

**Nevada Department of Employment, Training and Rehabilitation  
(DETR)  
Workforce Innovation and Opportunity Act  
State Compliance Policy (SCP)**

**Policy Number: 2.2**

**Originating Office:** DETR; Workforce Investment Support Services (WISS)

**Subject:** WIOA Youth Program Design

**Approved:** GWDB – July 21, 2016

**Purpose:** To provide program requirements for the WIOA Youth programs.

**State Imposed Requirements:** This directive contains some state-imposed requirements. These requirements are printed in ***bold, italic type***.

**Authorities/References:**

Workforce Innovation and Opportunity Act (P.L. Sec. 113-128), NPRM 20 CFR 681, TEGL 23-14, TEGL 05-12, TEN 17-15;

Career Pathways Toolkit [https://www.doleta.gov/usworkforce/PDF/career\\_pathways\\_toolkit.pdf](https://www.doleta.gov/usworkforce/PDF/career_pathways_toolkit.pdf)  
NJCOS/MIS WIA/WIOA Data and Performance Desk Reference, TAG 15-3

**ACTION REQUIRED:**

Upon issuance bring this guidance to the attention of all WIOA service providers, LWDB Board members and any other concerned parties. Any local boards' policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

**Background:** WIOA substantially changed program requirements for youth program design. Local areas are now required to expend 75 percent of youth funds for service to out-of-school youth compared to 30 percent under WIA. Local areas are also required to spend 20 percent of youth allocations on work experience activities and may use up to 10 percent of allocations based on pay-for-performance contracts.

WIOA enhances the youth program design through an increased emphasis on individual participant needs by adding new components to the objective assessment and individual service strategy. WIOA incorporates career pathways as part of both the objective assessment and development of the individual service strategy (ISS). In addition, the individual service strategy must directly link to one or more of the performance indicators. The program design under WIOA also includes effective connections to employers, including small employers, in in-demand industry sectors and occupations.

Local youth programs must provide service to a participant for the amount of time necessary to ensure successful preparation to enter post-secondary education and/or unsubsidized employment. While there is no minimum or maximum time a youth can participate in the WIOA youth program, programs must link participation to the individual service strategy and not the timing of youth service provider contracts or program years. (CFR 681.450) Both in-school youth (ISY) and out-of school youth (OSY) are eligible for youth services. (WIOA sec. 3(18)). Reference SCP 2.1 for participant eligibility for services.

## **Policy and Procedure:**

### **Registration and Enrollment (CFR 681.310)**

- (a) to participate in youth programs, participants must enroll in the WIOA youth program.
- (b) Enrollment in this case requires:
  - (1) The collection of information to support an eligibility determination; and
  - (2) Participation in any of the fourteen WIOA youth program elements.

### **Individual Service Strategy (ISS)**

Development of an ISS is required for each participant. An ISS must be directly linked to one or more of the indicators of performance, and identifies a career pathway which includes education and employment goals.

Local Boards must have written policy as to plan content, update and inclusion in the participant case file/MIS.

### **Elements, Requirements and Program Design (WIOA Sec. 129(c)(1)-(8), CFR 681.420)**

- (a) PROGRAM DESIGN.—Funds allocated to a local area for eligible youth under section 128(b) shall be used to carry out, for eligible youth, programs that—
  - (1) provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of such participant, for the purpose of identifying appropriate services and career pathways for participants, except that a new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conducted pursuant to another education or training program;
  - (2) develop service strategies for each participant that are directly linked to 1 or more of the indicators of performance described in section 116(b)(2)(A)(ii), and that shall identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted pursuant to subparagraph (A), except that a new service strategy for a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program;

(3) provide—

(A) activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;

(B) preparation for postsecondary educational and training opportunities;

(C) strong linkages between academic instruction (based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311)) and occupational education that lead to the attainment of recognized postsecondary credentials;

(D) preparation for unsubsidized employment opportunities, in appropriate cases; and

(E) effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets; and

(4) at the discretion of the local board, implement a pay-for-performance contract strategy for elements described in paragraph (2), for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under section 128(b).

(b) PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the programs described in paragraph (1) shall provide elements consisting of—

(1) 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;

(2) alternative secondary school services, or dropout recovery services, as appropriate;

(3) paid and unpaid work experiences that have as a component academic and occupational education, which may include—

(A) summer employment opportunities and other employment opportunities available throughout the school year;

(B) pre-apprenticeship programs;

(C) internships and job shadowing; and

(D) on-the-job training opportunities;

(4) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;

(5) education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(6) leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;

(7) supportive services;

(8) adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;

- (9) follow-up services for not less than 12 months after the completion of participation, as appropriate;
- (10) comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
- (11) financial literacy education;
- (12) entrepreneurial skills training;
- (13) 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
- (14) activities that help youth prepare for and transition to postsecondary education and training.

(c) **ADDITIONAL REQUIREMENTS.—**

(1) **INFORMATION AND REFERRALS.—**Each local board shall ensure that each participant shall be provided—

- (A) information on the full array of applicable or appropriate services that are available through the local board or other eligible providers or one-stop partners, including those providers or partners receiving funds under this subtitle; and
- (B) referral to appropriate training and educational programs that have the capacity to serve the participant either on a sequential or concurrent basis.

(2) **APPLICANTS NOT MEETING ENROLLMENT REQUIREMENTS.—**

Each eligible provider of a program of youth workforce investment activities shall ensure that an eligible applicant who does not meet the enrollment requirements of the particular program or who cannot be served shall be referred for further assessment, as necessary, and referred to appropriate programs in accordance with subparagraph (A) to meet the basic skills and training needs of the applicant.

(3) **INVOLVEMENT IN DESIGN AND IMPLEMENTATION.—**

The local board shall ensure that parents, participants, and other members of the community with experience relating to programs for youth are involved in the design and implementation of the programs described in paragraph (1).

(d) **PRIORITY.—**Not less than 20 percent of the funds allocated to the local area as described in paragraph (1) shall be used to provide in-school youth and out-of-school youth with activities under paragraph (2)(C).

(e) **RULE OF CONSTRUCTION.—**Nothing in this chapter shall be construed to require that each of the elements described in subparagraphs of paragraph (2) be offered by each provider of youth services.

(f) **PROHIBITIONS.—**

(1) **PROHIBITION AGAINST FEDERAL CONTROL OF EDUCATION.—**

No provision of this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution, school, or school system.

(2) **NONINTERFERENCE AND NONREPLACEMENT OF REGULAR**

**ACADEMIC REQUIREMENTS.**—No funds described in paragraph (1) shall be used to provide an activity for eligible youth who are not school dropouts if participation in the activity would interfere with or replace the regular academic requirements of the youth.

(g) **LINKAGES.**—In coordinating the programs authorized under this section, local boards shall establish linkages with local educational agencies responsible for services to participants as appropriate.

(h) **VOLUNTEERS.**—The local board shall make opportunities available for individuals who have successfully participated in programs carried out under this section to volunteer assistance to participants in the form of mentoring, tutoring, and other activities.

**Required Youth Services (WIOA 129(c)(2),CFR 681.460)**

In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the programs described in paragraph WIOA Sec 129(c)(1) shall provide the following elements.

Local programs must make each of the following fourteen services available to youth participants. Local programs have the discretion to determine what specific program services a youth participant receives based on the participant’s objective assessment and individual service strategy. Each service must be addressed on an individual basis, avoiding a cookie cutter approach. Documentation must communicate the need or lack thereof of each program element. Local programs may leverage partner resources to provide some of the readily available program elements they themselves do not offer. When doing so, the Local area must ensure that if a program element is not funded with WIOA title I youth funds, the local program has an agreement in place with the partner organization to ensure that the element is closely connected and coordinated with the WIOA youth program. (§681.470, WIOA sec. 129(c)(2)):

- (1) 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;
- (2) Alternative secondary school services, or dropout recovery services, as appropriate;
- (3) Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences:
  - (i) Summer employment opportunities and other employment opportunities available throughout the school year;
  - (ii) Pre-apprenticeship programs §681.480;
  - (iii) Internships and job shadowing; and
  - (iv) On-the-job training opportunities;
- (4) Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123, §681.540;
- (5) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- (6) Leadership development opportunities, including community service and peer-centered

- activities encouraging responsibility and other positive social and civic behaviors, §681.520, §681.530;
- (7) Supportive services, including the services listed in § 681.570;
  - (8) Adult mentoring for a duration of at least 12 months, that may occur both during and after program participation, §681.490;
  - (9) Follow-up services for not less than 12 months after the completion of participation, as provided in §681.580;
  - (10) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth, §681.510;
  - (11) Financial literacy education, §681.500;
  - (12) Entrepreneurial skills training, §681.560;
  - (13) 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
  - (14) Activities that help youth prepare for and transition to post-secondary education and training.

### **Local Plan Requirements**

The local plan must describe the design framework for youth programs in the local area, and how the fourteen program elements required in § 681.460 are to be made available within that framework. Reference SCP 1.2.

### **Standing Youth Committees (CFR 681.100-120)**

WIOA eliminates the requirement for Local Boards to establish a youth council. However, the Local Board may choose to establish a standing committee to provide information and to assist with planning, operational, oversight, and other issues relating to the provision of services to youth. If the Local Board does not designate a standing youth committee, it retains responsibility for all aspects of youth formula programs.

If a Local Board decides to form a standing youth committee, the committee must include a member of the Local Board, who chairs the committee, members of community based organizations with a demonstrated record of success in serving eligible youth and other individuals with appropriate expertise and experience who are not members of the Local Board (WIOA secs. 107(b)(4)(A) and (ii)).

The committee should reflect the needs of the local area. The committee members appointed for their experience and expertise may bring their expertise to help the committee address the employment, training education, human and supportive service needs of eligible youth including out-of-school youth. Members may represent agencies such as education, training, health, mental health, housing, public assistance, and justice, or be representatives of philanthropic or economic and community development organizations, and employers. The committee may also include parents, participants, and youth. (WIOA sec. 129(c)(3)(C))

A Local Board may designate an existing entity such as an effective youth council as the standing youth committee if it fulfills the requirements above in paragraph (a) of this section. (681.110) Reference 681.120 for specific duties.

Under the direction of the Local Board, a standing youth committee may:

- (a) Recommend policy direction to the Local Board for the design, development, and implementation of programs that benefit all youth;
- (b) Recommend the design of a comprehensive community workforce development system to ensure a full range of services and opportunities for all youth, including disconnected youth;
- (c) Recommend ways to leverage resources and coordinate services among schools, public programs, and community-based organizations serving youth;
- (d) Recommends ways to coordinate youth services and recommend eligible youth service providers; and
- (e) Provide on-going leadership and support for continuous quality improvement for local youth programs;
- (f) Assist with planning, operational, and other issues relating to the provision of services to youth; and
- (g) If so delegated by the Local Board after consultation with the CEO, oversee eligible youth providers, as well as other youth program oversight responsibilities.

**Selecting Eligible Youth Providers (WIOA Sec. 123, CFR 681.400)**

(a) As provided in WIOA sec. 123, the Local Board must identify eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis, except as provided below in paragraph (a)(3) of this section, based on the recommendation of the youth standing committee, if they choose to establish a standing youth committee and assign it that function. If such a committee is not established for the local area, this responsibility falls to the Local Board.

(1) Local areas must include the criteria used to identify youth providers in the State Plan (including such quality criteria established by the Governor for a training program that leads to a recognized post-secondary credential) taking into consideration the ability of the provider to meet the performance accountability measures based on primary indicators of performance for youth programs.

(2) Local areas must conduct a full and open competition to secure youth service providers according to the Federal procurement guidelines at 2 CFR parts 200 and 2900, in addition to applicable State and local procurement laws.

(3) Where the Local Board determines there is an insufficient number of eligible providers of youth workforce investment activities in the local area, such as a rural area, the Local Board may award grants or contracts on a sole source basis (WIOA sec. 123(b)).

(b) The requirement in WIOA sec. 123 that eligible providers of youth services be selected by awarding a grant or contract on a competitive basis does not apply to the design framework services when these services are more appropriately provided by the grant recipient/fiscal agent. Design framework services include intake, objective assessments and the development of individual service strategy, case management, and follow-up services.

**Work Experience Priority (Sec 129(c)(4), CFR 681.590, Sec 129(c)(4))**

Local youth programs must expend not less than twenty percent (20%) of the funds allocated to them to provide in-school youth and out-of-school youth with paid and unpaid work experience that fall under the categories listed in §681.460(a)3, §681.600, sec.129(c)(4). Local programs

must track expenditures including wages and staff costs for the development and management of the Work Experience as part of the local WIOA youth financial reporting. Calculations are based on the total area youth funds spent on work experiences rather than calculated separately for In School Youth and Out of School Youth. Local area Administrative costs are not subject to the expenditure requirement. See **Program Elements Defined**

**Performance (WIOA Sec 116(b)(2)(A)(ii), CFR 361.155):**

**(a) PRIMARY INDICATORS FOR ELIGIBLE YOUTH.—**

The primary indicators of performance for the youth program authorized under chapter 2 of subtitle B shall consist of—

- (1) the percentage of program participants who are in education or training activities, or in unsubsidized employment, during the second quarter after exit from the program;
- (2) the percentage of program participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program; and
- (3) the primary indicators of performance described in sub-clauses (III) through (VI) of subparagraph (A)(i) of the citation above.

**Indicators Relating to Credential (WIOA Sec. 116(b)(2)(iii)**

For purposes of clause (III), above, with respect to clause (IV) above, program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participation, in additions to obtaining such diploma or it's recognized equivalent, have obtained or retained employment or are in an education or training program leading to a recognized postsecondary credential within 1 year after exit from the program.

**Reporting Requirements (CFR 683.300)**

The WIOA Participant Individual Record Layout (PIRL), formally known as the WIASRD, provides standardized set of data elements, definitions, and reporting instructions that will be used to describe the characteristics, activities, and outcomes of WIOA participants. States and local areas will be required to collect participant information that corresponds with the data elements and descriptions delineated within the PIRL. Once collected, the information will then be aggregated according to the conditions outlined in the WIOA Data Element Specifications. This document details the common data elements and technical specifications necessary for calculation of the State and Local Area performance report elements and will be used in reporting across all core programs.

**Data Collection/Recordkeeping (CFR 683.220)**

All information required by federal, state, and local reporting requirements must be collected for each youth participant, including documentation of each eligibility piece, including employment authorization, those required by DOL's Data Element Validation (DEV), forms identifying participation/costs toward the individuals training, support services or incentive payments and as required for the types of service the individual has received. Each item data point must be clearly defined in case notes/MIS Comments.

The local boards are required to establish written policy for data collection and handling to



ensure the quality and integrity of data over time. This includes standards for data verification, data validation and data security. The purpose is to ensure resulting electronic databases, participant files and reports are certifiably accurate up to and including participant exit and through all storage requirements. Reference State Compliance Policy (SCP) 2.1, 5.4, Data and Performance Desk Reference, Attachment A of this document, and Local Board procedures for Record Retention Requirements.

### **Data Element Validation Requirements (DEV) (CFR 677.240)**

Data element validation ensures that the data elements in participant records used to calculate aggregate reports are accurate by reviewing samples of participant records against source documentation to ensure compliance with federal definitions. DEV requirements are communicated through issuance of Department of Labor's Employment and Training Administration Advisory System in Training and Employment Guidance Letters (TEGL's).

### **Definitions:**

#### **Activities to Prepare For Transition to Post Secondary Education and Training**

*Local Boards must have written policy addressing accessible local area programs to address this need.*

### **Adult Mentoring (CFR 681.490)**

(a) Adult mentoring for youth must:

- (1) Last at least 12 months and may take place both during the program and following exit from the program;
- (2) 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;
- (3) Include a mentor who is an adult other than the assigned youth case manager; and
- (4) While group mentoring activities and mentoring through electronic means are allowable as part of the mentoring activities, at a minimum, the local youth program must match the youth with an individual mentor with whom the youth interacts on a face-to-face basis.

(b) Mentoring may include workplace mentoring where the local program matches a youth participant with an employer or employee of a company.

### **Alternative Secondary School Service/Drop Out Recovery**

An alternative educational setting that may stimulate interest and result in accelerated course completion options. These could include a web based setting. When training and education programs do not accommodate the needs of participants, they drop out. Developing career pathways-oriented education programs that support the unique needs of targeted populations helps with drop out recovery.

### **Assessments**

Assessment is a process that identifies service needs, academic levels, goals, interests, skills levels, abilities, aptitudes, and supportive service needs; it also measures barriers and strengths. It includes a

review of basic and occupational skills, prior work experience, employability potential, and developmental needs. Assessment results inform the Individual Service Strategy (ISS).

The requirements of the objective assessment or the individual service strategy is not required if the program provider determines that it is appropriate to use a recent objective assessment or individual service strategy that was developed under another education or training program. (WIOA sec. 129(c)(1)(B)) The Local Boards must have written policy to define the acceptable assessment tools, versions of those tools, and timeframe of “within 6 months (recent)” as indicated by the law.

### **Barriers to Employment (WIOA Sec. 3(24))**

The term “individual with a barrier to employment” means a member of 1 or more of the following populations:

- (A) Displaced homemakers.
- (B) Low-income individuals.
- (C) Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.
- (D) Individuals with disabilities, including youth who are individuals with disabilities.
- (E) Older individuals.
- (F) Ex-offenders.
- (G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).
- (H) Youth who are in or have aged out of the foster care system.
- (I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.
- (J) Eligible migrant and seasonal farmworkers, as defined in section 167(i).
- (K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).
- (L) Single parents (including single pregnant women).
- (M) Long-term unemployed individuals.
- (N) Such other groups as the Governor involved determines to have barriers to employment.

Note: Data must be collected in a manner so that the results may be disaggregated by the “Barriers to Employment” as defined in section 3(24) of WIOA, for both the number of participants served and the performance on primary indicators, and then further disaggregated by age, race, and ethnicity, and gender.

### **Basic Skills Deficient (CFR 681.290)**

- (a) As defined in § 681.210(c)(3), a youth is “basic skills deficient” if they:
  - (1) Have English reading, writing, or computing skills at or below the 8<sup>th</sup> grade level on a generally accepted standardized test; or
  - (2) Are 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. (WIOA sec. 3(5))
- (b) The State or Local Board must establish its policy on paragraph (a)(2) of this section in its respective State or local plan.

(c) In assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for people with disabilities.

### **Career Pathways (Career Pathways Toolkit)**

Individualized learning and career plans and as identified in the Individual Service Strategy (ISS), that includes a process that enhances the relevance of school and out-of-school learning opportunities, and provides the student access to career development opportunities that incorporate self-exploration, career exploration, and career planning and management skill-building activities.

### **Case Management (TEN 17-15 Career Pathways)**

Case management is an overarching process that may directly arrange for or provide services that allow a learner to participate and complete a program of study. Case management is more a process than a service and typically includes non-instructional activities such as navigation to and arrangements for academic, career or personal counseling, financial aid, childcare, housing, and other financial assistance that can be critical to the success and continued engagement of the individual in pursuing their career pathway component.

### **Concurrent Enrollment (CFR 681.430-440)**

(a) individuals who meet the respective program eligibility requirements may participate in adult and youth programs concurrently. Such individuals must be eligible under the youth or adult eligibility criteria applicable to the services received. Local program operators may determine, for these individuals, the appropriate level and balance of services under the youth and adult programs.

(b) Local program operators must identify and track the funding streams which pay the costs of services provided to individuals who are participating in youth and adult programs concurrently, and ensure no duplication of services.

(c) Individuals who meet the respective program eligibility requirements for WIOA youth title I and title II may participate in title I youth and title II concurrently.

A local program should determine the appropriate program for the participant based on the service needs of the participant and if the participant is career-ready based on an objective assessment of their occupational skills, prior work experience, employability, and participants needs as required in WIOA sec. 129(c)(1)(A).

### **Comprehensive Guidance and Counseling (CFR 681.510)**

Comprehensive guidance and counseling provides individualized counseling to participants. This includes career and academic counseling, drug and alcohol abuse counseling, mental health counseling, and referral to partner programs, as appropriate. (WIOA sec. 129(c)(1)(C)(J)) 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.

### **Drop Out Status (CFR 681.240)**

Local WIOA youth programs must verify a youth's dropout status at the time of WIOA youth program enrollment. A youth attending an alternative school at the time of enrollment is not a dropout. States must define "alternative school" in their State Plan. The definition should be consistent with their State Education Agency definition, if available. An individual who is out-of-school at the time of enrollment and subsequently placed in an alternative school or any school, is an out-of-school youth for the purposes of the 75 percent expenditure requirement for out-of-school youth. The State defines alternative school as outlined in NRS 388.537, 388.820-388.874, 389.155.

### **Education Offered Concurrently with Workforce Preparation Activities (CFR 681.640)**

This program element reflects the integrated education and training model and requires integrated education and training to occur concurrently and contextually with workforce preparation activities and workforce training. This program element describes how workforce preparations 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. (WIOA sec. 129(c)(2)(E)).

### **English Language Learner**

An individual who has limited ability in reading, writing, speaking, or comprehending the English language, 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 the dominant language.

### **Entrepreneurial Skills Training (CFR 681.560)**

Entrepreneurial skills training provides the basics of starting and operating a small business.

(a) Such training must develop the skills associated with entrepreneurship. Such skills include, but are not limited to, the ability to:

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

(b) Approaches to teaching youth entrepreneurial skills include, but are not limited to, the following:

- (1) 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 may also include simulations of business start-up and operation.
- (2) 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.

(3) 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.

### **Financial Literacy (CFR 681.500)**

The financial literacy education program element includes activities which:

- (a) Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions;
- (b) Support participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards;
- (c) 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 and how to correct inaccuracies; and how to improve or maintain good credit;
- (d) Support a participant's ability to understand, evaluate, and compare financial products, services, and opportunities and to make informed financial decisions;
- (e) 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;
- (f) 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;
- (g) 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 (h) 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.

### **Follow Up (CFR 681.580, TEGL 05-12)**

- (a) Follow-up services are critical services provided following a youth's exit from the program to help ensure the youth is successful in employment and/or post-secondary education and training.
- (b) Follow-up services for youth may include:
  - (1) The leadership development and supportive service activities listed in § 681.520 and 681.570;
  - (2) Regular contact with a youth participant's employer, including assistance in addressing work-related problems that arise;
  - (3) Assistance in securing better paying jobs, career pathway development, and further education or training;
  - (4) Work-related peer support groups;
  - (5) Adult mentoring; and/or
  - (6) Services necessary to ensure the success of youth participants in employment and/or post-secondary education.

(c) All youth participants must receive some form of follow-up services for a minimum duration of 12 months. Follow-up services may be provided beyond 12 months at the State or Local Board's discretion. 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. However, follow-up services must include more than only a contact attempted or made for securing documentation in order to report a performance outcome. (WIOA sec. 129(c)(2)(I))

Note: Local Boards must have written policy and procedures as to follow-up services. They could include, but are not limited to: Additional career planning and counseling, contact with the participant's employer, including assistance with work-related problems that may arise, peer support groups, information about additional educational opportunities, and referral to supportive services available in the community, case management administrative follow-up, other services as defined by the Local Boards.

### **High Poverty Area (CFR 681.260)**

A youth who lives in a high poverty area is automatically considered to be a low-income individual. A high-poverty area is a Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 30 percent as set every 5 years using American Community Survey 5-Year data. *Further defined in future notifications.*

### **Homeless**

An individual who lacks a fixed, regular, and adequate nighttime residence; including: sharing housing of other persons due to loss of housing, economic hardship, or a similar reason; living in a motel, hotel, or campground due to lack of alternative adequate accommodations; living in an emergency or transitional shelter; abandoned in a hospital; or awaiting foster care placement; an individual who 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; or migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless because the children are living in circumstances described above.

### **Incentive Payments (CFR 681.650)**

WIOA allows incentive payments to youth participants for recognition and achievement directly tied to training activities and work experiences. The local program must have written policies and procedures in place governing the awarding of incentives including any maximum amounts, file and MIS content requirements and financial, storage and dispensing practices and must ensure that such incentive payments are:

- (a) Tied to the goals of the specific program;
- (b) Outlined in writing before the commencement of the program that may provide incentive payments;
- (c) Align with the local program's organizational policies; and
- (d) Accord with the requirements contained in 2 CFR 200 (no entertainment such as movie tickets).

### **Individual Service Strategy (ISS)**

The ISS is the plan that identifies the employment goals, educational objectives, and prescribed appropriate services for the participant. The ISS is essential in identifying the needs of participants and is a critical component when it comes to assisting a young person's development.

### **In-School Youth (CFR 681.220)**

An in-school youth (ISY) is an individual who is:

- (a) Attending school (as defined by State law), including secondary and post-secondary school;
- (b) Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program;
- (c) A low-income individual; and
- (d) One or more of the following:
  - (1) Basic skills deficient;
  - (2) An English language learner;
  - (3) An offender;
  - (4) A homeless individual (as 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 (as defined in sec. 725(2) of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, 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;
  - (5) An individual who is pregnant or parenting;
  - (6) An individual with a disability;
  - (7) An individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA secs. 3(27) and 129(a)(1)(C))

Reference SCP 2.1 for specific participant eligibility requirements.

### **Integrated Education & Training (Career Pathways Toolkit)**

The term "integrated education and training" means a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

The articulated career pathway should include short-, moderate-, and long-term training and education programs to match the availability of different students (especially working learners and those balancing adult responsibilities) and include multi-level employment opportunities at different points of certificate or degree attainment.

### **Internships and Job Shadowing (Career Pathways Toolkit)**

Internships may be either paid or unpaid and provide a learning experience where the individual works on real job tasks. They are often of short duration and an individual may move around within an organization trying different tasks.

Job shadowing is an initial experience where the individual follows a regular employee through a day to gather information on the job and the work setting. It is typically unpaid and is a good way to expose individuals including youth to various occupations.

### **Leadership Development Opportunities (CFR 681.520)**

Leadership development opportunities are opportunities that encourage responsibility, confidence, employability, self-determination and other positive social behaviors such as:

- (a) Exposure to post-secondary educational possibilities;
- (b) Community and service learning projects;
- (c) Peer-centered activities, including peer mentoring and tutoring;
- (d) Organizational and team work training, including team leadership training;
- (e) Training in decision-making, including determining priorities and problem solving;
- (f) Citizenship training, including life skills training such as parenting and work behavior training;
- (g) Civic engagement activities which promote the quality of life in a community; and
- (h) Other leadership activities that place youth in a leadership role such as serving on youth leadership committees, such as a Standing Youth Committee. (WIOA sec. 129(c)(2)(F))

### **Low Income Eligibility Requirements/ Low Income Exception (CFR 681.250)**

(a) 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. All other OSY meeting OSY eligibility under § 681.210(c)(1), (2) and (4) through (7) are not required to be low-income. (WIOA secs. 129(a)(1)(iii)(I)–(II) and 129(a)(1)(iii)(IV)–(VII))

(b) All ISY must be low-income to meet the ISY eligibility criteria, except those that fall under the low-income exception.

(c) WIOA allows a low-income exception where five percent of all WIOA youth participants may be participants who ordinarily would be required to be low-income for eligibility purposes and who meet all other eligibility criteria for WIOA youth except the low-income criteria. A program must calculate the five percent based on the percent of all youth served by the program in the local area's WIOA youth program in a given program year.

(d) In addition to the criteria in the definition of "low-income individual" in WIOA sec. 3(36), a youth is low income if he or she receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq. or if she or her lives in a high-poverty area.

Reference SCP 2.1 for specific participant eligibility requirements.

### **Not Attending School (CFR 681.230)**

In general, the applicable State law for secondary and post-secondary institutions defines "school." However, for purposes of WIOA, the Department does not consider providers of Adult Education under title II of WIOA, YouthBuild programs, and Job Corps programs to be schools. Therefore, WIOA youth programs may consider a youth to be out-of-school youth for purposes of WIOA youth program eligibility if they are attending Adult Education provided under title II of WIOA, YouthBuild, or Job Corps.



The youth is at an age where they are required to attend school, do not have an exception to the regular school attendance as outlined in NRS, or have not graduated. However, the Local Board must make school attendance a priority and provide services outside of the regular school day. Through the Individual Service Strategy (ISS), the Local Board makes school attendance a priority by providing services that direct a youth back to school. The first goal of the ISS must be to have the youth return to school. The local board can also provide services that encourage regular school attendance, such as counseling, tutoring, or exploring career options.

### **Occupational Skills Training (CFR 681.540)**

(a) The Department defines occupational skills training as 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 post-secondary credentials that align with in-demand industry sectors or occupations in the local area. Such training must:

- (1) be outcome-oriented and focused on an occupational goal specified in the individual service strategy;
- (2) be of sufficient duration to impart the skills needed to meet the occupational goal; and
- (3) result in attainment of a recognized post-secondary credential.

(b) The chosen occupational skills training must meet the quality standards in WIOA sec. 123. Reference SCP 1.14.

### **Out of Home Placement**

Foster care, including family foster care, kinship care, treatment foster care, and residential and group care.

### **On-the-Job Training (OJT) (WIOA 3(44), CFR 681. 590, 681.600, TEGL 3-15)**

The term “on-the-job training” means training by an employer that is provided to a paid participant while engaged in productive work in a job that—

- (a) provides knowledge or skills essential to the full and adequate performance of the job;
- (b) is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant , except as provided in section 134(c)(3)(H), for the extraordinary costs of providing the training and additional supervision related to the training; and
- (c) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate. These services fall under Work experience for youth participants and fall under the priority listed in 681.590.

Note: Additionally, State and local areas have the flexibility under WIOA to increase the reimbursement level to up to 75 percent taking into account the following factors:

- The characteristics of the participants (e.g. length of unemployment, current skill level, and barriers to employment);
- The size of the employer (e.g. small and medium-sized business often have more barriers to participation at lower reimbursement rates);

- The quality of employer-provided training and advancement opportunities; and
- Other factors the State or local boards may determine appropriate (e.g. the number of employees participating in the training, wage and benefit levels of the employees (both pre and post participation earnings)), and relation of the training to the competitiveness of the participant).

Local Boards must have written policy to detail the OJT process to include that of a fully executed contract, progress reports, financial activities, file and MIS content. Youth OJT activities are approved on an individual participant basis based on the needs identified by the objective assessment of each youth and must meet the requirements of SCP 1.14.

### **Out of School Youth (CFR 681.210)**

An out-of-school youth (OSY) is an individual who is:

- (a) Not attending any school (as defined under State law);
- (b) Not younger than 16 or older than age 24 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program; and
- (c) One or more of the following:
  - (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;
  - (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 individual who is subject to the juvenile or adult justice system;
  - (5) A homeless individual (as 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 (as defined in sec. 725(2) of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, 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;
  - (8) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA secs. 3(46) and 129(a)(1)(B))

### **Positive Social and Civic Behaviors (CFR 681.530)**

Positive social and civic behaviors are outcomes of leadership opportunities, which are incorporated by local programs as part of their menu of services. Positive social and civic behaviors focus on areas that may include the following:

- (a) Positive attitudinal development;
- (b) Self-esteem building;
- (c) Openness to work with individuals from diverse backgrounds;
- (d) Maintaining healthy lifestyles, including being alcohol- and drug-free;

- (e) Maintaining positive social relationships with responsible adults and peers, and contributing to the wellbeing of one's community, including voting;
- (f) Maintaining a commitment to learning and academic success;
- (g) Avoiding delinquency;
- (h) Postponing parenting and responsible parenting, including child support education;
- (i) Positive job attitudes and work skills; and
- (j) Keeping informed in community affairs and current events.

**Pre-apprenticeship (CFR 681.480)**

A pre-apprenticeship is a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership with at least one, if not more, registered apprenticeship program(s).

**Requires Additional Assistance to Complete an Education Program, or to Secure and Hold Employment (CFR 681.300)**

As defined in §681.210(c)(8), either the State or the local level may establish definitions and eligibility documentation requirements for the “requires additional assistance to complete an educational program, or to secure and hold employment” criterion of §681.210(c)(8).

Reference SCP 2.1, TAG 15-3 for the State definition.

**Services that provide labor market and employment information**

These may include career awareness, career counseling, career exploration services or in-demand industry sectors or occupations available in local area.

**Service Plan Dates**

Service *Start* and *Planned End Date* entries are not meant to be a place holder in order to prevent the participant from exiting the system due to non-activity. Services must be entered and closed as the service is provided in order for DOL reporting methods to work correctly. Extending Service dates are only used should the service activity need to be extended such as if the participant failed to meet the training requirements and needs extra time with the Training Provider. Case notes/MISS Comments must substantiate the service type and length. Service types must align with the chart provided in Attachment A of this document and must not exceed ninety days excluding only those identified as **Training**. Should the participant/case manager fail to participate/provide services during the 90 day period, the individual will exit back to the last service provided and from the program unless re-engagement happens within in this period. Reference TAG 15-3.

**Summer Employment Opportunities (WIOA 129(c)(2)(C),CFR 681.620-630)**

Under WIOA sec. 129(c)(2)(C), summer employment opportunities are one of four suggested components of the paid and unpaid work experiences program element. While local WIOA youth programs must provide paid and unpaid work experiences, they may take the form of a number of activities including: summer employment opportunities and employment opportunities available throughout the year, pre-apprenticeship programs, internships and job shadowing, and OJT. While summer employment opportunities are an allowable activity and a type of work

experience that counts toward the work experience priority (which requires a minimum of 20 percent of funds allocated to a local area are spent on work experience).

**Supportive Services (WIOA Sec. 3(59); 129(c)(2)(G), CFR 681.570, 664.440, TEGL 3-15, 2 CFR 200)**

Supportive services for youth, as defined in WIOA sec. 3(59), are services that enable an individual to participate in WIOA activities. These services include, but are not limited to, the following:

- (a) Linkages to community services;
- (b) Assistance with transportation;
- (c) Assistance with child care and dependent care;
- (d) Assistance with housing;
- (e) Needs-related payments;
- (f) Assistance with educational testing;
- (g) Reasonable accommodations for youth with disabilities;
- (h) Referrals to health care; and
- (i) Assistance with uniforms or other appropriate work attire and work related tools, including such items as eye glasses and protective eye gear.

Local Boards must have written policy identifying approved support services, state and regulatory requirements and defines caps, if any, for each instance. Reference SCP 1.15 and TAG 15-3.

**Tutoring (Career Pathways Toolkit)**

Customized services provide the special guidance and support necessary to meet the unique needs of each individual and may require coordination with cross-agency partners. Tutoring may be necessary in order to keep pace with other learners.

**Work Experience (WEX) (CFR 681.600-610)**

(a) Work experiences are 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 or applicable State law, exists. Work experiences provide the youth participant with opportunities for career exploration and skill development.

(b) Work experiences must include academic and occupational education.

(c) The types of work experiences include the following categories:

- (1) Summer employment opportunities and other employment opportunities available throughout the school year;
- (2) Pre-apprenticeship programs;
- (3) Internships and job shadowing; and
- (4) On-the-job training opportunities as defined in WIOA sec. 3(44) and in § 680.700.

Local WIOA youth programs must track program funds spent on paid and unpaid work experiences, including wages and staff costs for the development and management of work experiences, and report such expenditures as part of the local WIOA youth financial reporting.

The percentage of funds spent on work experience is calculated based on the total local area youth funds expended for work experience rather than calculated separately for in-school and out-of-school youth. Local area administrative costs are not subject to the 20 percent minimum work experience expenditure requirement.

Local Boards must have written policy to detail the WEX process to include that a fully executed contract, progress reports, financial activities, file and MIS content.

**Attachment “A”**

Below is a reference document for current Youth services found in the states data collection system, (MIS). Items addressed in the Category column are used to search the system and locate the required service name for the sixteen WIOA Youth services.

Attachment A  
 NJCOS WIOA YOUTH SERVICES  
 Provider Name: WIA Youth

	Service Type	Category
1	Alternative Secondary School Services	Alternative Secondary School Services
2	Assessment - Comprehensive and Specialized	Assessment
3	Comprehensive Guidance and Counseling	Counseling
4	Education Concurrent w/ Workforce Prep Activates	<b>Training</b>
5	Entrepreneurial Training	<b>Training</b>
6	Financial Literacy	Intensive Training
7	Internships	Work Experience
8	Job Shadowing	Job Shadowing
9	Leadership Development Opportunities	Leadership Development Opportunities
10	Mentoring	Mentoring
11	Occupations Skills Training	<b>Training</b>
12	On the Job Training (OJT)	<b>Training</b>
13	Summer-Related Employment	Summer-Related Employment
14	Tutoring Study Skills Training	Intensive Training
15	Work Experience	Work Experience
16	Pre-Apprenticeship	Work Experience