U.S. Constitution, and not when the assistance is provided directly. That subpart also contains requirements related to equal treatment in Department of Labor programs for religious organizations, and to protecting the religious liberty of Department of Labor social service providers and beneficiaries. (29 CFR part 2, subpart D - Equal Treatment in Department of Labor Programs for Religious Organizations, Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries).

B. Program Design

1. Program expenditures prior to participation:

There are limited instances where WIOA youth funds may be expended on costs related to individuals who are not yet participants in the WIOA youth program. Youth funds can be expended on outreach and recruitment or assessment for eligibility determination (such as assessing basic skills level) prior to eligibility determination, but they cannot be spent on youth program services, such as the 14 program elements.

Youth Eligibility

To be eligible for the WIOA youth program, individuals must meet one or more conditions listed in WIOA Section 129(a)(1)(B)(iii) for OSY and (a)(1)(C)(iv) for ISY. This guidance refers to these conditions as eligibility barriers. Each of the following eligibility elements must be documented for each participant prior to the receipt of a staff assisted career service with significant staff involvement, or individualized customized service.

ISY Barriers:

In-School Youth means an individual who is attending school, not younger than age 14 or (unless an individual with a disability who is attending school under state law) older than age 21, low-income and one or more of the following barriers:

- 1.) Basic skills deficient;
- 2.) An English language learner;
- 3.) An offender;
- 4.) A homeless individual defined in sec. 41403(6), Violence Against Women Act (42 U.S.C. 14043e2(6)), a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477, Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- 5.) Pregnant or parenting;
- 6.) A youth who is an individual with a disability;



OSY Barriers:

Out-of-School Youth means an individual who is not attending any school, not younger than age 16 or older than 24; and has one or more of the following barriers:

- 1.) School dropout;
- 2.) Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
- 3.) Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
- 4.) Subject to the juvenile or adult justice system;
- 5.) A homeless individual defined in sec. 41403(6), Violence Against Women Act (42 U.S.C. 14043e2(6)), a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477, Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- 6.) Pregnant or parenting;
- 7.) An individual with a disability; H. Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

2. Assessment Requirements:

THE WIOA youth program design requires an objective assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and developmental needs. Assessments must also consider a youth's strengths rather than just focusing on areas that need improvements.

As discussed in 20 CFR 681.290 "in assessing basic skills", local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. Local programs may use previous basic skills assessment results if such previous assessments have been conducted within the past six months.

In contrast to the initial assessment described above, if measuring basic skills gains under the measurable skills gains indicators, Local programs must use an approved assessment for both the pre and post test to determine an individual's educational functioning level.

3. Career Related Assessments

All youth, including youth with disabilities, can benefit from participation in career assessment activities, including but not limited to, assessments of prior work experience, employability, including, interests and aptitudes. Multiple assessment tools may be necessary since there is no standard approach that will work for all youth, including youth with disabilities. Career assessments help youth understand how a variety of their personal attributes (e.g., interests,



values, preferences, motivations, aptitudes and skills) affect their potential success and satisfaction with different career options and work environments. Youth with disabilities may also need information on benefits planning, work place supports and accommodations, and may benefit from less formalized assessments such as discovery techniques. These assessments may be provided directly through WIOA youth program staff, and/or through referrals to national and community-based partners and resources.

4. Serving 18-24 year old youth

As discussed in 20 CFR 681.430 individuals who meet the respective program eligibility requirements may participate in WIOA title I adult and youth programs concurrently. Such individuals must be eligible under the program eligibility criteria applicable to the services received.

As discussed in 20 CFR 681.430, if a youth adult's needs can be best met by co-enrollment in the WIOA Title I youth and adult programs, sub recipients must identify and track the funding streams which pay the costs of services provided to those individuals and ensure no duplication of services.

5. Out of school youth expenditure requirements

WIOA strongly prioritizes services to out of school youth for Title I youth funding. As a result 75 percent of all Title I youth funds expended must be spent on out of school youth. Staff time charged to out of school youth will be cost allocated based on caseloads from the prior quarter. The percentage of each case manager's time will be distributed to in/out of school funding based on the corresponding caseload percentages from the prior quarter. All direct service expenditures e.g. work experience, supportive services etc. will be charged to in/out of school based on the participant's in/out of school status at enrollment.

Administrative staff time charged against youth funding will follow the board approved cost allocation plan.

C. Work Experience Expenditure Requirements

WIOA and 20 CFR 681.590 (a) require that a minimum of 20 percent of local area funds for the title I youth program be spent on work experience. As explained in 20 CFR 681.590 (b) local area administrative costs are not subject to the 20 percent requirement. TEGL 8-15 provides further discussion of allowable expenditure that may be counted toward the work experience expenditure requirement and articulates that program expenditures on this program element can be more than just wages paid to youth in work experience. Allowable work experience expenditures include the following:

- Wages/stipends paid for participation in a work experience



- Staff time working to identify and develop a work experience opportunity, including staff time spend working with employers to identify and develop the work experience;
- Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- Staff time spent evaluation the work experience; Participant work experience orientation sessions;
- Employer work experience orientation sessions. Classroom training or the required academic education component must be directly related to the work experience;
- Incentive payments directly tied to the completion of work experience; and
- Employability skills/job readiness training to prepare a youth for a work experience.

To provide a uniform procedure for charging program staff time to work experience, the NALWDB has determined that staff time charges will be based on the percentage of the staff caseload that are participating in work experience. The maximum amount of staff time that can be charged to work experience is 30%. Youth program staff time spent on Work Experience activities will be calculated separately for each case manager on a caseload allocation basis as listed below:

Percentage of entire caseload of participants in Work Experience	Percentage of total hours charged to Work Experience
0-25%	15%
26-50%	20%
51-75%	25%
76% - 100%	30%

Example A:

Case Manager Josh Doe has 27 participants. 16 of these 27 are Work Experience participants. His caseload WE percentage is 59% therefore 25% of his total time may be charged to Work Experience.

Example B:

Case Manager Jane Doe has 13 participants. 2 of these 13 are Work Experience participants. His caseload WE percentage is 15% therefore 15% of his total time may be charged to Work Experience.

Example C:

Case Manager John Doe has 16 participants. None of these 16 are Work Experience participants. His caseload WE percentage is 15% therefore 15% of his total time may be charged to Work Experience.



Timely Determination: Youth staff Work Experience time will be determined quarterly at the beginning of each quarter.

Example: Caseload reports for each youth case manager showing total participants and Work Experience participants, if any, shall be run and the % of staff time to be charged determined and documented. This is the percentage of time charged for that case manager for the ensuing quarter (July 1-sept 30).

Reporting: The charge of all Work Experience staff time should be included in the total Work Experience amount reported on the monthly cash request. All supporting documentation should be maintained by the service provider fiscal staff.

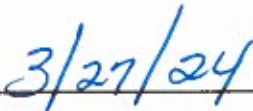


This policy rescinds any previous NALWDB policy regarding subject.

INQUIRIES: Contact WIOA Program Manage, at 505-986-0363.



NALWDB CHAIR



DATE