

AREA 2 | SUMMIT & MEDINA
WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)
POLICY LETTER B-01 | YOUTH PROGRAM ELIGIBILITY

- I. **SUBJECT:** Youth Program Eligibility
 - II. **PURPOSE:** The purpose of this policy is to communicate guidance and parameters when determining eligibility requirements of individuals for Workforce Innovation and Opportunity Act (WIOA)-funded youth employment and training programs.
 - III. **EFFECTIVE DATE:** July 1, 2018
 - IV. **REVISION DATE:** April 17, 2019
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V. **BACKGROUND:**

The Workforce Innovation and Opportunity Act (WIOA) outlines services for qualifying youth and young adults beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries and occupations and culminating with a good job along a career pathway or enrollment in post-secondary education.

Title I of WIOA describes a broad youth vision that supports an integrated service delivery system and provides a framework through which local areas can provide support and services to in-school youth (ISY) and out-of-school youth (OSY). WIOA federal law outlines 14 Youth Services Elements that include:

- a. Tutoring
- b. Alternative secondary school services
- c. Paid and unpaid work experiences
- d. Occupational skills training
- e. Education offered concurrently with workforce preparation and training
- f. Leadership development opportunities
- g. Supportive services
- h. Adult mentoring
- i. Follow-up services
- j. Comprehensive guidance and counseling
- k. Financial literacy education
- l. Entrepreneurial skills training
- m. Services that provide labor market and employment information
- n. Postsecondary education and training preparation activities

VI. REQUIREMENTS:

In-School Youth Eligibility Requirements

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

1. Attending school;
2. Not younger than 14 or (unless an individual with a disability who is attending school under state law) older than age 21;
3. Is a low-income individual; and
4. Has one or more of the following barriers:
 - a. Basic skills deficient;
 - b. An English language learner;
 - c. An offender;
 - d. 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;
 - e. Pregnant or parenting;
 - f. An individual with a disability; or
 - g. An individual who **requires additional assistance** to complete an education program or to secure or hold employment defined as follows:
 - i. A high school student receiving services for drop-out prevention;
 - ii. Currently has an incarcerated parent; or
 - iii. Is a migrant youth.

Out-of-School Youth Eligibility Requirements

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

1. Not attending any school;
2. Not younger than age 16 or older than age 24; and
3. Has one or more of the following barriers
 - a. A school dropout;
 - b. 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;
 - c. 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;
 - d. An individual who is subject to the juvenile or adult justice system;
 - e. 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;
 - f. An individual who is pregnant or parenting;

- g. A youth who is an individual with a disability; or
- h. A low-income individual **who requires additional assistance** to enter or complete an education program or to secure or hold employment defined as follows:
 - i. Has withdrawn or been expelled from school within the last 12 calendar months and was not enrolled elsewhere;
 - ii. Has poor work history or no work history;
 - iii. Currently has an incarcerated parent;
 - iv. Is a migrant youth.

Definition/Criteria for Low Income

Low-income individual: As defined in section 3 (36)(a) of WIOA, an individual who:

1. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI) or local income-based public assistance; or
2. Is in a family with a total family income that does not exceed the higher of
3. The poverty line; or
4. 70% of the lower living standard income level;
5. Is a homeless individual;
6. Receives or is eligible to receive a free or reduced-price lunch;
7. Is a foster child on behalf of whom the State or local government payments are made; or
8. Is an individual with a disability whose own income meets the eligibility income requirement of clause (b) but who is a member of a family whose income does not meet this requirement.

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

https://development.ohio.gov/reports/reports_am_com_survey.htm.

Information is contained under "Selected Socioeconomic 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.

School

For the purposes of youth eligibility, school includes secondary and post-secondary schools. It does not include attending classes with Aspire (formerly known as Adult Basic and Literacy Education or 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

Area 2 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

Area 2 uses Tests of Adult Basic Education (TABE) to assess basic skills in the target population. Reasonable accommodation(s) in the assessment process for people with disabilities must be provided.

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 Aspire (fka ABLE) under WIOA Title II.

VII. OUT-OF SCHOOL PRIORITY

For any program year, not less than 75% of the funds available to Area 2 shall be used to provide youth workforce investment activities for out-of-school youth.

VIII. REPORTING AND MONITORING

As recipients of WIOA youth program funds, the Ohio Department of Job and Family Services (ODJFS), Office of Workforce Development, and the local workforce development areas are required to maintain and report accurate program and financial information. Pursuant to rule 5101:9-30-04 of the Ohio Administrative Code, information regarding WIOA youth participants and their activities and performance must be entered into the Ohio Workforce Case Management System (OWCMS) accurately and timely. OWCMS may be used to assist in the determination of eligibility. However, OWCMS cannot be used as verification of youth eligibility. WIOAPL No. 15-07, Source Documentation for WIOA Eligibility, lists the type of acceptable documentation to verify eligibility for the WIOA youth program.

Area 2 must conduct oversight of the implementation of the WIOA youth program to ensure that participants enrolled in the program are eligible and that eligibility has been properly documented.

Through the state's monitoring system, program monitors will review the Area 2's determination of eligibility for youths, including a participant file review, during the annual onsite monitoring review for compliance with federal and state laws and regulations. Any issues will be handled through the state's monitoring resolution process.

IX. REFERENCES

1. ODJFS WIOA Policy Letter 15-03.1 Youth Program Eligibility
2. ODJFS WIOA Policy Letter 15-05 Selective Service Registration
3. ODJFS WIOA Policy Letter 15-07 Source Documentation for WIOA Eligibility



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4. ODJFS WIOA Policy Letter 15-10 Youth Program Services
5. WIOA Public Law 113-128

ADDENDUM TO OHIO WORKFORCE AREA 2 YOUTH POLICY

This Addendum to the Workforce Innovations & Opportunity Act (WIOA) Policy Letter B-01, Youth Program Eligibility Workforce Area 2 Policy (“Policy”) is made by and between the Summit and Medina Workforce Area Council of Governments (“SAMWACOG”), on behalf of the State of Ohio’s Workforce Area 2, comprised of Summit and Medina Counties (“Summit-Medina Workforce Development Board (“SMWDB”), and the County of Summit Department of Job and Family Services (“CSDJFS”).

WHEREAS, the Governor’s office of the State of Ohio has designated Summit and Medina Counties as local workforce Area 2 for the purpose of implementing the Workforce Area Innovation Act (WIOA), establishing the partner driven one-stop employment service delivery system, administering workforce development programs including the management of WIOA funds and development of service delivery policy;

WHEREAS, the State of Ohio’s 2016/2017 budget bill (HB 64) created the Comprehensive Case Management and Employment Program (CCMEP) that integrates WIOA and Temporary Assistance to Needy Families (TANF) funds to serve eligible youth ages 14 to 24 to overcome barriers to educational and employment opportunities;

WHEREAS, the State of Ohio requires that for a local workforce area to participate in CCMEP its Workforce Development Board (WDB) must pass a resolution citing its WIOA youth allocation may be used for CCMEP purposes, integrating WIOA and TANF;

WHEREAS, the State of Ohio requires the County Commissioners or County Executives to designate a CCMEP Lead Agency to implement a CCMEP model and select either the county level department of Job and Family Service or the local workforce area through its WDB;

WHEREAS, the WDB for local workforce Area 2 passed the required resolution allowing the use WIOA youth funds for CCMEP in both of their counties; and the Medina County Commissioners and the Summit County Executive designated their respective local Job and Family Services Departments as the Lead CCMEP Agencies;

WHEREAS, the Ohio Department of Job and Family Services (ODJFS) requires a CCMEP plan is jointly developed between each local workforce Area and CCMEP Lead Agency with the requirement that the plan incorporates policy to support the implementation of CCMEP;

WHEREAS, since a local workforce Area is required under WIOA to develop service delivery policy for all programs it administers including youth services, through this Addendum the SAMWACOG and CSDJFS have determined it is prudent to adopt joint policy created under WIOA youth services for CCMEP and note any differences between WIOA and TANF; and

NOW, THEREFORE, the following additional terms and conditions shall apply to the policy named herein:

The following provisions shall be adopted by the CSDJFS as cited below, to the local workforce Area 2 original policy for Workforce Innovation & Opportunity Act (WIOA) Policy Letter B-01, Youth Program Eligibility:

- Section V. Requirements, Basic Skills Deficient

ADDENDUM TO OHIO WORKFORCE AREA 2 YOUTH POLICY

This Addendum to the Workforce Innovation & Opportunity Act (WIOA) Policy Letter B-01, Youth Program Eligibility Workforce Area 2 Policy (“Policy”) is made by and between the Summit and Medina Workforce Area Council of Governments (“SAMWACOG”), on behalf of the State of Ohio’s Workforce Area 2, comprised of Summit and Medina Counties (“Summit-Medina Workforce Development Board and the Medina County Department of Job and Family Services (“MCJFS”).

WHEREAS, the Governor’s office of the State of Ohio has designated Summit and Medina Counties as local workforce Area 2 for the purpose of implementing the Workforce Area Innovation Act (WIOA), establishing the partner driven one-stop employment service delivery system, administering workforce development programs including the management of WIOA funds and development of service delivery policy;

WHEREAS, the State of Ohio’s 2016/2017 budget bill (HB 64) created the Comprehensive Case Management and Employment Program (CCMEP) that integrates WIOA and Temporary Assistance to Needy Families (TANF) funds to serve eligible youth ages 14 to 24 to overcome barriers to educational and employment opportunities;

WHEREAS, the State of Ohio requires that for a local workforce area to participate in CCMEP its Workforce Development Board (WDB) must pass a resolution citing its WIOA youth allocation may be used for CCMEP purposes, integrating WIOA and TANF;

WHEREAS, the State of Ohio requires the County Commissioners or County Executives to designate a CCMEP Lead Agency to implement a CCMEP model and selects either the county level department of Job and Family Service or the local workforce area through its WDB;

WHEREAS, in local workforce area 2 the WDB passed the required resolution allowing the use WIOA youth funds for CCMEP in across both of their counties and the Medina County Commissioner and the Summit County Executive designated their local Job and Family Services Departments as the Lead Agencies in their respective counties;

WHEREAS, the State of Ohio’s Ohio Department of Job and Family Services (ODJFS) requires a CCMEP plan is jointly developed for every county in the State by the local workforce area and the Lead Agency and the plan is required to have policy to support its implementation of CCMEP;

WHEREAS, a local workforce area is required under WIOA to develop service delivery policy for all program it administers with youth services included the SAMWACOG and MCJFS have determined adopting joint policy created under WIOA youth services for CCMEP is prudent and



through an Addendum to such policy will cite where the policy does not apply to TANF programs; and

NOW, THEREFORE, the following additional terms and conditions shall apply to the policy:

The following provisions shall be adopted by the MCJFS as cited below, to the local workforce Area 2 original policy for Workforce Innovation & Opportunity Act (WIOA) Policy Letter B-01, Youth Program Eligibility:

- Section V. Requirements, Basic Skills Deficient