

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: YOUTH ELIGIBILITY POLICY
Date of Adoption: September 25, 2018
Date of Revision: December 12, 2023

PURPOSE: In order to participate in the WIOA Title I Youth program, youth must meet certain eligibility requirements. These requirements are set by the local LWDA, in consultation with the CLEO, and are consistent with state and WIOA policies.

POLICY:

Section I. Definitions

- A. School-** Any secondary or post-secondary school as defined by the applicable State law or secondary and postsecondary institutions. For purposes of WIOA, the TDLWD does not consider providers of adult education under Title II of WIOA, Youth Build programs, the Job Corps program, high school equivalency programs, or dropout re-engagement programs to be schools. Youth attending high school equivalency programs funded by the public K-12 school system who are classified by the school system as still enrolled in school are an exception; they are considered in-school youth.
- B. Attending School-** An individual is considered to be attending school if the individual is enrolled in a secondary school or registered for credit-bearing courses at a post-secondary institution. Such schools and/or institutions include, but are not limited to: Tennessee Colleges of Applied Technology, community colleges, four (4) year college/universities, traditional K-12 public and private, and alternative schools (e.g., continuation, magnet, charter, and home schools).

At time of enrollment:

- If the youth is enrolled in the WIOA program during the summer and is in between school years, the youth is considered in-school youth if they are enrolled to continue school in the fall.

- If a youth is enrolled in the youth program between high school graduation and post-secondary education, the youth is considered an in-school youth if they are registered for post-secondary credit-bearing courses, even if they have not yet begun postsecondary courses at the time of enrollment.
- If the youth does not follow through while attending post-secondary education, then such a youth would be considered out-of-school if the eligibility determination is made after the point that the youth decided not to attend secondary education.
- Post-secondary courses must be credit-bearing classes. An individual attending non-credit-bearing post-secondary classes (e.g., remedial courses) are to be considered out-of-school youth.

C. Not Attending School- An individual who is not attending a secondary or post-secondary institution.

D. Alternative School- A non-traditional academic program or school designed to meet the student's educational, behavioral, and social needs for students in grades seven (7) through twelve (12).

Section II. WIOA Title I Youth Participant Eligibility

WIOA establishes separate criteria for out-of-school youth (OSY) and in-school youth (ISY).

A. OSY Defined as:

- Not attending any school at time of enrollment;
- Not younger than 16 and not older than 24 years at the time of the enrollment (participants may continue to receive services beyond the age of 24 once they are enrolled in the program); and
- Meets one or more of the following conditions:
 - a. A school dropout;
 - b. Within the age of compulsory school attendance, but has not attended school for at least the more recent complete school calendar quarter. School calendar year is based on how a local school district defines its school year quarters;
 - c. Recipient of a secondary school diploma, or its recognized equivalent, who is low-income and either basic skills deficient or an English language learner;
 - d. An offender who has been subject to any stage of the criminal justice process;
 - e. A homeless individual, aged 16 to 24, who meets the criteria defined in the Violence Against Women Act, a homeless child or youth aged 16 to 24 who meets the criteria defined in the McKinney Vento Homeless Assistance Act or who is a runaway;
 - f. An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care of kinship guardianship or adoption; a child eligible for assistance under the Social Security Act, or in an out-of-home placement;
 - g. Pregnant or parenting;
 - h. An individual with a disability;
 - i. Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

B. ISY Defined as:

- Attending school at the time of enrollment;
- Not under the age of 14 or (unless an individual with disability who is attending school under State law) older than 21 at the time of enrollment (participants may continue to receive services beyond the age of 21 once they are enrolled in the program);
- Low-income; and
- Meets one or more of the following conditions:
 - a. Basic skills deficient;
 - b. An English language learner;
 - c. An offender who has been subject to any stage of the criminal justice process;
 - d. A homeless individual, aged 14 to 21, who meets the criteria defined in the Violence Against Women Act, a homeless child or youth aged 14 to 21 who meets the criteria defined in the McKinney Vento Homeless Assistance Act, or who is a runaway;
 - e. An individual in foster care, or who has aged out of the foster care system, or who has attained 16 years of age and left foster care of kinship, guardianship, or adoption; a child eligible for assistance under the Social Security Act, or in an out-of-home placement;
 - f. Pregnant or parenting;
 - g. An individual with a disability;
 - h. Requires additional assistance to complete an educational program or to secure or hold employment.

Youth with disabilities who have an Individualized Education Account may be enrolled as ISY after the age of 21 but no older than 22.

Section III. Determining Basic Skills Deficiency

- A.** An individual that has English reading, writing, or computer skills at or below the 8th grade level on a generally accepted standardized test or is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual’s family, or in society, is considered basic skills deficient.
- B.** Testing for basic skills deficiency is recommended to be done through local providers of Adult Education when applicable.
- C.** When testing through local providers of Adult Education is not applicable, local service providers are permitted to administer testing. The UCLWDB will ensure any formalized testing instruments are valid, reliable, appropriate, fair, cost effective, well-matched to the test administrator’s qualifications, and easy to administer and interpret results. Assessment instruments must also be appropriate for the target population, and provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. See Attachment A for acceptable documents.
- D.** If the individual is found to be basic skills deficient, this must be recorded in the Jobs4TN system.

Assessing whether an individual is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual’s family, or in society may be accomplished using formalized testing as described above, or it may be determined through:

- Staff observation, such as witnessing an individual experience difficulty in reading or writing on enrollment forms or computing or solving mathematical programs. Specific staff observation(s) of the basic skills deficiency must be documented in case notes.
- Workplace assessments, such as the National Career Readiness certificate.
- Applicable records from an education Institution, such as transcripts, academic assessments, or other school documentation such as records of [ACT scores below minimum benchmarks](#) or remedial classes may also be utilized to document skills below those necessary to function on the job or in society.

Section IV. Term of the Individualized Education Account

For purposes of the continuity of educational attainment, a student who enrolls in the program shall remain eligible until the participating student meets one of the following, whichever occurs first:

- A. The student enrolls full-time in a public school in the local education agency in which the parent or student who has attained the age of majority resides.
- B. The student graduates from high school. The student may continue in the program until such time as he or she receives a high school diploma, or received a passing score on all subject on the HiSET.
- C. The student reaches 22 years of age. The student may complete the school year in which he or she reaches the age of 22, provided a student shall not be enrolled in the program past August 15 of the next school year after they have reached 22 years of age.

Section V. Documentation for Participant Eligibility

Documentation is necessary to support WIOA Title I youth eligibility. The UCLWDB will conduct program oversight and monitoring of its career services providers, and local youth workforce investment activities as outline in WIOA Section 107 (d)(8) and the UCLWDB Monitoring Policy. Eligibility documentation must be stored electronically by uploading the documents into the participant’s file in Jobs4TN, and documentation must be available to program staff, fiscal monitors, and auditors for monitoring purposes. A case note should be added with the documentation indicating the eligibility requirement that the document is supporting. The UCLWDB will retain records for a period of at least five (5) years after the submittal of the final closeout expenditure report for the funding period.

Section VI. Low-Income Status

A low-income individual is someone who:

- A. Receives, or in the past six (6) months has received, or is a member of a family that is receiving or has received in the past six (6) months, assistance through SNAP, TANF, or the SSI program, or state or local income-based public assistance.
- B. Is in a family with total income that does not exceed the higher of:
 - The poverty line;
 - Seventy percent (70%) of the lower living standard income level;
 - For additional guidance, see the TDLWD Low-Income Guideline Policy.
- C. A homeless individual;

- D. Receives or is eligible to receive free or reduced-price lunch;
- E. A foster child on behalf of whom state or local government payments are made;
- F. An individual with a disability whose own income meets the low-income level for eligibility purposes; or
- G. Youth who reside in a high-poverty area.

Section VII. Five-Percent Low-Income Eligibility Exception

WIOA allows a low-income exception where five (5) percent of WIOA youth may be participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth except the low-income criteria. The UCLWDB must calculate the 5% based upon the percent of newly-enrolled youth within the LWDA's youth program in a given program year that would normally be required to meet the low-income criteria. It is not based on all youth since many of the OSY categories do not require low-income status. Because not all OSY are required to be low-income, the 5% low-income exception under WIOA is calculated based upon the 5% of youth enrolled in a given program year who would ordinarily be required to meet the low-income criteria.

Section VIII. Five-Percent Additional Assistance Barrier Limitation for ISY

WIOA states that in each local area, not more than 5% of the ISY assisted may be eligible, which refers to the barrier for an ISY who requires additional assistance to complete an educational program or to secure or hold employment. The UCLWDB will ensure that in a given program year, no more than 5% of ISY enrolled in the program year are eligible only based upon the "additional assistance" criterion. The 5% limitation criterion for additional assistance applies to ISY only.

Section IX. Determining Additional Assistance for ISY and OSY Criteria

WIOA youth participants are defined as requiring additional assistance to enter or complete an educational program or to secure and hold employment. Each LWDA is required to determine their own criterion for "requires additional assistance to enter or complete an educational program or to secure and hold employment." The UCLWDB has examined Labor Market Information data within the Middle Tennessee workforce region and sought input from the UCLWDB Youth Committee, local businesses, high school and alternative school counselors, as well as justice-involved programs to establish the following criteria for determining requiring additional assistance:

A. ISY Requiring Additional Assistance:

- Has poor attendance patterns in an educational program during the last 12 months;
- Has been expelled or suspended from school within the last 12 calendar months;
- Is attending an alternative school or has been enrolled in an alternative learning track within the past 12 months;
- Has below average grades;
- Has been previously placed in out-of-home care (foster care, group home or kinship care) for more than 6 months and is between the ages of 14 to 21;
- Has currently incarcerated parent(s) or guardian or has been justice-involved themselves;

- Has been referred to or treated by an agency for substance abuse or psychological problems.
- Has supportive service needs to complete an educational program or to secure or hold employment.

B. OSY Requiring Additional Assistance:

- Has dropped out of a post-secondary educational program during the past 12 calendar months;
- Has a poor work history, to include no work history, or has been fired from a job in the last 6 calendar months;
- Has been expelled or suspended from school within the last 12 calendar months;
- Has attended an alternative school or was enrolled in an alternative learning track within the past 12 months;
- Has below average grades;
- Has been previously placed in out-of-home care (foster care, group home or kinship care) for more than 6 months and is between the ages of 16 to 24;
- Has currently incarcerated parent(s) or guardian or has been justice-involved themselves;
- Has been referred to or treated by an agency for substance abuse or psychological problems.
- Has supportive service needs to complete an educational program or to secure or hold employment.

C. Documentation Required from Participant to Support Criterion: Youth participants are required to present documentation to support established criteria. This documentation must meet the parameters outlined in *Attachment A- TDLWD Youth Eligibility Criteria and Documentation*.

Section X. U.S. Citizenship or Authorization to Work in the United States

Eligible youth must also be a citizen or national of the United States, lawfully admitted permanent resident alien, refugee, asylum, and parolee, or other immigrant authorized by the US Attorney General to work in the United States.

Section XI. Selective Service Registration Requirements

Before enrollment in WIOA Title I funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a male turns 18 while participating in any applicable service, registration with the Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA Title I funded services. If a man under the age of 26 refuses to register with the Selective Service, WIOA Title I funded programs must be suspended until he registers. For transgender customers, compliance with selective service is predicated on the individual's gender as assigned at birth/as recorded on a birth certificate.

ATTACHMENTS: Attachment A- Youth Eligibility and Criteria Documentation

EFFECTIVE DATE: December 12, 2023

DURATION: Indefinite

CONTACT: For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org



Board Chairperson, UCLWDB

Youth Eligibility Criteria and Documentation – Attachment A

Note: One document per group is required.

Youth Eligibility Criteria	Documentation in File
Eligibility Basics	These items are required for basic participation verification for all participants.
Age/Birth Date	<ul style="list-style-type: none"> • Birth certificate • Baptismal record if date of birth is shown • DD-214 transfer or discharge paper • Hospital record of birth • Driver's license state, federal, or local government ID • Passport • Work permit • Cross match with public assistance records via state MIS system • Other public assistance records • School record or ID cards • Tribal records
Citizenship Status/ Authorization to Work in the US	<ul style="list-style-type: none"> • Citizenship Status/Authorization to Work Self-Attestation • U.S. passport, certificate of U.S. citizenship, certificate of naturalization, permanent resident card, unexpired refugee travel document • U.S. Social Security card issued by the Social Security Administration (other than a card stating not valid for employment), Certificate of Birth Abroad issued by the Department of State, birth certificate issued by a state, county, municipal authority or outlying possession of the U.S., U.S. citizen ID card, ID card for use of Resident Citizens in the U.S. • Cross match with public assistance records via state MIS system • Other public assistance records
Selective Service Registration	<ul style="list-style-type: none"> • Selective service card • Verification from the Selective Service web site: https://www4.sss.gov/regver/verification1.asp • Documentation that failure was not willful and knowing if an applicant failed to register or too old to register and approval to serve individual • DD-214 "Report of Separation" • Stamped Post Office Receipt of Registration

<p>School Status at Participation</p>	<ul style="list-style-type: none"> • Self-Attestation • Applicable records from educational institution • WIOA intake forms • State MIS
<p>Receipt of High School Diploma</p>	<ul style="list-style-type: none"> • Self-Attestation • School records • Diploma • Letter or other documentation from school system
<p>Low-Income Individual</p>	<p>Low-income is required for all in-school youth and for out-of-school youth who has a secondary school diploma and is basic skills deficient (or an English language learner), or requires additional assistance to enter or complete an education program or to secure or hold employment.</p>
<p>TANF Receives, or is a member of a family that receives, cash payments under the Temporary Assistance for Needy Families, which is a Federal income-based public assistance program</p>	<ul style="list-style-type: none"> • Cross match with public assistance records via state MIS system
<p>Other Cash Public Assistance Receives, or is a member of a family that receives, cash payments under a federal, state, or local income-based public assistance program (includes refugee assistance and other cash public assistance)</p>	<ul style="list-style-type: none"> • Copy of authorization to receive cash public assistance • Verification by the public assistance agency • Cross match with public assistance records via state MIS system • Other public assistance records • Refugee assistance records • Verification from the refugee assistance provider

<p>Family Income Determined when an individual received income, or is a member of a family that received income, for six-month period prior to application for the program that in relation to family size does not exceed the higher of poverty line or 70 percent of lower living standard income</p>	<ul style="list-style-type: none"> • Self-Attestation, only in cases when an individual has no income or receives very little undocumented income; the statement should include some description of how the applicant has been supported in the past six months • Pay stubs • Employer statement of earnings • Compensation award letters • Social Security retirement benefits letter • Pension statement • Bank statements • Court award letter • Family or business financial records • Quarterly estimated tax for self-employed persons • Alimony agreements • Award letter veteran's administration • Unemployment Insurance documents • Low-income Housing Authority verification
<p>Supplemental Nutrition Assistance Program (SNAP) Is a member of a household that receives (or has been determined within the six-month period prior to the application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977</p>	<ul style="list-style-type: none"> • Verification by the public assistance agency • Cross match with public assistance records via state MIS system • Other public assistance records • Copy of authorization to receive SNAP benefits
<p>Free or Reduced Price Lunch</p>	<ul style="list-style-type: none"> • Self-Attestation • Approval Letter • Completed Application
<p>Youth living in a high-poverty area</p>	<ul style="list-style-type: none"> • https://www.doleta.gov/lisil/ • Current TDLWD workforce policy regarding LLSIL http://www.tn.gov/workforce/article/wioa-technical-assistance

Youth Eligibility Criteria	Documentation in File
Additional Youth Barriers	Youth must document one of the following seven barriers in addition to meeting one of the low-income criteria.
Basic skills deficient <i>(In- School and Out-of-School)</i>	<ul style="list-style-type: none"> • Standardized assessment test such as <ul style="list-style-type: none"> • TABE or CASAS (most recent version) • Other assessment that meet criteria stated in policy (recorded within past six months of eligibility date) • School Records (recorded within past six months of eligibility date) • Case Notes
English language learner <i>(In- school and Out-of-School)</i>	<ul style="list-style-type: none"> • Self-Attestation • School records • Case notes
School dropout <i>(Out-of- School)</i>	<ul style="list-style-type: none"> • Self-Attestation • Applicable records from educational institution • State MIS • WIOA Intake form • School board verification of dropout status • Dropout Letter
Not attending school <i>(Out-of- School)</i>	<ul style="list-style-type: none"> • Self-Attestation • School records • Court documents
Homeless or Runaway <i>(In- School and Out-of-School)</i>	<ul style="list-style-type: none"> • Self-Attestation • Verification from a shelter or social services agency • Written statement from individual providing residence
Foster Child or Emancipated Foster Child <i>(In-School and Out-of-school)</i>	<ul style="list-style-type: none"> • Case notes • Court documentation • Verification from a social services agency

<p>Pregnant or parenting youth <i>(In-school and Out-of-school)</i></p>	<ul style="list-style-type: none"> • Self-Attestation • Physician's statement • Birth certificate if parenting • Baptismal record • Case notes • Verification with social service agency
<p>Offender <i>(In-school)</i> or Subject to juvenile or adult justice system <i>(Out-of-School)</i></p>	<ul style="list-style-type: none"> • Self-Attestation • WIOA intake • Court records • Halfway house resident • Letter of parole • Letter from probation officer • Police records
<p>Individual with a disability <i>(In-school and Out-of-School)</i></p>	<ul style="list-style-type: none"> • Self-Attestation • Letter from drug or alcohol rehabilitation agency • Medical records • Physician's statement/ Psychologist diagnosis • Social Security disability records • Individual Education Plan (IEP) and/or Individual Learning Plan (ILP) • Veteran Administration Letter/Records • Social Services records • Vocational Rehabilitation Letter and/or Referral • Worker's Compensation Records
<p>Require additional assistance to complete educational program or to secure and hold employment <i>(In-School and Out-of-School)</i></p>	<ul style="list-style-type: none"> • Self-Attestation • Local area plan • Local area policy • Individual service strategy • Case notes • WIOA intake form • State MIS