



## OKLAHOMA OFFICE OF WORKFORCE DEVELOPMENT

### OKLAHOMA WORKFORCE DEVELOPMENT ISSUANCE #XX-2015

**TO:** Workforce Development Board Chairs  
Workforce Development Board Staff

**FROM:** Deidre D. Myers, Deputy Secretary for Workforce Development

**DATE:** July 1, 2015

**SUBJECT:** Workforce Innovation and Opportunity Act (WIOA) Youth Program

**PURPOSE:** To provide staff with guidance on the changes to expenditure requirements, eligibility and program elements under WIOA to the Title I Youth Program. This policy defines the criteria for the design and parameters of the Title I Youth Program with emphasis on priority of service to out of school youth.

**REFERENCES:**

- Workforce Innovation and Opportunity Act (Public Law 113-128), Sections 116 and 129
- WIOA Proposed Rules (NPRM date 4/16/2015)
- Training and Employment Guidance Letter (TEGL) 19-14, Vision for the Workforce System and Initial Implementation of WIOA
- TEGL 23-14, WIOA Youth Program Transition

**MESSAGE:** On July 22, 2014, the President signed WIOA into law. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act and the Rehabilitation Act of 1973.

#### TRANSITIONING WIA YOUTH TO WIOA

WIOA will be implemented July 1, 2015. All Workforce Investment Act (WIA) Title I youth participants enrolled prior to that date will be grandfathered into WIOA, even if the participant does not meet the eligibility requirements for services under WIOA. Local areas are not required to do a redetermination of eligibility if the youth was determined eligible and enrolled under WIA. WIA Youth participants must be allowed to complete the services identified in their individual service strategy (ISS), even if the services are no longer allowable under WIOA. WIA enrollments should continue through June 30, 2015. Services to WIA participants must be funded with either Program Year (PY) 14 carry-over funds that become WIOA funds or with



PY15 WIOA funds. Transition from WIA to WIOA is intended to be seamless. On and after July 1, 2015, all eligibility determinations must follow WIOA eligibility requirements. Participants enrolled on and after July 1, 2015 may only access services allowable under WIOA.

## **WIOA YOUTH PROGRAM**

The WIOA Youth Program is targeted at young people between the ages of 16-24 to assist them in career guidance/exploration and educational attainment. Under WIOA, youth will be determined as either an Out-of-School Youth (OSY) or an In-School Youth (ISY) at the time eligibility is determined and will remain as such throughout their enrollment. The core structure of the WIOA youth program remains similar to the WIA youth program with a number of key changes. The age for the OSY Youth program has been expanded to 24 with the required OSY expenditure amount increased from 30% to 75%. There is also an increased focus on work experience and an increase in the number of program elements bringing the total number of program elements to 14.

### **Expenditure Requirements**

- WIOA increased the minimum out-of-school youth expenditure from 30% to 75%. The expenditure rate is calculated after subtracting funds spent on administrative cost. States and/or local areas may spend up to 100% of their funds on out-of-school youth if they choose to do so. States and Workforce Areas that do not meet the 75% expenditure requirement for Program Year (PY) 15 funds must show an increase of out-of-school expenditures over PY14. The minimum allowable expenditure for PY15 must be a minimum increase of 10% compared to PY14 with no lower than a 50% expenditure rate.
- A minimum of 20% of total PY 15 youth formula funds must be spent on work experience activities that include an academic and an occupational education component. Work experience activities may include paid and unpaid work experience, summer employment opportunities, job shadowing, on-the-job training, internships and pre-apprenticeships. The 20% may include all expenses related to the work based programs including staffing and curriculum development and should be calculated after subtracting the funds spent on administrative costs. Funds spent on work experience must be tracked and reported on a monthly basis beginning with PY15.

### **In-School Youth**

Must be attending school, not younger than 14 or older than 21, low income and fall into one or more of the following categories:

1. Basic Skills deficient
2. An English language learner
3. An offender (juvenile who is or has been subject to any stage of the criminal justice process)

4. A homeless youth or a runaway youth
5. In foster care or has aged out of foster care
6. Pregnant or parenting
7. Disabled
8. An individual who requires additional assistance to complete an educational program or to secure and hold employment

\*Low income now includes an individual that receives or is eligible to receive a free or reduced prior lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq). Low income may also be determined if the youth is living in a high poverty area as defined by WIOA Proposed Rules (NPRM date 4/16/2015), part 681.260. There is a 5% window for non-income eligible ISY only. 5% percent of the total number of ISY served may be non-income eligible as long as they meet other eligibility criteria. The 5% window *does not* apply to OSY.

### **Out-of School Youth**

OSY Must be age 16 to 24 and not attending any school (as defined by state law, Oklahoma Code, Title 70-1-106) and fall into one or more of the following categories:

1. Individual with a disability
2. School dropout
3. Not attended school for at least the most recent complete school year calendar quarter.
4. A high school graduate who is basic skills deficient
5. A high school graduate who is low income\* and either an English language learner or basic skills deficient
6. An offender (juvenile who is or has been subject to any stage of the criminal justice process)
7. A homeless youth or a runaway youth
8. In foster care or has aged out of foster care
9. Pregnant or parenting
10. Disabled
11. An low-income\* individual who requires additional assistance to complete an educational program or to secure and hold employment

\*The low income requirement for OSY only applies to the 5<sup>th</sup> and 11<sup>th</sup> categories.

*In order to meet the basic skills and training needs of youth who do not meet the eligibility requirements of a program or can't be served, the youth provider must ensure that the youth be referred to the appropriate programs to meet the basic skills and training needs of the youth.*

## Program Design

WIOA legislation includes 14 program elements, including the original WIA 10 elements condensed into 9, and 5 new program elements that must be included in WIOA Youth program design. While these program elements must be made available to all eligible youth participants between the ages of 14-24, not all elements must be funded with WIOA youth funds. Local programs may leverage partner resources to provide program elements as long as the activity is closely connected and coordinated with the WIOA youth program to ensure the activity is of high quality and beneficial to the youth participant. These elements consist of:

1. Tutoring, study skills training, instruction and evidence based dropout prevention and recovery strategies that lead to the completion of a secondary school diploma or its recognized equivalent or for a recognized post-secondary credential. This includes a recognized certificate of attendance or similar document for individuals with disabilities.
2. Alternative secondary school services or dropout recovery services, as appropriate.
3. Paid and unpaid work experience that include academic and occupational education as a component of the work experience. Types of work experience include the following:
  - a. Summer employment opportunities and other employment opportunities available throughout the school year
  - b. Pre-apprenticeship programs
  - c. Internships and job-shadowing
  - d. On-the-job training opportunities
4. Occupational skill training, which includes priority consideration for training programs that align with industry sectors or occupations in the local area involved, if the Local Workforce Development Board determines that the programs meet the quality criteria described in WIOA sec. 123.
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 Service.
8. Adult mentoring for a duration of a least 12 months that may occur both during and after program participation.
9. Follow-up services for not less than 12 months after the completion of participation as appropriate.

10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referral to counseling, as appropriate to the needs of the participant.
11. Financial literacy education.
12. Entrepreneurial skills training.
13. Services that provide labor market and employment information about in-demand industry sector or occupations available in the local area, such as career awareness, career counseling and career exploration services.
14. Activities that help youth prepare for transition to post-secondary education and training.

The WIOA youth program must also include:

1. An objective assessment of the academic levels, skill levels and service needs of each participant. The assessment must include a review of the following:
  - a. Basic Skills
  - b. Occupational Skills
  - c. Prior Work Experience
  - d. Employability
  - e. Interests and aptitudes
  - f. Supportive service and developmental needs
2. An individual service strategy (ISS) that is directly linked to one or more of the performance indicators and identifies career pathways that include education and employment, and also includes appropriate achievement objectives and services based on the assessment. The ISS should also include:
  - a. Activities leading to the attainment of a secondary diploma or equivalent or a recognized post-secondary credential.
  - b. Preparation for post-secondary educational and training opportunities.
  - c. Strong linkages between academic instruction and occupational education that lead to the attainment of recognized post-secondary credentials.
  - d. Preparation for unsubsidized employment opportunities if appropriate, and
  - e. Effective connections to employers, including small employers, that are in in-demand industry sectors and occupations of local and regional labor markets.

### **Indicators of Performance**

1. Placement in Employment, Education or Training:

The percentage of program participants who are in education, training activities or in unsubsidized employment during the second quarter after exit from the program

2. Retention in Employment, Education or Training:

The percentage of program participants who are in education, training activities or unsubsidized employment during the fourth quarter after exit from the program

3. Earnings after entry into Employment

Median earnings in the second quarter after exit

4. Credential Rate:

Attainment of a secondary diploma or equivalent a recognized post-secondary credential during participation or within one year after exit from the program.

5. Skills Gain:

Percentage of participants in education leading to credential or employment during the program year and achieving measurable gains towards the credential or employment.

**ACTION:** This OWDI is to become a part of your permanent records and made available to appropriate staff.

**RESCISSIONS:** OWDI 02-2014, Data Validation, Program Eligibility and Document Uploader Requirements for the WIA Youth Program is rescinded effective July 1, 2015.

**INQUIRIES:** If you have any questions or concerns regarding this issuance, please contact Robyn Coman (405) 815-5322, [robyn.coman@commerce.ok.gov](mailto:robyn.coman@commerce.ok.gov) or Emmit Grayson at (405) 815-5285, [emmit.grayson@commerce.ok.gov](mailto:emmit.grayson@commerce.ok.gov). This policy is available at <http://oklahomaworks.gov/policy-center>.