



Oklahoma Office of Workforce Development
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OKLAHOMA WORKFORCE DEVELOPMENT ISSUANCE #02-2016, CHANGE 2

TO: Workforce Development Board Chairs
Workforce Development Board Staff
Workforce Development Fiscal Agents

FROM: Erin E. Risley-Baird, Executive Director

DATE: October 16, 2017

SUBJECT: WIOA Title I Youth Program Guidance, Change #2

PURPOSE: The Oklahoma Office of Workforce Development (OOWD), as the Governor’s chosen entity to administer the Workforce Innovation and Opportunity Act (WIOA), provides this issuance as guidance to communicate the State youth policy. This Oklahoma Workforce Development Issuance (OWDI) is intended to provide WIOA Title I youth formula program technical guidance to local workforce development boards and its sub-recipients of funds on the activities associated with the implementation of WIOA.

REFERENCES:

- Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128)
- WIOA Regulations at 20 CFR part 681– Youth Activities Under Title I of the Workforce Innovation and Opportunity Act
- TEGL 10-16, Change 1
- TEGL 19-16
- TEGL 21-16
- TEGL 2-16
- TEGL 23-14
- TEGL 38-14
- TEGL 8-15
- OWDI #04-2017 HHS Poverty Guidelines
- OWDI #09-2017 Core Performance Measures Policy
- OWDI #21-2017 Data Validation and Supporting Documentation Policy

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| RESCISSIONS OWDI #02-2016, Change 1 | EXPIRATION DATE Continuing |
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MESSAGE: WIOA outlines a broader youth vision that supports an integrated service delivery system and provides a framework through which states and local areas can leverage other Federal, State, Local, and philanthropic resources to support in-school youth (ISY) and out-of-school youth (OSY). WIOA affirms the Department of Labor's commitment to providing high-quality services for all 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, such as pre-apprenticeships or internships, and culminating with a good job along a career pathway, enrollment in post-secondary education, or a Registered Apprenticeship. All of the Department's youth-serving programs continue to promote evidence-based strategies to assist in achieving high-levels of performance, accountability, and quality in preparing young people for the workforce.

Funding Requirements and Priorities

WIOA shifts the primary focus of the Title I youth formula program to support the educational and career success of out-of-school youth (OSY) with an expectation that the shift in focus will result in a reconnection of out-of-school youth such as high school dropouts to education and jobs. The OSY focus is evident in the requirement that a minimum of 75 percent (75%) of WIOA youth funds be spent on OSY.

The minimum 75 percent (75%) OSY expenditure applies to local workforce development area (LWDA) funds and funds reserved by the Governor. However, only those statewide funds spent on direct services to youth are subject to the OSY expenditure requirement. Funds spent on statewide youth activities that do not provide direct services to youth, such as most of the required statewide youth activities listed in WIOA section 129(b)(1), are not subject to the OSY expenditure requirement. Further, the 75 percent expenditure rate is a minimum requirement; therefore, the local areas may spend up to 100 percent of their local area youth funds on OSY if they choose.

Oklahoma was able to seamlessly shift its focus to OSY, as the LWDA's already had strategies in place targeting the OSY population prior to WIOA becoming public law. WIOA youth programs will provide a needed continuum of services to help disconnected youth navigate between the educational and workforce systems.

WIOA funding allows the delivery of services that prepare youth for post-secondary education and employment opportunities, attainment of education and/or skills training credentials, and obtainment of employment with career opportunities. To accomplish this, each youth must be assessed to determine skills, interests, needs, and personal goals in order to create an Individual Service Strategy (ISS). The assessment is accomplished in collaboration with the youth to expand the youth's awareness and understanding of the local economy, educational opportunities, and available community resources. The ISS must be coordinated around 14 youth elements, which must be made available to every youth participant. 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.

Additional Priorities and Other Key Changes under WIOA

Work Experience:

WIOA includes a major focus on providing youth with work experience opportunities while requiring that local areas spend a minimum of 20 percent (20%) of the youth funds on this specific program element. Not less than 20 percent (20%) of youth funds allocated to the local area, minus the local area expenditures for administration, must be used to provide paid and unpaid work experiences. Funds spent on work experience must be tracked at the local level and reported on a monthly basis to the Oklahoma Office of Workforce Development (OOWD) for subsequent quarterly reporting to the Department of Labor.

A new reporting line item for work experience expenditures was added to the Local Youth ETA-9130 (B). Activities to be considered in this reporting line item include paid and unpaid work experiences for both in-school and out-of-school youth. This may include summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, internships and job shadowing, and OJT opportunities (WIOA sec. 129 (c)(2)(C)). See TEGL 2-16 for more details on local youth financial reporting.

Two new definitions of low income for youth:

A youth living in a high-poverty area and a youth (ISY only) who receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act are considered low-income under WIOA. When a school does not use individual eligibility criteria to determine who is eligible for free or reduced-price lunch, entire school receipt of free or reduced price lunch must not be used to determine WIOA low-income status for ISY.

Income when determining a youth's low-income status:

The definition of what counts as income when determining a youth's low-income status has changed under WIOA. Under WIOA, there is no exclusion of payments for unemployment compensation, child support payments, and old-age survivor's insurance benefits from the income calculations for determining if an individual is low-income. These exclusions that were previously provided under WIA sec. 101(25) no longer apply.

Circumstances where only the youth's income is considered:

OSY with a disability are not required to be low-income. For ISY with a disability, the youth's own income, rather his or her family's income, must meet the low-income definition and not exceed the higher of the poverty line or 70 percent of the LLSIL.

Additionally, if an individual is not living in a single residence with other family members; that individual is not a member of a family for the purpose of WIOA income calculations. 20 CFR § 675.300 defines family as "two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple and dependent children;
- A parent or guardian and dependent children; or
- A married couple

Age eligibility is:

Ages 16-24 for OSY; and ages 14-21 for ISY. Under WIOA, the OSY age of eligibility increased up to 24 with a focus on reaching more disconnected youth.

Exception for youth with disabilities:

There is one exception to age eligibility for youth attending school. Youth with a disability who have an Individualized Education Program (IEP) may be enrolled as ISY after the age of 21. This allows youth with disabilities to be served by the K-12 public school system beyond the age of 21. Such youth may only be enrolled as ISY up to the age allowed by *Oklahoma Law Section 168. Student of Legal Age- Completion of Twelfth Grade* to receive secondary education services.

Out-of-School Youth and In-School Youth Eligibility Barriers now include:

An individual with a disability was added to the list of barriers for eligibility; and it applies to both OSY and ISY youth.

Additional barrier for OSY:

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 is a new barrier under WIOA. Please note that a "school year calendar quarter is based on how a local school district defines its school year quarters. In cases where schools do not use quarters, local programs must use calendar year quarters."

Limitation of the "requires additional assistance" barrier for In-school Youth:

The State has established the definitions and eligibility documentation requirements for the criteria, *"an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment."* Not more than five percent (5%) of ISY in a given program year can be eligible based on this barrier. See ISY and OSY barrier discussions further in the policy.

Partnering:

When available, the State of Oklahoma and DOL encourages local programs to partner with existing local, State, or national entities that can provide program elements at no cost to the local youth program.

Braiding funds:

Braiding funds is a high priority under WIOA and occurs when different funding streams are used together to support different needs for the same customer. It allows a WIOA youth program to provide more comprehensive services to participants while maximizing partner resources available to assist youth. For example, The Title I WIOA Youth program and the WIOA Title II Adult Education program can provide complementary services to youth and can be used together (braided) to serve eligible youth ages 16-24 where each program's age eligibility overlaps. When used together, these two funding sources can increase the capacity of programs to help young adults meet their employment and educational goals.

Incentive payments to youth participants:

Incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experiences. Such incentives for achievement could include improvements marked by testing or other successful outcomes. DOL has also clarified that incentives are not allowed for activities such as recruitment, submitting eligibility documentation, or just simply showing up for the program. You are allowed to pay incentives to WIOA ISY and OSY for milestones such as receiving a high school diploma or high school equivalency or other acceptable credentials. Also, the work experience incentive must be directly tied to the completion of work experience.

While incentive payments are allowable under WIOA, the incentives must be in compliance with the Cost Principles in 2 CFR part 200. For example, Federal funds must not be spent on entertainment costs. Therefore, incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment. Additionally, there are requirements related to internal controls to safeguard cash, which also apply to safeguarding of gift cards, which are essentially cash.

Option to establish a Youth Council or Standing Youth Committee:

WIOA provides flexibility to address the difficulty that some local areas faced under the Workforce Investment Act (WIA) in maintaining the required Youth Council partnerships. DOL strongly encourages Local WDBs to establish Standing Youth Committees to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth.

Seven specific responsibilities that a Standing Youth Committee, under the direction of the LWDB, may undertake in accordance with 20 CFR 681.120 are as follows:

- Recommend policy direction to the Local WDB for the design, development, and implementation of programs that benefit all youth;
- Propose the design and Service Delivery of a comprehensive community workforce development system to ensure a full range of services and opportunities for all youth, including disconnected youth;
- Suggest ways to leverage resources and coordinate services among schools, public programs, and Community-Based Organizations (CBOs) serving youth;
- Offer ways to coordinate youth services and put forward eligible youth service providers;
- Provide ongoing leadership and support for continuous quality improvement for local youth programs;
- Assist with planning, operational, and other issues relating to the provision of services to youth;
- Oversee eligible youth providers, as well as other youth program oversight responsibilities.

Regarding the final bullet point, a Standing Youth Committee may only assume oversight responsibilities if so delegated by the Local WDB after consultation with the Chief Local Elected Official (CLEO) of the local area. If the Local WDB establishes a Standing Youth Committee

under § 681.100 it may assign the committee the function of selecting of grants or contracts. Otherwise, the Local WDB maintains oversight responsibilities.

WIOA calls for customer-focused services based on the needs of the individual participant directly linking the participant to the Individual Service Strategy (ISS) and intimately involves the participant in the design and implementation of services so the youth voice is represented and his or her needs are being met.

Program Design and Service Delivery

The design framework services of local youth programs must:

- Provide for an objective assessment of each youth participant that meets the requirements of WIOA sec. 129(c)(1)(A), which includes a review of the academic and occupational skill levels, as well as the service needs and strengths, of each youth for the purpose of identifying appropriate services and career pathways for participants.

Objective Assessments 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 improvement.

Local programs must use valid and reliable assessment instruments and provide reasonable accommodations to youth with disabilities in the assessment process in making this determination.

Local programs may use previous basic skills assessment results if such previous assessments have been conducted within the past six months.

- Include an Individual Service Strategy (ISS) designed for youth, which is jointly developed by the youth and the case manager. The ISS must:
 - Be based on the individual needs of the youth participant;
 - Be directly linked to one or more indicators of performance described below:
 - Employment Rate – 2nd Quarter After Exit;
 - Employment Rate – 4th Quarter After Exit;
 - Median Earnings – 2nd Quarter After Exit;
 - Credential Attainment;

- Measurable Skill Gains; and
 - Effectiveness in Serving Employers.
 - Identify career pathways that include education and employment goals;
 - Consider career planning and the results of the objective assessment;
 - Prescribe achievement objectives and services for the participant.
- Provide case management to youth participants, including follow-up services; and
- Ensure that WIOA youth service providers meet the referral requirements in WIOA sec. 129(c)(3)(A) for all youth participants, including:
 - Providing these participants with information about the full array of applicable or appropriate services available through the Local WDBs or other eligible providers, or one-stop partners;
 - Referring these participants to appropriate training and educational programs that have the capacity to serve them either on a sequential or concurrent basis;
 - Youth who apply for enrollment in a program of WIOA youth activities and either does not meet the enrollment requirements for that program or cannot be served by that program. The eligible training provider of that program must ensure that the youth is referred for further assessment, if necessary, or referred to appropriate programs to meet the skills and training needs of the youth.

Youth Eligibility and Program Enrollment (OKJobMatch)

There is no self-service concept for the WIOA youth program. Every individual receiving services as a WIOA youth must meet ISY or OSY eligibility criteria and formally enroll in the program.

The following individuals are not participants:

- Individuals who only use the self-service system;
- Individuals who receive information-only services or activities, which provide readily available information that does not require an assessment by a staff member of the individual's skills, education, or career objectives.

Participant:

For the title I Youth program, a participant is a reportable individual who has satisfied all applicable program requirements for the provision of services, including eligibility determination, an objective assessment, and development of an individual service strategy, and received at least 1 of the 14 WIOA Youth program elements identified in sec. 129(c)(2) of WIOA.

Every youth participant must be enrolled to participate in the youth program. Youth receiving services under WIOA youth must meet ISY or OSY eligibility criteria and formally enroll in the program as follows:

All WIOA youth must provide documentation of basic eligibility:

- Age/Date of Birth;
- Selective Service Registration (if applicable); and
- Eligibility to Work in the United States;

The point of program participation does not begin until after the youth is determined eligible:

- An eligibility determination
- The provision of an objective assessment;
- Development of an Individual Service Strategy;
- Participation in any of the 14 WIOA youth program elements.

When an individual has satisfied all applicable program requirements for the provision of services, including eligibility determination, an objective assessment, development of an individual service strategy, and received one of the 14 WIOA Youth program elements, he or she is considered a participant. Please remember that all youth program elements, except follow-up services, trigger participation following eligibility determination, an objective assessment, and completion of the individual service strategy. For more information on eligibility and documentation requirements, please see OWDI #21-2017 Data Validation and Supporting Documentation Policy.

Determination of School Status:

- School status is determined at the time of program enrollment;
- Must be based on the status at the time the eligibility determination portion of program enrollment is made;
- School status remains the same throughout the youth’s participation in the WIOA youth program;
- School status is critical as it determines how a youth’s expenditure will be reported.

Definition of “School” for out-of-school and in-school youth eligibility determination:

The Department of Labor does not consider the following to be schools:

- Adult Education Under Title II of WIOA;
- YouthBuild;
- Job Corps;
- Dropout Re-Engagement Programs; and
- High School Equivalency Programs.

However, there is one exception. Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, funded by the public K–12 school system that are classified by the school system as still enrolled in school are considered ISY.

Out-of-School Youth Eligibility

Under WIOA, an out-of-school (OSY) youth is an individual who is:

- Not attending any school (as defined under State law, Oklahoma Code, Title 70-1-106);
- Not younger than age 16 or older than age 24 at time of enrollment (16 to 24 years of age).

Because age eligibility is based on age at enrollment, out-of-school youth participants may continue to receive services beyond the age of 24 once they are enrolled in the program as long as he or she is receiving at least one program element other than follow-up services. However, it may be appropriate to also enroll the youth in the adult worker program to maximize program resources designed to meet the needs of the individual.

Out-of-School youth must also have one or more of the following barriers:

1. A school dropout;
2. 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. School year calendar quarter is based on how a local school district defines its school year quarters. In cases where schools do not use quarters, local programs must use calendar year quarters;
3. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
4. An offender;
5. A homeless individual aged 16 to 24 who meets the criteria defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)), a homeless child or youth aged 16 to 24 who meets the criteria defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2)) or a runaway;
6. 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 for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
7. An individual who is pregnant or parenting;
8. An individual with a disability; or
9. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment as follows:
 - A youth with a parent or legal guardian that is currently or previously incarcerated for a felony conviction;
 - A youth with a parent or legal guardian who lacks a high school diploma or GED;
 - A youth who attends or has attended chronically under performing schools listed as a priority or targeted intervention school on the Oklahoma State Department of Education website <http://sde.ok.gov/sde/priority-schools>;
 - A youth between 18-24 years of age with a pattern of Poor Work History. Poor work history includes non-reoccurring employment income and sporadic employment.

The low-income requirement applies only to the following categories of out-of-school youth:

- A recipient of a secondary school diploma or its recognized equivalent who is either basic skills deficient or an English language learner; and

- An individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

Because not all OSY are required to be low-income, the five percent low-income exception under WIOA is calculated based on the five percent (5%) of youth enrolled in a given program year who would ordinarily be required to meet the low-income criteria.

In-School Youth Eligibility

Under WIOA, an in-school youth (ISY) is an individual who is low income:

- Attending school (as defined under State law, Oklahoma Code, Title 70-1-106), including secondary and postsecondary school;
- Not younger than age 14 or (unless an individual with a disability who is attending school under Oklahoma State Department of Education School Law Book Section 168. Students of Legal Age or Oklahoma Code, Title 70-5-132), older than age 21 at time of enrollment.

Because age eligibility is based on age at enrollment, in-school youth participants may continue to receive services beyond the age of 21 once they are enrolled in the program as long as he or she is receiving at least one program element other than follow-up services. However, it may be appropriate to also enroll the youth in the adult worker program to maximize program resources designed to meet the needs of the individual.

In-school youth must also be a low-income individual; and have one or more of the following barriers:

1. Basic skills deficient;
2. An English language learner;
3. An offender;
4. A homeless individual aged 14 to 21 who meets the criteria defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)), a homeless child or youth aged 14 to 21 who meets the criteria defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), or a runaway;
5. 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 for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
6. An individual who is pregnant or parenting;
7. An individual with a disability; or
8. A low-income individual who requires additional assistance to complete an educational program as follows:
 - A youth with a parent or legal guardian that is currently or previously incarcerated for a felony conviction;
 - A youth with a parent or legal guardian who lacks a high school diploma or GED;
 - A youth who attends or has attended chronically underperforming school listed as a priority or targeted intervention school on the Oklahoma State Department of Education website <http://sde.ok.gov/sde/priority-schools>;

- A youth between 18-21 years of age with a pattern of poor work history. Poor work history includes non-reoccurring employment income, and sporadic employment.

The low-income requirement applies to all ISY unless they are served under the five percent (5%) exception.

Limitation of the “requires additional assistance” barrier for ISY: Not more than five percent (5%) of ISY in a given program year can be eligible based on this barrier.

Please note that under WIOA, the term low-income also includes a youth that lives in a high-poverty area.

High Poverty Area:

The Workforce Innovation and Opportunity Act (WIOA) Title I Youth Program contains a provision that allows for youth living in a high poverty area to automatically meet the low-income criterion that is one of the minimum eligibility criteria for all in-school youth, and for two barriers out-of-school youth in the WIOA youth program as referenced above. The WIOA regulations at 20 CFR § 681.260 define high-poverty areas as a Census tract, a set of contiguous Census tracts, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the U.S. Census Bureau), or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-Year data. Instructions on the Census Bureau’s American Fact Finder homepage at: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

Please Note: Not every area in the Oklahoma Tribal Statistical Area is eligible, just as it is not every Census tract, or county in the country, but rather every Oklahoma Tribal Statistical Area that has a poverty rate of at least 25 percent. The OTSA’s poverty rates may or may not have a Native American poverty rate of over 25 percent. Each OTSA poverty rate will have to be determined on an individual, case-by-case basis.

Participation in at least 1 of the 14 Program Elements

WIOA includes 14 program elements, including the original WIA 10 elements condensed into 9, and 5 new program elements. All elements must be included in the WIOA Youth program design. Although 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. Also, local programs have the discretion to determine which elements to provide to a participant based on the participant’s assessment results and Individual Service Strategy.

This section contains descriptions for each of the 14 WIOA youth program elements. 20 CFR § 681.460 lists all of the program elements and provides further explanation of some of the elements.

Program Element 1: Tutoring, study skills training, instruction, and dropout prevention services

Element One includes “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.

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. This program focus is on in-school services relating to attainment of a high school diploma.

The element includes:

- tutoring, study skills training, and instruction that lead to a high school diploma;
- secondary school dropout prevention services intended to lead to a high school diploma.

However, this element does not include:

- dropout recovery strategies that lead to completion of high school equivalency. Those are included in program element 2;
- training services leading to a postsecondary credential. Those are included in program element 4.

Program Element 2: Alternative secondary school services or dropout recovery services

Element two includes alternative secondary school services such as basic education skills training, individualized academic instruction, and English as a Second Language training, or those services that assist youth who have struggled in traditional secondary education. Dropout recovery services, such as credit recovery, counseling, and educational plan development, are those that assist youth who have dropped out of school. While the activities within both types of services may overlap, each are provided with the goal of helping youth to re-engage and persist in education that leads to the completion of a recognized high school diploma equivalency.

Program Element 3: Paid and unpaid work experience

Element Three is a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act and State law. 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 is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage. Work experiences provide the youth participant with opportunities for career exploration and skill development.

TEGL No. 8-15 provides further discussion of allowable expenditures that may be counted toward the work experience expenditure requirement and articulates that program

expenditures on the work experience 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 spent 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 evaluating the work experience;
- Participant work experience orientation sessions;
- Employer work experience orientation sessions;
- Classroom training or the required academic education component directly related to the work experience;
- Incentive payments directly tied to the completion of work experience; and
- Employability skills/job readiness training to prepare youth for a work experience.

Supportive services are a separate program element and cannot be counted toward the work experience expenditure requirement even if supportive services assist the youth in participating in the work experience.

This element is a critical component in the youth program, as this is the only element that has a minimum percentage of expenditure requirements. WIOA requires a minimum of 20% of local area youth funds to be expended on work experience. Please note that:

- Local area administrative funds not subject to 20% requirement; and
- Leveraged resources cannot count toward the 20%.

Work experiences must include academic and occupational education:

- The educational component may occur concurrently or sequentially with the work experience;
- The academic and occupational education component may occur inside or outside the work site;
- The work experience employer can provide the academic and occupational component or such components may be provided separately in the classroom or through other means;
- Local areas have the flexibility to decide who provides the education component;
- The academic and occupational education component refers to contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations;
- Local programs have the flexibility to determine the appropriate type of academic and occupational education necessary for a specific work experience.

Categories of work experience. WIOA identifies four categories of work experience:

- Summer employment opportunities and other employment opportunities throughout the year;
- Pre-apprenticeship programs;
- Internships and job shadowing; and

- On-the-job training opportunities.

Please remember that the job shadowing work experience is a temporary, unpaid exposure to the workplace in an occupational area of interest to the participant.

Program Element 4: Occupational Skills Training

Element Four is an organized program of study that provides 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. Local areas must give priority consideration to training programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupations in the local area.

Such training must:

- be outcome-oriented and focused on an occupational goal specified in the individual service strategy;
- be of sufficient duration to teach the skills needed to meet the occupational goal; and
- lead to the attainment of a recognized postsecondary credential.

The Department of Labor and the State of Oklahoma allow WIOA Individual Training Accounts (ITAs) for OSY, ages 16 to 24, using WIOA youth funds, when appropriate. ITAs allow participants the opportunity to choose the training provider that best meets their needs. To receive funds from an ITA, the training provider must be on the Eligible Training Provider List. However, the Department of Labor prohibits the use of youth program-funded ITAs for ISY. In-School Youth between the ages of 18 and 21 may co-enroll in the WIOA Adult program if the young adult's individual needs, knowledge, skills, and interests align with the WIOA adult program and may receive training services through an ITA funded by the adult program.

The State of Oklahoma allows competitive procurement of ISY occupational skills training. The process is detailed in **Attachment B**. This process is also supported by DOL's National Office.

Program Element 5: Education offered concurrently with workforce preparation and training for a specific occupation

Element Five reflects an integrated education and training model (IET) 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.

This program element refers to the concurrent delivery of:

Program Element 2: Alternative Secondary School Services or Dropout Recovery Services;

Program Element 3: Work Experience; and

Program Element 4: Occupational Skills Training.

The three components above all fit under different WIOA youth program elements and are only counted here under Element 5 if they occur concurrently as part of an IET model.

Program Element 6: Leadership Development Opportunities

Element Six includes opportunities that encourage responsibility, confidence, employability, self-determination, and other positive social behaviors such as:

- Exposure to postsecondary educational possibilities;
- Community and service learning projects;
- Peer-centered activities, including peer mentoring and tutoring;
- Organizational and team work training, including team leadership training;
- Training in decision-making, including determining priorities and problem solving;
- Citizenship training, including life skills training such as parenting and work behavior training;
- Civic engagement activities which promote the quality of life in a community; and
- Activities that place youth in a leadership role such as serving on a WDB's Standing Youth Committee.

Program Element 7: Supportive Services

Element Seven includes services that enable an individual to participate in WIOA activities.

These services include, but are not limited to:

- Linkages to community services;
- Assistance with transportation;
- Assistance with child care and dependent care;
- Assistance with housing;
- Needs-related payments for (youth ages 18-24 enrolled in WIOA youth training services)
- Assistance with educational testing;
- Reasonable accommodations for youth with disabilities;
- Legal aid services;
- Referrals to health care;
- Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear;
- Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
- Payments and fees for employment and training-related applications, tests, and certifications.

Program Element 8: Adult Mentoring

Element Eight defines the timeframe for adult mentoring as lasting at least 12 months. Adult mentoring may take place both during the program and following exit from the program. It may be a formal relationship between a youth 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:

- 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 youth participant with an employer or employee of a company;
- Case managers are allowed to serve as mentors in areas where adult mentors are scarce.

Program Element 9: Follow-up services

Element Nine includes critical services provided following a youth's exit from the program to help ensure the youth is successful in employment and/or postsecondary education and training. Follow-up services may include regular contact with a youth 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 when no future services are scheduled. Follow-up services do not cause the exit date to change and do not trigger re-enrollment in the program.

Five program elements are permitted as follow-up services during the follow-up period:

- Supportive Services;
- Adult Mentoring;
- Financial Literacy Education;
- 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; and
- Activities that help youth prepare for and transition to postsecondary education and training.

Please Note: Any program element other than the 5 listed above requires reenrollment in the program in order for a youth to receive them.

Also note these additional requirements:

- All youth participants must be offered an opportunity to receive follow-up services that align with their individual service strategies for a minimum of 12 months unless the participant declines to receive follow-up services or the participant cannot be located or contacted;
- The types of services provided and the duration of services must be determined based on the needs of the individual and therefore, the type and intensity of follow-up services may differ for each participant;
- Follow-up services must include more than only a contact attempted or made for securing documentation in order to report a performance outcome;
- Local programs should have policies in place to establish how to document and record when a participant cannot be located or contacted;
- At the time of enrollment, youth must be informed that follow-up services will be provided for 12 months following exit. If at any point in time during the program or during the 12 months following exit the youth requests to opt out of follow-up services, they may do so.

Program Element 10: Comprehensive guidance and counseling

Element Ten includes comprehensive guidance and counseling that provides individualized counseling to participants. This includes drug and alcohol abuse counseling, mental health counseling, and referral to partner programs, as appropriate.

When referring participants to necessary counseling that cannot be provided by the local youth program or its service providers, the local youth program must coordinate with the

organization it refers to in order to ensure continuity of service. When resources exist within the local program or its service providers, it is allowable to provide counseling services directly to participants rather than refer youth to partner programs.

Program Element 11: Financial Literacy Education

Element Eleven is financial literacy education. Youth providers may use the free resource below to deliver “Financial Literacy Education” which will satisfy this specific Youth Program Element. The State of Oklahoma released this resource to local areas in 2015 and it is continues to be a viable tool.

- Developed by the Consumer Financial Protection Bureau (CFPB) Federally Sponsored;
- It is a financial empowerment toolkit for social programs to equip frontline staff with fundamental financial empowerment principles, an understanding of consumer protection issues, tools and skills to help clients understand what financial empowerment and stability mean for them and to refer clients to other related local financial empowerment services.
- Link: <http://www.consumerfinance.gov/your-money-your-goals/>
- Videos: <https://www.youtube.com/watch?v=Q-3X6ciTjP0&feature=youtu.be&list=PLrfdmUIWzRF2-wzQbIJaR3vVERdc3Thqk>

Program element 11 may include activities:

- To support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions;
- To support participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards;
- That teach participants about the significance of credit reports and credit scores, what their rights are regarding their credit and financial information, how to determine the accuracy of a credit report, how to correct inaccuracies, and how to improve or maintain good credit;
- That support a participant’s ability to understand, evaluate, and compare financial products, services, and opportunities and to make informed financial decisions;
- That educate participants about identity theft, ways to protect themselves from identify theft, and how to resolve cases of identity theft and in other ways understand their rights and protections related to personal identity and financial data;
- That support activities that address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials;
- That support activities that address the particular financial literacy needs of youth with disabilities, including connecting them to benefits planning and work incentives counseling;
- That 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; and
- Implement other approaches to help participants gain the knowledge, skills, and confidence to make informed financial decisions that enable them to attain greater financial health and stability by using high quality, age-appropriate, and relevant

strategies and channels, including, where possible, timely and customized information, guidance, tools, and instruction.

Program Element 12: Entrepreneurial Skills Training

Element Twelve includes entrepreneurial skills training, which provides the basics of starting and operating a small business. Such training must develop the skills associated with entrepreneurship. Such skills may include, but are not limited to the ability to:

- Take initiative;
- Creatively seek out and identify business opportunities;
- Develop budgets and forecast resource needs;
- Understand various options for acquiring capital and the trade-offs associated with each option; and
- Communicate effectively and market oneself and one's ideas.

Approaches to teaching youth entrepreneurial skills may include, but are not limited to:

- Entrepreneurship education that provides an introduction to the values and basics of starting and running a business. Entrepreneurship education programs often guide youth through the development of a business plan and also may include simulations of business start-up and operation,
- Enterprise development which provides supports and services that incubate and help youth develop their own businesses. Enterprise development programs go beyond entrepreneurship education by helping youth access small loans or grants that are needed to begin business operation and by providing more individualized attention to the development of viable business ideas; and
- Experiential programs that provide youth with experience in the day-to-day operation of a business. These programs may involve the development of a youth-run business that young people participating in the program work in and manage. Or, they may facilitate placement in apprentice or internship positions with adult entrepreneurs in the community.

Program Element 13: Services that provide labor market information

Element Thirteen includes 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.

WIOA youth programs and providers should become familiar with state and federal LMI data and LMI tools, which are provided for free by agencies, in order to share relevant LMI with youth. DOL electronic tools particularly relevant to youth include My Next Move at <https://www.mynextmove.org/>, and Get My Future at <https://www.careeronestop.org/GetMyFuture>.

Another resource available is OKCareerGuide.org at <https://okcareerguide.kuder.com/landing-page>, where youth can learn about their interests, skills and values with Journey's research-based assessments; plan their education and career goals based on real-time assessments; and succeed by making confident career choices via Journey's career planning tools.

Program Element 14: Postsecondary preparation and transition activities

Element Fourteen prepares ISY and OSY for advancement to post-secondary education after attaining a high school diploma or its recognized equivalent. These services include exploring post-secondary 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 SAT/ACT testing;
- Assisting with college admission applications;
- Searching and applying for scholarships and grants;
- Filling out the proper Financial Aid applications and adhering to changing guidelines; and
- Connecting youth to postsecondary education programs such as OkCollegeStart.org at <https://www.okcollegestart.org/>.

Additional Notes on Documenting and Reporting Program Elements:

Documenting receipt of program elements is critical to ensure that youth who are actively participating in programs do not get unintentionally exited due to 90 days of no service. All 14 WIOA youth program elements are contained in the PIRL and local youth programs should ensure that services received are reported in the applicable program element in the PIRL.

Contact with a participant for case management purposes is not considered a program service and will not prevent a program exit from occurring.

In addition, case management is the act of connecting youth to appropriate services and not a program element. Case managers providing case management should not be reported as one of the 14 youth program elements in the PIRL.

Exited participants must have eligibility re-determined and a new enrollment approved to receive additional program services. However, if a participant has completed the last service in the ISS such as work experience and enters follow-up, but later determines that they need additional services beyond the 5 elements allowed in follow-up and the youth has not exited; the case manager could revise the ISS in agreement with the youth and provide elements as needed beyond the 5 allowed in follow-up.

EQUAL OPPORTUNITY AND NONDISCRIMINATION: All providers must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

ACTION REQUIRED: This Oklahoma Workforce Development Issuance (OWDI) is to become a part of your permanent records and made available to appropriate staff and sub-recipients.

INQUIRIES: If you have any questions about this issuance, please contact the Policy and Program Staff in the Oklahoma Office of Workforce Development. Contact information can be found at <http://www.oklahomaworks.gov/about/>.

ATTACHMENTS:

Attachment A: Frequent Eligibility Scenarios for the WIOA Youth Program

Attachment B: Youth Training Provider Procurement Form

ATTACHMENT A:

Frequent Eligibility Scenarios for the WIOA Youth Program:

Scenario #1:

The youth in scenario #1 walks in an Oklahoma Works Center. The youth is 19 years old; a high school dropout; and is not attending any school.

- Does the local WIOA youth program need to determine whether this youth is low-income in order to complete an eligibility determination? No
- He meets the eligibility requirements as an out-of-school youth because he is not attending school, is between the ages of 16 to 24, and his barrier is a high school dropout.
- For out-of-school youth, most of the barriers do not require the youth to be low-income and being a dropout is one of the barriers that does not require the youth to be low-income.

Scenario #2:

The youth in scenario #2 walks in an Oklahoma Works Center at 16 years of age. She is enrolled in her local high school, but she has not attended school for the past 6 months.

- Is she eligible for the WIOA youth program? Yes
- Based on her school status she is considered an out-of-school youth.
- At 16 years old, she meets the OSY age range requirements of being between 16 to 24 years old.
- She falls under barrier 2 as 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.
- In addition, it is not necessary to check her low-income status because her barrier does not require the youth to be low-income.
- If she had only missed school for one month, she would not have met the requirements for this barrier because WIOA requires a youth to not attend school for the most recent complete school year calendar quarter.

Scenario #3:

The youth in scenario #3 is an 18-year-old senior at his local high school. He is an English language learner. English is his second language. He is not eligible for free or reduced price lunch, but he lives in a census tract with a poverty rate of 28%.

- Is he eligible for the WIOA youth program? Yes
- He is eligible for the program as an in-school youth.
- He qualifies as an in-school youth based on his age; his attendance in high school; his English language learner barrier; and the fact that he lives in a high-poverty area.

- As an in-school youth, he is required to be low-income, and while he is not eligible for free or reduced lunch, he does meet the definition of low-income because he is a youth living in a high poverty area.
- As discussed on page 10 of this policy and in 20 CFR § 681.260; a high poverty area includes a Census tract that has a poverty rate of at least 25%.

Scenario #4:

The youth in scenario #4 is 19 years old and attends her local community college. She has a disability and no income of her own. She resides in her parents' house and their income is above the low-income threshold.

- Is she eligible for the WIOA youth program? Yes
- She is eligible for the WIOA youth program as an in-school youth.
- She qualifies as an in-school youth based on several factors.
- At 19, she is under the 21-year-old age limit. She is attending school at a postsecondary education institution, and she also has a barrier as an individual with a disability.
- Plus, she must also be low-income to be eligible as an in-school youth.
- However, a low-income determination is based on her own income rather than her family's income because she is a youth with a disability.
- 20 CFR § 681.280 states that for an ISY with a disability, income level for eligibility purposes is based on his/her own income rather than his/her family's income. For OSY with a disability, income is not an eligibility criterion.

Scenario #5:

The youth in scenario #5 is 24 years old and a high school graduate who has been involved with the justice system (an offender). He is currently working at a fast food establishment, but his income exceeds the Published HHS Poverty Guidelines and the 70% LLSIL for a 1-person household, and he is not attending school.

- Is he eligible for the WIOA youth program? Yes
- He is eligible to participate in the WIOA youth program as an out-of-school youth.
- He qualifies as an out-of-school youth based on his age; not attending any school; and because he has the barrier of being a youth in the justice system which is an offender.
- He does not need to be low-income because this is one of the out-of-school youth barriers that does not require being low-income.
- He can also continue to participate in the WIOA youth program beyond his 25th birthday because age is based on the date that eligibility is determined.

Scenario #6:

The youth in scenario #6 is a 19-year-old former high school dropout who now attends a high school equivalency program funded by the local school district.

- Is he considered attending school and an in-school youth or not attending school and therefore an out-of-school youth?

- He is considered attending school and an in-school youth as long as he meets the other in-school youth eligibility criteria, which includes meeting the low-income requirement and 1 or more barriers.
- As stated in 20 CFR § 681.230, for purposes of WIOA, providers of adult education under Title II of WIOA, YouthBuild programs, the Job Corps program, high school equivalency programs, and dropout re-engagement programs are not considered to be schools for the purposes of determining school status.
- However, there is one exception. Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, funded by the public K–12 school system that are classified by the school system as still enrolled in school are considered ISY.

Scenario #7:

The youth in scenario #7 is a 17-year-old high school graduate who plans to attend community college in the Fall semester, but she has not registered for community college yet.

She visited an Oklahoma Works Center in late June and requested a summer internship.

- What is her school status?
- She is considered not attending school and an out-of-school youth because she was not enrolled or attending school at the time of her eligibility determination.
- Just because she has intentions or plans to attend community college does not impact her school status.
- If she were formally registered in community college at the time of her WIOA youth eligibility determination (registered or attending community college credit-bearing courses) then she would be considered attending school and an in-school youth. This is true even if she has not yet started community college, but has registered for it.
- One exception to this is if she was only taking non-credit bearing courses at the community college, or registered to take only non-credit bearing courses.
- If she is not taking any courses that result in postsecondary credit, then she is considered not attending school for purposes of WIOA youth eligibility determination and therefore, an out-of-school youth.

Scenario #8:

The youth in scenario #8 is a 17 year-old senior at his local high school.

He attends a school where all students automatically qualify for free or reduced price lunch.

His family income exceeds the threshold for qualifying individually for the lunch program, but he still receives reduced price lunch at school because of the entire school's status.

- Does his meet the low-income requirement for WIOA youth eligibility? No
- He does not meet the low-income requirements for WIOA youth eligibility.
- WIOA does allow in-school youth to be considered low-income for WIOA youth eligibility purposes if they receive or are eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

- However, this provision does not apply to whole schools that provide free or reduced lunch to all attending students under the Community Eligibility Provision of the Healthy, Hunger Free Kids Act.
- In accordance with TEGL 21-16, when a school does not use individual eligibility criteria to determine who is eligible for free or reduced price lunch, whole school receipt of free or reduced price lunch cannot be used to determine WIOA low-income status for ISY. In schools where the whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on an individual student's eligibility to receive free or reduced price lunch or on meeting one of the other low-income categories under WIOA.
- Therefore, the 17 year-old senior in this scenario, and any other youth attending a school where the entire school automatically receives free or reduced price lunch must show that they would qualify for the lunch program individually in order to be considered low-income.
- Or the 17 year-old senior in this scenario could meet low-income eligibility through one of the other low-income criteria such as living in a high poverty area.

Scenario #9:

The youth in scenario #9 is 22 years old; a single mom; and low-income. She is attending community college.

- Is she eligible for the WIOA youth program? No
- She is not eligible for the WIOA youth program.
- Because she is attending college, she must meet in-school youth eligibility unless she were only taking non-credit bearing community college classes.
- Since she is low-income and a parent, she meets the barrier and low-income requirements for in-school youth eligibility.
- However, she is 22 years old, which exceeds the WIOA in-school youth age requirement of 14 to 21.
- If she were 21, she would be eligible for the WIOA youth program as an in-school youth.

Scenario #10:

The youth in scenario #10 is 19 years old and has a high school diploma.

He is not attending a postsecondary school and he is not low-income, but he has a basic skills deficiency.

- Is he eligible for the WIOA youth program? No
- He is not eligible for the WIOA youth program because he is not low-income.
- While the youth in scenario #10 is an out-of-school youth and many out-of-school youth do not need to be low-income in order to be eligible for the WIOA youth program, the eligibility barrier that he falls under is the basic skills deficient barrier. But he does not meet all the criteria because he is not low-income.

- As discussed in 20 CFR § 681.250, youth who are not attending school and are basic skills deficient must be low-income to meet the out-of-school youth eligibility requirements.
- 20 CFR § 681.250 in further details states, “For OSY, only those youth who are the recipient of a secondary school diploma or its recognized equivalent and are either basic skills deficient or an English language learner and youth who require additional assistance to enter or complete an educational program or to secure or hold employment must be low-income.”
- If the youth in scenario #10 met one of the other out-of-school youth eligibility barriers that did not require low-income, such as an individual with a disability, then he would be eligible for the WIOA youth program.

ATTACHMENT B

YOUTH TRAINING PROVIDER PROCUREMENT FORM

| PARTICIPANT INFORMATION | | |
|--|------------------------------------|---|
| Applicant's Name: _____ | | |
| Participant ID: _____ | Last _____ | First _____ MI _____ |
| Application Date: _____ | | _____ |
| TRAINING PROVIDER #1 | | TRAINING LOCATION ADDRESS AND PHONE NUMBER |
| | | |
| COURSE OF TRAINING | TOTAL HOURS | TOTAL TUITION AND FEES |
| | | |
| SOURCE OF INFORMATION (choose one) | | |
| CATALOG | WEB PAGE PRINT-OUT (attach) | TELEPHONE QUOTE (attach telephone verification form) |
| | | |
| TRAINING PROVIDER #2 | | TRAINING LOCATION ADDRESS AND PHONE NUMBER |
| | | |
| COURSE OF TRAINING | TOTAL HOURS | TOTAL TUITION AND FEES |
| | | |
| SOURCE OF INFORMATION (choose one) | | |
| CATALOG | WEB PAGE PRINT-OUT (attach) | TELEPHONE QUOTE (attach telephone verification form) |
| | | |
| TRAINING PROVIDER #3 | | TRAINING LOCATION ADDRESS AND PHONE NUMBER |
| | | |
| COURSE OF TRAINING | TOTAL HOURS | TOTAL TUITION AND FEES |
| | | |
| SOURCE OF INFORMATION (choose one) | | |
| CATALOG | WEB PAGE PRINT-OUT (attach) | TELEPHONE QUOTE (attach telephone verification form) |
| | | |
| CERTIFICATION | | |
| I certify that the information recorded on this form is accurate and was obtained as indicated by the signature and date below | | |
| _____ | | _____ |
| Case Manager Signature | | Date |