

State of Alaska

Department of Labor and Workforce Development

Division:

Alaska Workforce Investment Board (AWIB)

Policy: 07-502.3

Subject:

WIOA Youth Program Policy: Program Eligibility

Pages: 9

Reference:

- [Workforce Innovation and Opportunity Act \(WIOA\)](#)
- [20 CFR Part 681](#) – Youth Activities under Title I of WIOA
- [29 CFR Part 38](#) - WIOA Nondiscrimination and Equal Opportunity
- [TEGL 21-16, Change 1](#)– Third WIOA Youth Program Guidance
- [TEGL 23-14](#) – WIOA Youth Eligibility Guidance
- [TEGL 08-15](#) – School Status and Low-Income Guidelines
- [TEGL 10-23 and Change 3](#) - Administrative Barriers and Rescission of Change 2
- [TEGL 23-19, Change 3](#) - Current Data Validation and Source Documentation Guidance
- [AS 14.30.180 and 4 AAC 52.090](#) - Alaska Special Education School-Age Eligibility

Effective: 07/01/2015
Revised: 08/27/2026

Approved:



Dirk Craft, Executive Director, AWIB

08/27/2026

Date

1. PARTIES AFFECTED

This policy applies to Alaska Workforce Investment Board (AWIB) staff, subrecipients of WIOA Title I-B Youth funds, contractors, and service providers responsible for outreach, intake, eligibility determination, enrollment, case management, or delivery of WIOA Youth services.

2. PURPOSE

To establish accurate and consistent statewide requirements for determining and documenting eligibility for Alaska's WIOA Title I-B Youth Program. This policy clarifies the distinct eligibility pathways for In-School Youth (ISY) and Out-of-School Youth (OSY), identifies when low-income status is required, and incorporates applicable citizenship, nondiscrimination, and language-access requirements.

This policy must be applied in accordance with current federal law and regulations, approved AWIB policies, and current approved AWIB eligibility and source-documentation guidance. Draft or unapproved AWIB policies do not establish eligibility requirements.

3. BACKGROUND

WIOA Title I Youth programs provide career exploration, education, training, work-based learning, supportive services, and follow-up services to eligible youth and young adults. Federal law establishes separate ISY and OSY eligibility pathways and prioritizes services and expenditures for OSY. Eligibility must be based on the facts and documentation existing at the time of enrollment and must be applied consistently across Alaska's single statewide local workforce area.

4. GENERAL ELIGIBILITY AND ENROLLMENT STANDARD

A youth must satisfy all requirements for either ISY under 20 CFR § 681.220 or OSY under 20 CFR § 681.210. A subrecipient may not combine portions of the ISY and OSY criteria to establish eligibility.

Before the first WIOA Youth program element is delivered, the subrecipient must:

- a.** Determine and document the youth's eligibility;
- b.** Provide an objective assessment;
- c.** Develop an Individual Service Strategy (ISS) based on the assessment; and
- d.** Enter and retain the required eligibility, assessment, ISS, and service records in AlaskaJobs in accordance with applicable data-entry policy.

Under 20 CFR § 681.320, an individual becomes a WIOA Youth participant only after eligibility determination, objective assessment, ISS development, and participation in at least one of the 14 WIOA Youth program elements have occurred. Outreach, intake, eligibility determination, assessment, and ISS development may occur before participation and do not independently establish participation.

5. CITIZENSHIP, IMMIGRATION ELIGIBILITY, AND LANGUAGE ACCESS

Eligible immigration categories

Consistent with WIOA Section 188(a)(5) and 29 CFR § 38.11, WIOA Title I-funded aid, benefits, services, and training are available to citizens and nationals of the United States, lawfully admitted permanent residents, refugees, asylees, parolees, and other immigrants authorized by the Secretary of Homeland Security or the Secretary's designee to work in the United States.

Controlling work-authorization guidance

TEGL 10-23, Change 3 rescinded TEGL 10-23, Change 2. Accordingly, the verification and recurring reverification procedures established by Change 2 are not controlling. Subrecipients must follow WIOA Section 188, 29 CFR Part 38, TEGL 10-23 as modified by Change 3, and current approved AWIB eligibility and source-documentation guidance. This policy does not alter an employer's separate Form I-9 and employment-verification obligations when a youth is hired as an employee, including for paid work experience.

Nondiscrimination and meaningful access

Subrecipients must not request more or different documentation because of an applicant's citizenship, national origin, accent, or perceived immigration status. They must not discriminate against an individual protected by WIOA Section 188 or 29 CFR Part 38. Limited English proficient individuals must receive timely and accurate interpretation or translation services at no cost. A subrecipient may not require an applicant or participant to provide an interpreter or rely on a minor child as an interpreter except as permitted by 29 CFR § 38.9.

6. IN-SCHOOL YOUTH ELIGIBILITY

An individual qualifies as ISY when all of the following are met at the time of enrollment:

- a. The individual is attending school, including secondary or postsecondary school, as defined by applicable State law;
- b. The individual is not younger than age 14 or older than age 21, unless the individual has a disability and is attending school under State law;

For Alaska, the upper-age exception applies only when an individual with a disability is currently attending school under applicable State law. Under 4 AAC 52.090, a student with a disability who is less than age 22 on July 1 may remain eligible for special education during that school year. Disability alone does not extend the ISY age range.

- c. The individual is low-income, unless approved under the five-percent low-income exception described in Section 8; and
- d. The individual has one or more of the following barriers:
 - 1. Basic skills deficient;
 - 2. English language learner;
 - 3. Offender;
 - 4. Homeless individual or runaway;
 - 5. In foster care, aged out of foster care, left foster care for kinship guardianship or adoption after age 16, eligible for assistance under Section 477 of the Social Security Act, or in an out-of-home placement;
 - 6. Pregnant or parenting;
 - 7. Individual with a disability; or
 - 8. Requires additional assistance to complete an educational program or to secure or hold employment under Section 12 of this policy.

7. OUT-OF-SCHOOL YOUTH ELIGIBILITY

An individual qualifies as OSY when all of the following are met at the time of enrollment:

- a. The individual is not attending any school, as defined in Section 9;
- b. The individual is not younger than age 16 or older than age 24; and
- c. The individual has one or more of the following barriers:
 - 1. School dropout;
 - 2. Within the age of compulsory school attendance but has not attended school for at least the most recent complete school year calendar quarter;
 - 3. Recipient of a secondary school diploma or its recognized equivalent who is low-income and is either basic skills deficient or an English language learner;
 - 4. Offender;
 - 5. Homeless individual or runaway;

6. In foster care, aged out of foster care, left foster care for kinship guardianship or adoption after age 16, eligible for assistance under Section 477 of the Social Security Act, or in an out-of-home placement;
7. Pregnant or parenting;
8. Individual with a disability; or
9. Low-income and requires additional assistance to enter or complete an educational program or to secure or hold employment under Section 12 of this policy.

Important OSY eligibility rule: English language learner status is not a stand-alone OSY eligibility category. For an OSY with a secondary school diploma or recognized equivalent, the individual must be low-income and either basic skills deficient or an English language learner. Low-income status alone also is not a stand-alone OSY eligibility category.

8. LOW-INCOME REQUIREMENTS AND EXCEPTIONS

Establish low-income status only for the youth categories identified below. The eligibility file must clearly identify the applicable category and the source used to verify low-income status.

Youth eligibility category	Low-income required?
All ISY	Yes, unless approved under the five-percent low-income exception
OSY with a secondary diploma/equivalent who is basic skills deficient or an English language learner	Yes
OSY qualifying under “requires additional assistance”	Yes
OSY qualifying as a dropout; compulsory-school-age nonattender; offender; homeless/runaway; foster-care/out-of-home-placement youth; pregnant/parenting youth; or individual with a disability	No

Low-income determination

A youth is low-income when the individual meets the definition in WIOA Section 3(36), is eligible for free or reduced-price lunch under the National School Lunch Act, or lives in a high-poverty area as defined by 20 CFR § 681.260. Use current approved AWIB eligibility and source-documentation guidance to verify the applicable low-income factor.

For an ISY with a disability, the individual’s own income may be used to establish low-income status when it meets WIOA requirements even if the individual’s family income exceeds the applicable threshold. An OSY with a disability does not need to be low-income unless the individual is also qualifying under an OSY category that independently requires low-income status.

Five-percent low-income exception

WIOA permits up to five percent of newly enrolled youth who ordinarily must be low-income to qualify, but who meet all other eligibility requirements and do not meet the low-income criterion. Because Alaska is a single local workforce area and AWIB must track

the limitation statewide, AWIB must approve the exception in writing before enrollment. This exception is separate from the five-percent ISY “requires additional assistance” limitation in 20 CFR § 681.310(b).

9. SCHOOL STATUS DETERMINATION

School status is determined at the time of WIOA Youth enrollment using applicable State law, 20 CFR §§ 681.230-681.240, and current WIOA Youth guidance.

- a. Applicable State law generally determines whether a secondary or postsecondary institution is a school for WIOA Youth eligibility purposes, subject to the federal exceptions below.
- b. A youth enrolled in any credit-bearing postsecondary education class is considered to be attending postsecondary school. A youth enrolled only in non-credit-bearing postsecondary classes is not considered to be attending postsecondary school and may be OSY if all other OSY criteria are met.
- c. A youth enrolled between school years is considered ISY when the youth is enrolled to continue school in the fall. A high school graduate registered for credit-bearing postsecondary education is considered ISY unless the youth decides not to attend and the WIOA eligibility determination occurs after that decision.
- d. Adult education provided under WIOA Title II, YouthBuild, Job Corps, high school equivalency programs, and dropout re-engagement programs generally are not schools for WIOA Youth eligibility purposes, regardless of funding source.
- e. A youth attending a high school equivalency or dropout re-engagement program funded by the public K-12 school system and classified by that school system as still enrolled is considered ISY.
- f. Dropout and school status must be verified at enrollment. A youth who is OSY at enrollment remains OSY for purposes of the 75-percent OSY expenditure requirement throughout that period of participation, even if the youth later enters school.
- g. Age eligibility is based on age at enrollment. A participant may continue receiving WIOA Youth services after the applicable maximum enrollment age once properly enrolled.

10. KEY DEFINITIONS

Term	Definition
Age of compulsory school attendance/nonattendance	A youth who is within the age of compulsory school attendance under Alaska law but has not attended school for at least the most recent complete school year calendar quarter. The quarter is based on the local school district's school-year quarters; where the district does not use quarters, use calendar-year quarters, consistent with 20 CFR § 681.210(c)(2).

Term	Definition
Basic skills deficient	A youth who has English reading, writing, or computing skills at or below the eighth-grade level on a generally accepted standardized test, or who 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. Assessment instruments must be valid and appropriate for the target population, with reasonable accommodations when necessary, consistent with WIOA Section 3(5), 20 CFR § 681.290, and current approved AWIB guidance.
Credit-bearing postsecondary education	A postsecondary class for which the institution awards academic credit. A youth enrolled in any credit-bearing postsecondary class is considered to be attending school; a youth enrolled only in non-credit-bearing postsecondary classes is not considered to be attending postsecondary school, consistent with TEGL 21-16.
English language learner	An individual with limited ability in reading, writing, speaking, or comprehending English and whose native language is a language other than English, or who lives in a family or community environment where a language other than English is dominant, consistent with WIOA Sections 3(21) and 203(7).
High-poverty area	An area meeting the criteria in 20 CFR § 681.260, including an eligible Census tract, Alaska Native Village Statistical Area, Alaska Native Regional Corporation Area, or other qualifying geographic area with a poverty rate of at least 25 percent, based on the current approved data source.
Homeless individual, homeless child or youth, or runaway	An individual meeting the applicable federal homelessness criteria incorporated by WIOA, including a homeless individual under 34 U.S.C. § 12473(6), a homeless child or youth under 42 U.S.C. § 11434a(2), or a runaway. The child and youth definition includes qualifying shared-housing, motel or hotel, shelter, unsheltered, and migratory living circumstances when the individual lacks a fixed, regular, and adequate nighttime residence.
Individual with a disability	An individual with a disability as defined in Section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12102), consistent with WIOA Section 3(25). The applicable low-income rules for youth with disabilities are stated in Section 8 of this policy.
Low-income individual	An individual meeting WIOA Section 3(36) and the additional youth rules in 20 CFR §§ 681.250-681.280, including a youth who is eligible for free or reduced-price lunch or who lives in a qualifying high-poverty area. See Section 8 of this policy for the categories in which low-income status is required.

Term	Definition
Offender	An adult or juvenile who is or has been subject to any stage of the criminal justice process and for whom WIOA services may be beneficial, or who requires assistance overcoming artificial barriers to employment resulting from a record of arrest or conviction, consistent with WIOA Section 3(38).
Pregnant or parenting	A youth who is pregnant or who is a mother or father, including a custodial or noncustodial parent.
Requires additional assistance	A State-defined WIOA Youth eligibility criterion described in Section 12 of this policy. ISY enrollment based on this criterion is subject to the separate five-percent limitation in 20 CFR § 681.310(b). An OSY qualifying under this criterion must be low-income.
School dropout	An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent, consistent with WIOA Section 3(54). An individual who drops out of postsecondary education is not a school dropout for WIOA Youth eligibility purposes.

11. ELIGIBILITY DOCUMENTATION AND CASE FILE STANDARDS

Eligibility must be supported by allowable source documentation under TEGL 23-19, Change 3, and current approved AWIB eligibility documentation requirements. The source documentation must establish the facts that existed at the time of enrollment.

- a. The case file and AlaskaJobs record must identify school status, age, low-income status when required, each eligibility barrier used, the source documentation, and the date of eligibility determination.
- b. Self-attestation may be used when it is identified as an allowable source under TEGL 23-19, Change 3 and current approved AWIB guidance. Subrecipients must not impose documentation requirements beyond those authorities or use self-attestation where it is not an allowable source.
- c. When sources conflict, staff must resolve the discrepancy before enrollment and use the most reliable, objective, and current source. Staff must not alter, backdate, or create documentation to manufacture eligibility after enrollment.
- d. Only the minimum information necessary to verify a disability or other sensitive eligibility factor may be collected. Do not request a medical diagnosis or detailed medical record when an allowable, less-intrusive source is sufficient. Sensitive records must be restricted to authorized staff and maintained in accordance with applicable confidentiality requirements.
- e. A case note must explain the eligibility pathway and any judgment used, including school-status analysis, use of the low-income exception, or use of a State-defined “requires additional assistance” criterion.

12. STATE-DEFINED “REQUIRES ADDITIONAL ASSISTANCE” CRITERION

Until a separate AWIB policy governing this criterion is approved and effective, the definition and application standards in this section apply. Draft or unapproved AWIB policy does not establish additional eligibility requirements. This criterion

may not be used as a substitute for missing eligibility documentation or for an inapplicable barrier.

Current approved definition

A youth requires additional assistance to enter or complete an educational program or to secure or hold employment when one or more of the following conditions is supported by allowable source documentation or a case note permitted under current approved guidance:

- a. Lacks employability skills to obtain or retain employment;
- b. Lacks access to training opportunities due to geographic challenges;
- c. Requires special accommodations for education or employment due to a disability;
- d. Experiences cultural dissonance;
- e. Is a migrant youth;
- f. 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 preceding 12 calendar months and has below-average grades;
- g. Is not attending an educational program and:
 - 1. Has no vocational or employment goal; and
 - 2. Has a poor work history, including no work history, or was fired from a job during the preceding six calendar months.

Application and documentation rules

- a. For ISY, the youth must meet all requirements in Section 6, including low-income status unless approved under the low-income exception, and must meet at least one condition in this section. No more than five percent of ISY newly enrolled statewide in a given program year may be eligible based on this criterion. Prior written AWIB approval is required before enrollment under this ISY criterion.
- b. For OSY, the youth must meet all requirements in Section 7, must be low-income, and must meet at least one condition in this section. The federal five-percent ISY limitation does not apply to OSY determinations under this criterion.
- c. Documentation must be collected at the time of eligibility determination and must identify the condition relied upon, the allowable source, and the facts supporting the determination. Self-attestation may be used only when permitted by current federal and approved AWIB guidance.
- d. Subrecipients must first determine whether the facts and documentation support another applicable eligibility barrier. A barrier may be used only when the youth actually met that barrier at enrollment.

13. Responsibilities

Subrecipients

- Apply the ISY and OSY criteria exactly as written and document the complete eligibility pathway before enrollment.
- Train eligibility and case-management staff on the OSY diploma/low-income/basic-skills-deficient-or-English-language-learner criterion and the limited OSY categories requiring low-income status.

- Maintain accurate source documentation, AlaskaJobs entries, case notes, and privacy protections.
- Provide meaningful language access and equal opportunity throughout intake and service delivery.
- Request AWIB clarification before taking an adverse action when federal and State guidance appear inconsistent or when a prior eligibility determination may have relied on incorrect State guidance.

AWIB

- Maintain statewide eligibility guidance, documentation tools, and training aligned with current federal authority.
- Track the five-percent low-income exception and the five-percent ISY “requires additional assistance” limitation statewide.
- Conduct eligibility monitoring, data validation, technical assistance, and corrective action as appropriate.
- Issue transition or case-review instructions when a policy correction may affect existing participant records.