



**WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
POLICY NOTICE NO. 25 Rev. 6**

EFFECTIVE DATE: March 31, 2026
SUBJECT: YOUTH SERVICES

I. PURPOSE

This policy establishes standards and requirements for the provision and administration of WIOA Title I Youth Services within the Northern Area Local Workforce Development Board (NALWDB) region. The policy is intended to ensure compliance with applicable federal statutes and regulations while promoting effective, consistent, equitable, and participant-centered service delivery for eligible youth.

II. AUTHORITY

This policy is issued pursuant to the following statutory and regulatory authority:

- Workforce Innovation and Opportunity Act (WIOA), Title I
- WIOA §§ 129(a)(1)(B) and 129(a)(1)(C)
- 20 CFR Part 681 (Youth Program Requirements)
- 20 CFR Part 677 (Performance Accountability and Measurable Skill Gains)
- 29 CFR Part 38 (Equal Opportunity and Nondiscrimination)
- 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements)
- Training and Employment Guidance Letter (TEGL) 21-16
- Training and Employment Guidance Letter (TEGL) 23-19
- Applicable guidance issued by the U.S. Department of Labor and the New Mexico Department of Workforce Solutions

III. BACKGROUND

The Workforce Innovation and Opportunity Act establishes a comprehensive youth service framework that prioritizes Out-of-School Youth (OSY) and requires local workforce development boards to provide an integrated system of education, training, work experience, and supportive services. WIOA emphasizes individual assessment, career pathways, and the removal of barriers to education and employment. Local areas must spend at least 75 percent of youth formula funds on OSY and at least 20 percent on work experience activities, consistent with federal requirements.

IV. PROGRAM ELEMENTS

Local youth programs must offer and make available all fourteen (14) WIOA-mandated program elements. Services must be delivered using an integrated model that emphasizes career pathways and work-based learning.

The required program elements include:



1. Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies, that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential.
2. Alternative secondary school services or dropout recovery services, as appropriate.
3. Paid and unpaid work that have as a component academic and occupational education, which may include summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, internships and job shadowing, and on-the-job training opportunities.
4. Occupational skills training which includes priority consideration for training programs that lead to recognized postsecondary credentials aligned with in-demand industry sectors or occupations in the local area.
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, provided in accordance with 20 CFR § 681.570 and NALWDB Policy No. 20 – Supportive Services, Needs-Related Payments, and Youth Incentives.
8. Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months.
9. Follow-up services for not less than 12 months after the completion of participation, as appropriate.
10. Comprehensive guidance and counseling, including mental health, substance abuse, and referral services, as appropriate.
11. Financial literacy education.
12. Entrepreneurial skills training.
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.
14. Activities that help youth prepare for and transition to postsecondary education and training.

V. PROGRAM DESIGN

A. Objective Assessment

Youth participants must receive an objective assessment of academic skill levels, including basic skills deficiency, occupational skills, prior work experience, employability, interests, aptitudes, and supportive service needs. Assessments must be valid, reliable, and appropriate for the target population and must include reasonable accommodations for youth with disabilities, consistent with 20 CFR § 681.290.

B. Individual Service Strategy (ISS)



Each youth participant must have a documented Individual Service Strategy (ISS) developed based on the results of the objective assessment. The ISS must identify education and employment goals, selected program elements, supportive services, and measurable progress indicators.

VI. ELIGIBILITY AND BARRIERS

A. In-School Youth (ISY)

To be eligible as an ISY, an individual must:

- Be attending secondary or postsecondary school, as defined by state law;
- not be younger than 14 and not older than 21 at enrollment.
- Be low-income; and
- Have one or more barriers to employment as defined in WIOA §129 and CFR §681.210.

B. Out-of-School Youth (OSY)

To be eligible as an OSY, an individual must:

- Not be attending school.
- Be not younger than 16 and not older than 24 at enrollment; and
- Have one or more barriers to employment consistent with WIOA §129 and 20 CFR §§681.200–681.210.

C. Requires Additional Assistance

Determinations of “requires additional assistance to complete an educational program or to secure or hold employment” shall be made in accordance with NALWDB Policy No. 21 – Requires Additional Assistance and must be based on an individualized assessment, applied consistently, and documented in the participant file.

VII. SUPPORTIVE SERVICES AND INCENTIVES

Supportive services and youth incentive payments must be provided in accordance with 20 CFR § 681.570 and NALWDB Policy No. 20, Supportive Services, Needs-Related Payments, and Youth Incentives, including approval authority, service caps, exception procedures, and documentation requirements. Supportive services must be necessary to enable participation and must not duplicate assistance available from other sources.

VIII. SELF-ATTESTATION

Self-attestation may be used only when allowable source documentation is not reasonably obtainable and after reasonable attempts to secure such documentation have been exhausted.

Self-attestation must be used as a last resort, must be supported by detailed case notes describing efforts to obtain source documentation, and must be maintained in the participant file.

Use of self-attestation must be consistent with applicable federal and state guidance and local policy requirements.

IX. COST ALLOCATION AND WORK EXPERIENCE



All youth program expenditures must be allowable, allocable, reasonable, and necessary in accordance with 2 CFR Part 200. Costs must be properly tracked and allocated between ISY and OSY funding streams based on participant status at enrollment.

Work Experience Requirements

- A. At least 20 percent of youth formula funds must be expended on work experience activities.
- B. Allowable work experience costs include wages, stipends, employer development, participant preparation, evaluation, and supervision.
- C. Youth Work Experience Wage Standards
 - Youth participating in paid work experience shall be compensated at no less than the highest applicable federal, state, or local minimum wage.
 - Recognizing the geographic and economic diversity across the Northern Area Local Workforce Development Board (NALWDB) ten-county region, service providers may request approval to pay a wage rate above the applicable minimum wage for specific counties, worksites, or program activities when justified by documented local labor market conditions or programmatic need.
 - Wage increases may be approved when supported by one or more of the following:
 - County or municipal minimum wage ordinances exceeding the federal or state minimum wage.
 - Local cost-of-living considerations.
 - Recruitment or retention challenges specific to a county or worksite.
 - Alignment with in-demand industry sectors or career pathway strategies.
 - Participant skill level, prior experience, or worksite expectations.
 - Competitive wage standards are necessary to ensure meaningful work-based learning.
 - Requests for wage rates exceeding the standard minimum wage must:
 - Be submitted in writing.
 - Identify the specific county, worksite, or activity to which the wage applies.
 - Include justification based on labor market or programmatic factors.
 - Be approved by the Executive Director or designer prior to implementation.
 - Be applied consistently and equitably within the approved scope.
 - Wage determinations must remain allowable, reasonable, and necessary in accordance with 2 CFR Part 200 and must not result in displacement of employees or violation of federal, state, or local labor standards.
- D. Work experience hour limits:
 - ISY: up to 250 hours
 - OSY: up to 350 hours



- Requests for additional hours require written justification and Executive Director approval.

X. PERFORMANCE ACCOUNTABILITY

Youth programs must meet all WIOA Title I Youth primary indicators of performance, including:

- Placement in employment, education, or training in the 2nd and 4th quarters after exit
- Median earnings
- Credential attainment
- Measurable Skill Gains (MSG)
- Effectiveness in serving employers (as applicable)

Providers must document services and outcomes accurately and take corrective action when performance targets are not met.

XI. DATA INTEGRITY, CONFIDENTIALITY, AND RECORDKEEPING

All eligibility, service, supportive service, and outcome documentation must be maintained in accordance with NALWDB Policy No. 30, Electronic File Policy. Records are subject to review by federal, state, and local monitors.

Personally identifiable information (PII) and sensitive data must be protected in accordance with applicable confidentiality requirements.

XII. EQUAL OPPORTUNITY AND NONDISCRIMINATION

All Youth Services shall be administered in compliance with WIOA Section 188 and 29 CFR Part 38. Discrimination is prohibited based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, or participation in a WIOA Title I–financially assisted program. Reasonable accommodations must be provided for qualified individuals with disabilities.

XIII. GRIEVANCE PROCEDURES

Youth participants, applicants, and employees must be informed of their rights under the Workforce Innovation and Opportunity Act (WIOA), including the right to file a grievance or complaint alleging discrimination, retaliation, or other violations in connection with WIOA Title I–funded programs and activities.

Grievance and complaint procedures shall be administered in accordance with:

- WIOA Section 188.
- 29 CFR Part 38, Subparts A–E (Equal Opportunity and Nondiscrimination); and
- NALWDB Policy No. 24 Nondiscrimination and Equal Opportunity Provisions of WIOA, as amended.

Youth service providers must ensure that:




1. Participants are informed, at enrollment and as appropriate thereafter, of their right to file a grievance or discrimination complaint.
2. Equal Opportunity (EO) notices are prominently displayed at service delivery locations and made available in accessible formats.
3. Participants are provided with information on how to file complaints at both the state and federal levels; and
4. Auxiliary aids and services are available upon request to ensure meaningful access for individuals with disabilities.

Complaints alleging discrimination or retaliation may be filed within 180 calendar days of the alleged violation with either the New Mexico Department of Workforce Solutions Equal Opportunity Officer or the U.S. Department of Labor Civil Rights Center (CRC), in accordance with 29 CFR §§ 38.40–38.72. Youth service providers must cooperate fully with any grievance or compliance review and ensure that no participant or applicant is subjected to retaliation for exercising rights protected under WIOA.

XIV. EFFECTIVE DATE AND REVIEW

This policy supersedes all prior NALWDB Youth Services policies and is effective upon approval. The policy shall be reviewed at least annually and updated as necessary to ensure continued compliance with federal and state statutes, regulations, guidance, monitoring findings, and local workforce system requirements.

This policy rescinds any previous NALWDB policy regarding subject. INQUIRIES; Contact WIOA Program Manager at (505) 986-0363.


Joseph Weathers (Apr 7, 2026 22:16:42 MDT)

NALWDB CHAIR

Apr 7, 2026

DATE