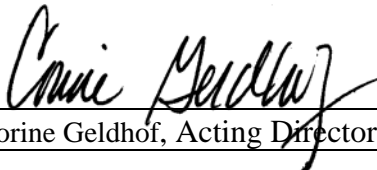


State of Alaska
Department of Labor and Workforce Development

Division: Business Partnerships	Policy No.: 375.00 <i>Final</i>
Subject: Workforce Investment Act (WIA) Youth Eligibility	Pages: 6
Reference: Workforce Investment Act Sections 101(13), (24) and (25), 127(b)(2)(C), 132(b)(1)(IV), 132(b)(1)(B)(v)(IV), 134(d)(3)(A)(ii); 20 CFR 663.230; Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.); 42 U.S.C. and 20 CFR Chapter III, Social Security Administration; Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302); Federal Register Vol. 67, No. 67, Part IV; USDOL Training and Employment Guidance Letter No. 05-03; Jobs for Veterans Act [P.L. 107-288 38 U.S.C. 4215 (a)(1)(B)].	Effective Date: 4/29/05
	Revised: 12/07/05
Approved:  Corine Geldhof, Acting Director	December 12, 2005 Date

1) Parties Affected

Workforce Investment Act (WIA) sub-grantees and registrants

2) Purpose

This policy provides criteria for determining income and need for services for participants in the WIA Youth program. It also addresses guidelines for coordination, documentation, priority of service, and non-discrimination and provides the definition for Lower Living Standard Income Level (LLSIL) by family size for metro and non-metro regions.

3) Definitions

- a) *A low-income individual* means an individual who:
 - i) Receives or is a member of a family that receives cash payments under a federal, state or local income based public assistance program;
 - ii) Received an income or is a member of a family that received a total family income, for the 6 month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in (i) above), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C.) that, in relation to family size, does not exceed the higher of:
 - (1) The poverty line, for an equivalent period (<http://aspe.hhs.gov/poverty/index.shtml>); or

- (2) 70 percent of the Lower Living Standard Income Level (LLSIL), for an equivalent period (<http://wdsc.doleta.gov/lisil/>).
 - iii) Is a member or a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
 - iv) Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);
 - v) Is a foster child on behalf of whom state or local government payments are made; or
 - vi) In cases permitted by regulations promulgated by the U.S. Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in (i) or (ii) above, but is a member of a family whose income does not meet such requirement.
- b) *Deficient in basic literacy skills* means an individual that has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test.
- c) *Division* refers to the Division of Business Partnerships (DBP) within the Alaska Department of Labor and Workforce Development.
- d) *Eligible Youth* means an individual who:
- i) Is not less than age 14 and not more than age 21;
 - ii) Is a low income individual (See Definitions Section 3a); and
 - iii) Is an individual who is one or more of the following:
 - (1) Deficient in basic literacy skills;
 - (2) A school dropout;
 - (3) Homeless, a runaway, or a foster child;
 - (4) Pregnant or a parent;
 - (5) An offender; or
 - (6) An individual who requires additional assistance to complete an educational program, or to secure and hold employment.
- e) *Pregnant or parenting* is an individual who is the parent of a child or soon to be a parent.
- f) *Homeless* - The terms *homeless*, *homeless individual* or *homeless person*, as defined in 42 U.S.C. 11302, includes:
- i) An individual who lacks a fixed, regular, and adequate nighttime residence; or
 - ii) An individual who has a primary nighttime residence that is:
 - (1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

- (2) An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- g) *Family* is 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:
- i) A husband, wife, and dependent children;
 - ii) A parent or guardian and dependent children; and
 - iii) A husband and wife.
- h) *Military Spouse* is an individual who is married to an active duty service member including National Guard or Reserve personnel on active duty. The surviving spouse of an active duty service member who lost his/her life while on active duty service is considered to be a military spouse.
- i) *Offender* means any adult or juvenile:
- i) Who is or has been subject to any stage of the criminal justice process; and
 - ii) To whom services under this Act may be beneficial; or
 - iii) Who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
- j) *Public Assistance* is Federal, State or local government cash payments for which eligibility is determined by a needs or income assessment.
- k) *Registration* is the process of collecting information necessary for a determination of eligibility for the program.
- l) *An individual who requires additional assistance to complete an educational program, or to secure and hold employment* means any youth who:
- i) Lacks the employability skills to become or retain employment; or
 - ii) Lacks access to training opportunities due to geographic challenges; or
 - iii) Requires special accommodations for education or employment due to their disability, or
 - iv) Has cultural dissonance; or
 - v) Is defined as a migrant youth; or
 - vi) Is currently attending an educational program; and
 - (1) Has previously dropped out of an educational program; or
 - (2) Has poor attendance patterns in an educational program during the last 12 calendar months; and
 - (3) Has below average grades;

- vi) Is not attending an educational program; and
 - (1) Has no vocational/employment goal; and
 - (2) Has a poor work history (including no work history), or has been fired from a job in the last six calendar months;
- vii) Has completed full high school attendance; and
 - (1) Failed comprehensive high school graduation tests; and
 - (2) Was denied an Alaska high school diploma; and
 - (3) Requests and requires intensive tutoring and/or remedial education to prepare for and retake the comprehensive examinations or the General Education Development (GED) Diploma examination.
- m) *Veteran* is an individual who served in the active military, naval or air service, and who was discharged or released from such service under conditions other than dishonorable, which may include National Guard or Reserve personnel.

4) **Policy**

Eligibility for Workforce Investment Act Title 1B Youth Programs is based on a demonstrated need for services, family size, and related family income within the last six months. This policy is to ensure that grantees/sub-recipients of the Division of Business Partnerships (DBP):

- a) Coordinate with WIA partners;
- b) Observe non-discrimination laws and regulations;
- c) Verify general eligibility for youth registrants; and
- d) Determine service eligibility for youth participants; or
- e) Apply the requirements of the DBP 5% Youth Eligibility Exception procedure (see addendum 1).

5) **Responsibility**

- a) ***Coordination.*** WIA partner programs will coordinate eligibility determinations with One Stop partners as appropriate to ensure non-duplication and seamless services. Grantees/sub-recipients are responsible for any needed assessment that includes additional elements specifically tailored to participation in the WIA youth program.
- b) ***Non-Discrimination.*** Grantees/sub-recipients must adhere to DBP Methods of Administration, as delineated in each grant/reimbursable service agreement (RSA) to ensure non-discrimination under WIA Section 188.
- c) ***Point of Participation.*** Grant recipients must register eligible youth participants once they receive a WIA funded service.
- d) ***Priority of Service.*** Every individual found eligible for youth services will have equal consideration for funding, depending on availability of funds. When WIA Youth formula funds are limited the state will implement an order of selection for intensive or training services. Priority of service applies to individuals who are:

- i) Veterans or a military spouse who are low-income;
- ii) Individuals with disabilities who are low-income;
- iii) Public assistance recipients;
- iv) Other low-income individuals; and
- v) Individuals who are not self-sufficient; or
- vi) None one of the above but have an identified need.

6) Data Element Validation Documentation

At a minimum, grantees/sub-recipients must maintain documentation in both the division's Management Information System (MIS) and hard case files supporting individuals determined eligible for participation in the WIA youth program.

US Department of Labor (USDOL), Employment and Training Administration (ETA) Training and Employment Guidance Letter (TEGL) 3-03, Change 1 identifies specific documentation necessary to support data elements used in computing performance indicators on a Quarterly and Annual basis. Grantees/sub-recipients must ensure the hard case file for each participant contains one of the TEGL identified types of documentation for each data element, which applies to the participant's eligibility and/or program participation.

In some instances, participant self-attestation or self-certification is an acceptable form of documentation. Documents signed by the participant and containing an acknowledgement by the participant that the information contained therein is true and correct to the best of their knowledge satisfy this requirement. The documentation may be a form completed by hand or a MIS generated form the participant verifies and signs; e.g., the individual's counselor may complete the data elements in the MIS while interviewing the participant and print out a completed Turn Around Document (TAD) with the certification and signature option and have the participant sign and date the form. This signed form then goes into the hard case file and fulfills the requirement for source documentation for those elements for which self-attestation/self-certification are acceptable.

Should the participant's statements prove to be false, inaccurate, or misleading the state may seek reimbursement for funds expended.

Addendum 1

Division of Business Partnerships 5% Youth Eligibility Exception Procedure

Youth who do not meet the income criteria for the Title IB Youth Workforce Investment Act (WIA) program may be eligible under the 5% over income rule. This is the procedure for enrolling youth under this rule. Five percent (5%) of the total youth served by the state can exceed the income eligibility limits.

1. Youth over income must receive a comprehensive assessment prior to service. Youth must have a minimum of two barriers to be served under the 5% rule. Barriers are listed in the youth eligibility policy.
2. Email the Youth Program Manager with a request for a 5% determination, including details of barriers for approval. He/she may require that the application, with details, be faxed for review.
3. He/she will send a return email of determination.
4. File the email in the youth file.
5. Record the 5% determination on the MIS record.