

WIOA Title 1 Youth Program Eligibility Policy

Definitions

1. **Active Duty**
 - a. Full-time duty in the active military service of the United States.
 - b. The term includes full-time training duty, annual training duty, and attendance, while in the active military service at a school designated as a service school by law or by the Secretary of the military department concerned.
2. **Age of Compulsory School Attendance**
 - a. Virginia requires that all children between the ages of 5 and 18, who live in Virginia, attend school.
 - b. There are these exceptions:
 - i. Has a high school diploma or GED;
 - ii. Has a disability and has completed requirements for a Virginia high school certificate of completion;
 - iii. Is receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age (homeschool, nonpublic school);
 - iv. Has completed receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age;
 - v. Is severely ill and requires home or hospital instruction;
 - vi. Is married;
 - vii. Is in military service;
 - viii. Is committed by court order to an institution without an educational program;
 - ix. Provides financial support to the child's family as documented by a local department of social services;
 - x. Has been expelled
 - xi. Is pregnant or a parent and is enrolled in an alternative educational program;
 - xii. Attends an alternative educational program;
 - xiii. Attends a public school on a part-time basis and attends a private career school, with guardian and school official consent; or
 - xiv. Received a waiver by the State Superintendent
3. **Attachment to the Workforce**
 - a. Having been employed at least twenty (20) or more hours per week for at least six (6) of the most recent thirty-six (36) months in a single occupation.
 - b. The six (6) months need to be consecutive.
 - c. An employee of a temporary agency, in order to demonstrate attachment to the workforce, must have worked on the same assigned for the same number of weekly hours and duration notes above.
4. **Attending Postsecondary School**

- a. Enrollment in credit-bearing postsecondary education classes including credit bearing community college classes and continuing education classes.
 - b. If an individual is enrolled in non-credit bearing postsecondary classes only, then the individual is not considered to be attending postsecondary school.
 - c. If an individual is enrolled in the Youth program between high school graduation and postsecondary education, the individual is considered In-School if they are registered for postsecondary education, even if they have not yet begun classes at the time of determining eligibility.
5. Attending School
- a. Enrolled in and regular attendance at a school approved by the Virginia State Board of Education.
6. Basic Skills Deficient
- a. A youth who has English reading or writing skills or computing skills at or below the 8th grade level based on a generally accepted standardized test; or,
 - b. A youth or adult 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.
7. Call or Order to Active Duty
- a. The phrase *call or order to active duty* refers to the call or order or retention on active duty for members of the uniformed services under 10 USC §§ 688, 12301(a), 12302, 12304, 12304a, 12305, or 12406 or 10 USC Subtitle A Part I Chapter 15, or any other provision of law during a war or during a national emergency declared by the United States President or Congress.
8. Deployment
- a. A member of the US Armed Forces is considered to be deployed on any day on which, pursuant to orders, the member is performing service in a training exercise or operation at a location or under circumstances that make it impossible or infeasible for the member to spend off-duty time in the housing in which the member resides when on duty at the member's permanent duty station or homeport. If the individual is member of a reserve component of the US Armed Forces and is performing active service pursuant to orders that do not establish a permanent change of station, the housing referred to above is any housing (including the member's residence) that the member usually occupies for use during off-duty time when on duty at the member's permanent duty station or homeport. The Secretary of Defense may prescribe an alternative definition of deployment other than that described above.
 - b. A member of the United States Armed Forces is not deployed when the member is:
 - i. Performing service as a student or trainee at a school including a government school;
 - ii. Performing administrative, guard, or detail at the member's permanent duty station; or
 - iii. Unavailable solely because of a hospitalization of the member at the member's permanent duty station or homeport or in the immediate vicinity of the member's permanent residence; or
 - iv. Unable solely because of a disciplinary action taken against the member.
9. Dropout

- a. An individual no longer attending school, and has not received a secondary school diploma or a recognized equivalent.
 - b. Dropout refers only to an individual who is currently a secondary school dropout, which does not include a youth who previously dropped out of secondary school but subsequently returned.
10. English Language Learning
- a. Limited ability in reading, writing, speaking, or comprehending the English language and:
 - i. Whose native language is a language other than English; or,
 - ii. Who lives in a family or community environment where a language other than English is the dominant language.
11. Individual with a Disability
- a. An individual with a disability as defined in Section 3 of the Americans with Disabilities Act of 1990.
12. Laid Off or Layoff
- a. An individual's employment relationship is or will be suspended by the employer, without cause, for more than one-hundred eighty (180) calendar days.
13. Low-Income Individual
- a. An individual who meets one (1) or more these eight (8) criteria:
 - i. The individual currently receives or is a member of a family currently receiving assistance through:
 - 1. Supplemental Nutrition Assistance Program;
 - 2. Temporary Assistance for Needy Families Program;
 - 3. Supplemental Security Income through the Social Security Administration; or,
 - 4. State or local income-based public assistance.
 - ii. In the past six (6) months, the individual has received or is a member of a family that has received assistance through:
 - 1. Supplemental Nutrition Assistance Program;
 - 2. Temporary Assistance for Needy Families Program;
 - 3. Supplemental Security Income through the Social Security Administration; or,
 - 4. State or local income-based public assistance.
 - iii. The individual is in a family whose total family income does not exceed the higher of:
 - 1. The current Federally-established poverty line; or
 - 2. Seventy (70) percent of the Federally-established lower living standard income level (LLSIL).
 - iv. The individual is a homeless individual who:
 - 1. Lacks a fixed, regular, and adequate nighttime residence, and is:
 - a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. Living in a motel, hotel, trailer park, or campground due to the lack of adequate alternative;
 - c. Living in an emergency or transitional shelter; or,
 - d. Awaiting foster care placement.
 - 2. Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

3. Is a migratory youth and meets information in iv1 and iv2 in this section.
4. Lives in a car, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
5. Is a runaway.
- v. The individual receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act, unless the individual is a recipient of a secondary school diploma or its recognized equivalent.
- vi. The individual is a foster child on behalf of whom state or local government payments are made.
- vii. The individual is an individual with a disability whose income meets the income requirements of iii in this section.
- viii. The individual lives in a high-poverty area.

14. Offender

- a. An adult or juvenile who:
 - i. Is or has been subject to any stage of the criminal justice process and for whom services under Youth, Adult, or Dislocated Worker programs may be beneficial; or,
 - ii. Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

15. Pregnant or Parenting

- a. A pregnant individual is the expectant mother only.
- b. An individual who is parenting is a mother or father, custodial or non-custodial.

16. Requires Additional Assistance

- a. West Piedmont Workforce Development Board defines this as a youth in need of assistance to complete an educational or employment goal.
- b. Includes out-of-school youth, including a youth with a disability; and:
 - i. Has dropped out of a post-secondary educational program during the twelve (12) calendar months; or,
 - ii. Has a poor work history, to include no work history, or has been fired from a job in the last six (6) calendar months; or,
 - iii. Has previously been placed in out-of-home care (foster care, group home, or kinship care) for more than six (6) months between the ages of sixteen (16) and twenty-one (21); or,
 - iv. Currently has an incarcerated parent or guardian.

17. Unlikely to return to a previous occupation or industry

- a. For determining eligibility as a dislocated worker, an individual is unlikely to return to a previous occupation or industry if job opportunities in the occupation or industry are significantly diminished for an individual based on one (1) or more of the following criteria:
 - i. Official assessments of market demand for products or services in the occupation or industry;
 - ii. Local labor market conditions for the industry or occupation;
 - iii. Evolution of skill requirements in the occupation or industry and whether an individual's skills have kept pace over time based on a current skills assessment;
 - iv. Impact of technology or trade on the industry or occupation.

- b. A separating service member meets the standard of unlikely to return to a previous industry or occupation.

Policy

1. West Piedmont Workforce Development Board will serve Older Youth 16 to 24 years of age who are determined eligible prior to enrollment in Workforce Innovation and Opportunity Act activities.
2. The Youth must have barriers to getting and keeping a job and are in need of educational and employment services.
3. All Workforce Innovation and Opportunity Act Title I Youth Program clients in the West Piedmont Workforce Development Area must:
 - a. Not be younger than sixteen (16) years of age or older than twenty-four (24) years of age at time of enrollment;
 - b. Not be attending school, including secondary school or postsecondary school.
 - c. Be a United States citizen or national; or,
 - d. Be a lawfully admitted permanent resident non-citizen, refugees, asylees, parolees, or other immigrants authorized to work in the United States by the Secretary of Homeland Security, or the Secretary's designee; and,
 - e. Meet Military Selective Service registration requirements, if applicable.
4. Calvert, Charles, and St. Mary's County residents receive priority for enrollment into the Youth Program.
5. Non-residents of Calvert, Charles, or St. Mary's County may be enrolled if a training opportunity exists with an employer in the West Piedmont three (3) county area.
6. If a non-resident is enrolled West Piedmont will coordinate with the workforce agency in the county of residency.
7. A Youth must meet at least one (1) of the following nine (9) criteria to be enrolled:
 - a. The individual is a school dropout.
 - b. The individual is subject to compulsory school attendance under Virginia State Law but has not attended for at least the most recent complete school year quarter or calendar-year quarter.
 - c. The individual is a recipient of a secondary school diploma or its recognized equivalent and a low-income individual and either basic skills deficient or an English language learner.
 - d. The individual is an offender.
 - e. The individual is a homeless individual who:
 - i. Lacks a fixed, regular, and adequate nighttime residence; and is
 1. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 2. Living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
 3. Living in an emergency or transitional shelter;
 4. Is abandoned in a hospital; or,
 5. Is awaiting foster care placement;

- ii. Has a primary nighttime residence that is a public or private placed not designed for or ordinarily used as regular sleeping accommodation for human beings;
 - iii. Is a migratory youth who is basic skills deficient or an English language learner;
 - iv. Lives in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
 - v. Is a runaway.
- f. The individual:
- i. Is in foster care;
 - ii. Has aged out of the foster care system;
 - iii. Has attained age sixteen (16) and has left foster care for kinship guardianship or adoption;
 - iv. Is eligible for assistance under the John H. Chafee Foster Care Independence Program; or,
 - v. Is an out-of-home placement.
- g. The individual is pregnant or parenting.
- h. The individual is an individual with a disability.
- i. The individual requires additional assistance to enter or complete an educational program or secure or hold employment AND is low-income.
8. Age-Based Eligibility for Older Youth:
- a. The individual must not be younger than age sixteen (16) or older than age twenty-four (24) to be considered eligible as an Older Youth.
 - b. School status is determined at the time of eligibility determination and remains the same throughout the individual's participation in the Workforce Innovation and Opportunity Act Youth program.
 - c. Once enrolled, an Older Youth may continue to receive services beyond age twenty (24).
9. Low-Income Requirement for Older Youth:
- a. An individual must be low-income if the individual's eligibility as an Older Youth is based on:
 - i. Basic skills deficiency.
 - ii. Being an English language learner.
 - iii. A need for additional assistance to enter or complete an educational program or to secure or hold employment.
10. Low-Income Exception:
- a. Up to 5% of Older Youth participants who ordinarily would be required to be low-income for eligibility persons are not required to meet the low-income requirements for eligibility provided they meet all other eligibility requirements.
11. Youth meeting the low-income exception must be approved by the CEO for WPWDB.
12. CEO or Contractor quarterly to the West Piedmont Workforce Development Board on the percentage of Youth participants who are part of the low-income exception.
13. All programs and activities funded or financially assisted in whole or in part under the Workforce Innovation and Opportunity Act must comply with all laws on the prohibition against discrimination based on age, disability, sex, race, color, national origin, or political affiliation or belief.