



# Northern Middle Tennessee Workforce Board Inc.

November 10, 2021

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## Executive Summary

### Youth Eligibility Policy

**1. What is the general purpose of this policy?**

The Youth Eligibility policy outlines eligibility requirements for the youth program, identifies the criteria for basic skills deficient, explains the five (5) percent exception provisions, and identifies the criteria for determining if a participant requires additional assistance to enter or complete an educational program or to secure and hold employment.

**2. What are the modifications to this policy?**

WIOA requires that either the SWDB or the LWDB establish a policy for the “requires additional assistance” criterion. Previously the SWDB had defined the “requires additional assistance” criterion. On September 15, 2020, the TDLWD issued a memorandum now requiring that the LWDB define the “requires additional assistance” criterion for In-School Youth (ISY) and Out-of-School Youth (OSY) eligibility.

This modification is to add additional barriers to both the In-School Youth (ISY) and Out-of-School Youth (OSY) “requires additional assistance” criterion in an effort to qualify and provide more services to youth in need.



# Northern Middle Tennessee Workforce Board Inc.

Effective Date: 10.01.2018  
Revised Date: 11.10.2021  
Duration: Indefinite

## Youth Eligibility Policy

### Purpose

This policy provides guidance on WIOA Title I Youth program eligibility requirements, policies, and procedures consistent with state and federal requirements and to define “requires additional assistance to enter or complete and educational program, or to secure or hold employment.”

### Background

WIOA outlines a broad youth vision that supports an integrated service delivery system and a commitment to providing high-quality services for youth, including career exploration and guidance, continued support for educational attainment, opportunities for skills training such as pre-apprenticeships or internships for in-demand industries and occupations, enrollment in postsecondary education, or a Registered Apprenticeship.

### Policy & Instructions

Youth must meet eligibility requirements. WIOA establishes separate eligibility criteria for out-of-school youth (OSY) and in-school youth (ISY).

#### 1. Out-of-school Youth is defined as:

- A. Not attending any school at the time of enrollment;
- B. Not younger than 16 or older than 24 at the time of enrollment (participants may continue to receive services beyond the age of 24 once they are enrolled in the program (20 CFR 681.210); and
- C. Meets one or more of the following conditions:
  - School dropout
  - 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 is based on how a local school district defines its school year quarters.
  - Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner
  - An offender who has been subject to any stage of the criminal justice process
  - A homeless individual, aged 16 to 24 who meets the criteria defined in Violence Against Women Act of 1994 Section 41403(6), a homeless child or youth aged 16 to 24 who meets the criteria defined in the McKinney Vento Homeless Assistance Act Section 725(2), or who is a runaway
  - An individual in foster care, or who has aged out of the foster care system, or who has attained 16 years of age and left foster care of kinship, guardianship, or adoption, a child eligible for assistance under Social Security Act, or in an out-of-home placement;
  - Pregnant or parenting;
  - An individual with a disability;
  - Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

**2. In-school Youth is defined as:**

- A. Attending school at the time of enrollment;
- B. Not younger than 14 or older than 21 (unless an individual with a disability who is attending school under State law) at the time of enrollment (participants may continue to receive services beyond the age of 24 once they are enrolled in the program 20 CFR 681.220);
- C. Low-income; and
- D. Meets one or more of the following conditions:
  - o Basic skills deficient;
  - o An English language learner;
  - o An offender who has been subject to any stage of the criminal justice process
  - o A homeless individual, aged 14 to 21 who meets the criteria defined in Violence Against Women Act of 1994, a homeless child or youth aged 14 to 21 who meets the criteria defined in the McKinney Vento Homeless Assistance Act, or who is a runaway
  - o An individual in foster care, or who has aged out of the foster care system, or who has attained 16 years of age and left foster care of kinship, guardianship, or adoption, a child eligible for assistance under Social Security Act, or in an out-of-home placement;
  - o Pregnant or parenting;
  - o An individual with a disability;
  - o Requires additional assistance to complete an educational program or to secure or hold employment.

Note: Youth with disabilities who have an Individualized Education Account may be enrolled as ISY after the age of 21 but no older than 22.

**US Citizenship or Authorization to Work in the United States**

Eligible youth must also be a citizen or national of the United States, lawfully admitted permanent resident alien, refugee, asylee, and parole, and other immigrant authorized by the Attorney General to work in the United States (WIOA Section 188(a)(5)).

**Selective Service Registration Requirement for Males Under Age 26**

Before enrollment in WIOA Title I funded services, all males who are not registered with Selective Service and have not reached their 26th birthday must register through the Selective Service website at [www.sss.gov](http://www.sss.gov).

If a male turns 18 while participating in any applicable services, registration with Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA Title I funded services. If a man under the age of 26 refuses to register with Selective Service, WIOA Title I funded programs must be suspended until he registers. For transgender customers, compliance with selective service is predicated on the individual's gender as assigned at birth/as recorded on a birth certificate.

**Documentation for Participant Eligibility**

Documentation is required to support WIOA Title I youth eligibility (see Attachment I Youth Eligibility Criteria and Documentation). Local Workforce Development Boards must conduct program oversight and monitoring of the career service provider and local youth workforce investment activities as outlined in WIOA Section 107(d)(8). Documentation will be stored electronically by uploading the documents into the participant's file in Jobs4TN. Documentation must be available to program staff, fiscal monitors, and auditors for monitoring purposes. A case note may be added with the documentation indicating the eligibility requirements that the document is supporting.

## Determining School Status

To determine school status for youth participants, service provider staff must follow the definitions below.

*School* - Any secondary or postsecondary school as defined by the applicable State law (TCA 49-6-301, 49-6-401, and 49-7-2003) for secondary and postsecondary institutions. For purposes of WIOA, the Department does not consider providers of adult education under Title II of WIOA, Youth Build programs, the Job Corps program, high school equivalency programs, or dropout re-engagement programs to be schools. Youth attending high school equivalency programs funded by the public K-12 school system who are classified by the school system as still enrolled in school are an exception; they are considered in-school youth.

*Attending School* - An individual is considered to be attending school if the individual is enrolled in a secondary school or registered for credit-bearing courses at a postsecondary institution. Such schools and/or institutions include, but are not limited to Tennessee Colleges of Applied Technology, community colleges, 4-year college/university, traditional K-12 public and private, and alternative (e.g., continuation, magnet, charter, and home) schools. Service provider staff must evaluate the following at the time of enrollment:

- If the youth is enrolled in the WIOA youth program during the summer and is in between school years, the youth is considered in-school youth if they are enrolled to continue school in the fall.
- If a youth is enrolled in the youth program between high school graduation and postsecondary education, the youth is considered an in-school youth if they are registered for postsecondary credit-bearing courses, even if they have not yet begun postsecondary classes at the time of enrollment.
  - If the youth does not follow through with attending post-secondary education, then such a youth would be considered an out-of-school youth if the eligibility determination is made after the point that the youth decided not to attend postsecondary education.
- Post-secondary courses must be credit-bearing classes. An individual attending non-credit bearing, post-secondary classes (e.g. remedial courses) are to be considered out-of-school youth.

*Not Attending School* – An individual who is not attending a secondary or postsecondary institution.

*Alternative School* – A non-traditional academic program or school designed to meet the student's educational, behavioral, and social needs for students in grades seven (7) through twelve (12).

## Determining Basic Skills Deficiency

An individual that has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test or 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, is considered basic skills deficient.

Testing for basic skills deficiency is recommended to be done through Tennessee Department of Adult Education when applicable. When testing through TN Department of Adult Education is not applicable, local service providers are permitted to administer testing. Formalized testing instruments that are valid, reliable, appropriate, fair, cost effective, and easy to administer and interpret results must be used with approval of the Board. Assessment instruments must be appropriate for the target population, and provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities.

If the individual is found to be basic skills deficient, this must be recorded in the State management information system.

## Term of the Individualized Education Account

For in-school youth and purposes of continuity of educational attainment, a student who enrolls in the program shall remain eligible until the participating student meets one of the following, whichever occurs first:

- A. The student enrolls full-time in a public school in the local education agency in which the parent or student who has attained the age of majority resides
- B. The student graduates from high school. The student may continue in the program until such time as he or she receives a high school diploma, or receives a passing score on all subtests of the HiSET.
- C. The student reaches twenty-two (22) years of age. The student may complete the school year in which he or she reaches the age of twenty-two (22), provided a student shall not be enrolled in the program past August 15 of the next school year after they have reached twenty-two (22).

## Determining Low-Income Status

A low-income individual is someone who:

- A. Receives or, in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program (SNAP), the supplemental security income program established under Title XVI or the Social Security Act, or State or local income-based public assistance
- B. Is in a family with total income that does not exceed the higher of:
  - The poverty line, or
  - 70 percent (70%) of the lower living standard income level. (For additional guidance, see Low Income Guidelines policy)
- C. A homeless individual
- D. Receives or is eligible to receive free or reduced price lunch
- E. A foster child on behalf of whom State or local government payments are made
- F. An individual with a disability whose own income meets the low-income level for eligibility purposes
- G. Youth who reside in a high poverty area

## Five (5) Percent Low-Income Eligibility Exception

WIOA allows a low-income exception where five (5) percent of WIOA youth may be participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth, except for the low-income criteria. A program must calculate the five (5) percent based on the percent of newly enrolled youth in the local area's WIOA youth program in a given program year who would ordinarily be required to meet the low-income criteria. It is not based on all youth since many of the OSY categories do not require low-income status. Because not all OSY are required to be low-income, the five (5) percent low-income exception under WIOA is calculated based on the five (5) percent of youth enrolled in a given program year who would not ordinarily be required to meet the low-income criteria.

## Determining Additional Assistance for OSY and ISY Criteria

The following criteria are used to determine if a youth meets the definition of requiring additional assistance.

### A. Requiring Additional Assistance for OSY only

- Has not enrolled in postsecondary school or entered a career path within one year of completion of secondary school to include lack of full-time employment or history of employment with earnings below self-sufficiency guidelines
- Is required to enroll in remedial or developmental coursework in postsecondary
- Has dropped out of a postsecondary educational program as documented by school records

- Has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks (age 18 or older only)
- Has been referred to, is being treated by, or has previously been treated by an agency for substance abuse
- Potential first generation postsecondary student
- Lives in public housing
- Has currently or formerly incarcerated parent(s) or guardians

**B. Requiring Additional Assistance for ISY only**

- Has poor attendance patterns, including truancy and chronic absenteeism, in an educational program during the last 12 calendar months;
- Has been expelled from school within the last 12 calendar months;
- Has been suspended from school within the last 12 calendar months;
- Has a grade point average of less than 2.0;
- Is deemed at risk of dropping out of school by a school official
- Is required to enroll in remedial or developmental coursework in postsecondary
- Potential first generation postsecondary student
- Lives in public housing
- Has currently or formerly incarcerated parent(s) or guardian(s)
- Has repeated at least one secondary grade level
- Has an ACT/SAT score below the college readiness range
- Little or no successful work experience or has never held a job (as documented on participant’s application)

**Five (5) Percent Additional Assistance Barrier Limitation for ISY**

WIOA states that each local area must ensure, no more than five (5) percent of ISY enrolled in the program year are eligible only based on the “needs additional assistance” criterion. The five (5) percent limitation criterion for additional assistance applies to ISY only.

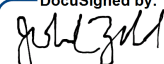
**References**

WIOA Section 129(a), 20 CFR 681.230-250, TEGL 21-16

Authorized by:

Approved by:

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 Marla Rye, Executive Director                      Date

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 John Zobl, Chairman                                      Date

## Youth Eligibility Criteria and Documentation – Attachment A

Note: One document per group is required.

Youth Eligibility Criteria	Documentation in File
<b>Eligibility Basics</b>	These items are required for basic participation verification for all participants.
<b>Age/Birth Date</b>	<ul style="list-style-type: none"> <li>• Birth certificate</li> <li>• Baptismal record if date of birth is shown</li> <li>• DD-214 transfer or discharge paper</li> <li>• Hospital record of birth</li> <li>• Driver's license state, federal, or local government ID</li> <li>• Passport</li> <li>• Work permit</li> <li>• Cross match with public assistance records via state MIS system</li> <li>• Other public assistance records</li> <li>• School record or ID cards</li> <li>• Tribal records</li> </ul>
<b>Citizenship Status/ Authorization to Work in the US</b>	<ul style="list-style-type: none"> <li>• Citizenship Status/Authorization to Work Self-Attestation</li> <li>• U.S. passport, certificate of U.S. citizenship, certificate of naturalization, permanent resident card, unexpired refugee travel document</li> <li>• U.S. Social Security card issued by the Social Security Administration (other than a card stating not valid for employment), Certificate of Birth Abroad issued by the Department of State, birth certificate issued by a state, county, municipal authority or outlying possession of the U.S., U.S. citizen ID card, ID card for use of Resident Citizens in the U.S.</li> <li>• Cross match with public assistance records via state MIS system</li> <li>• Other public assistance records</li> </ul>
<b>Selective Service Registration</b>	<ul style="list-style-type: none"> <li>• Selective service card</li> <li>• Verification from the Selective Service web site</li> <li>• Documentation that failure was not willful and knowing if an applicant failed to register or too old to register and approval to serve individual</li> <li>• DD-214 "Report of Separation"</li> <li>• Stamped Post Office Receipt of Registration</li> </ul>

<p><b>School Status at Participation</b></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Applicable records from educational institution</li> <li>• WIOA intake forms</li> <li>• State MIS</li> </ul>
<p><b>Receipt of High School Diploma</b></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• School records</li> <li>• Diploma</li> <li>• Letter or other documentation from school system</li> </ul>
<p><b>Low-Income Individual</b></p>	<p>Low-income is required for all in-school youth and for out-of-school youth who has a secondary school diploma and is basic skills deficient (or an English language learner), or requires additional assistance to enter or complete an education program or to secure or hold employment.</p>
<p><b>TANF</b>  Receives, or is a member of a family that receives, cash payments under the Temporary Assistance for Needy Families, which is a Federal income-based public assistance program</p>	<ul style="list-style-type: none"> <li>• Cross match with public assistance records via state MIS system</li> </ul>
<p><b>Other Cash Public Assistance</b>  Receives, or is a member of a family that receives, cash payments under a federal, state, or local income-based public assistance program (includes refugee assistance and other cash public assistance)</p>	<ul style="list-style-type: none"> <li>• Copy of authorization to receive cash public assistance</li> <li>• Verification by the public assistance agency</li> <li>• Cross match with public assistance records via state MIS system</li> <li>• Other public assistance records</li> <li>• Refugee assistance records</li> <li>• Verification from the refugee assistance provider</li> </ul>



<p><b>Family Income</b> Determined when an individual received income, or is a member of a family that received income, for six-month period prior to application for the program that in relation to family size does not exceed the higher of poverty line or 70 percent of lower living standard income</p>	<ul style="list-style-type: none"> <li>• Self-Attestation, only in cases when an individual has no income or receives very little undocumented income; the statement should include some description of how the applicant has been supported in the past six months</li> <li>• Pay stubs</li> <li>• Employer statement of earnings</li> <li>• Compensation award letters</li> <li>• Social Security retirement benefits letter</li> <li>• Pension statement</li> <li>• Bank statements</li> <li>• Court award letter</li> <li>• Family or business financial records</li> <li>• Quarterly estimated tax for self-employed persons</li> <li>• Alimony agreements</li> <li>• Award letter veteran's administration</li> <li>• Unemployment Insurance documents</li> <li>• Low-income Housing Authority verification</li> </ul>
<p><b>Supplemental Nutrition Assistance Program (SNAP)</b> Is a member of a household that receives (or has been determined within the six-month period prior to the application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977</p>	<ul style="list-style-type: none"> <li>• Verification by the public assistance agency</li> <li>• Cross match with public assistance records via state MIS system</li> <li>• Other public assistance records</li> <li>• Copy of authorization to receive SNAP benefits</li> </ul>
<p><b>Free or Reduced Price Lunch</b></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Approval Letter</li> <li>• Completed Application</li> </ul>
<p><b>Youth living in a high-poverty area</b></p>	<ul style="list-style-type: none"> <li>• Current TDLWD workforce policy regarding LLSIL</li> </ul>

Youth Eligibility Criteria	Documentation in File
<b>Additional Youth Barriers</b>	Youth must document one of the following seven barriers in addition to meeting one of the low-income criteria.
<b>Basic skills deficient</b> <i>(In- School and Out-of-School)</i>	<ul style="list-style-type: none"> <li>• Standardized assessment test such as               <ul style="list-style-type: none"> <li>• TABE or CASAS</li> <li>• Other assessment that meet criteria stated in policy (recorded within past six months of eligibility date)</li> </ul> </li> <li>• School Records (recorded within past six months of eligibility date)</li> <li>• Case Notes</li> </ul>
<b>English language learner</b> <i>(In- school and Out-of-School)</i>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• School records</li> <li>• Case notes</li> </ul>
<b>School dropout</b> <i>(Out-of- School)</i>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Applicable records from educational institution</li> <li>• State MIS</li> <li>• WIOA Intake form</li> <li>• School board verification of dropout status</li> <li>• Dropout Letter</li> </ul>
<b>Not attending school</b> <i>(Out-of- School)</i>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• School records</li> <li>• Court documents</li> </ul>
<b>Homeless or Runaway</b> <i>(In- School and Out-of-School)</i>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Verification from a shelter or social services agency</li> <li>• Written statement from individual providing residence</li> </ul>
<b>Foster Child or Emancipated Foster Child</b> <i>(In-School and Out-of-school)</i>	<ul style="list-style-type: none"> <li>• Case notes</li> <li>• Court documentation</li> <li>• Verification from a social services agency</li> </ul>

<p><b>Pregnant or parenting youth</b> <i>(In-school and Out-of-school)</i></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Physician's statement</li> <li>• Birth certificate if parenting</li> <li>• Baptismal record</li> <li>• Case notes</li> <li>• Verification with social service agency</li> </ul>
<p><b>Offender</b> <i>(In-school)</i> or <b>Subject to juvenile or adult justice system</b> <i>(Out-of-School)</i></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• WIOA intake</li> <li>• Court records</li> <li>• Halfway house resident</li> <li>• Letter of parole</li> <li>• Letter from probation officer</li> <li>• Police records</li> </ul>
<p><b>Individual with a disability</b> <i>(In-school and Out-of-School)</i></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Letter from drug or alcohol rehabilitation agency</li> <li>• Medical records</li> <li>• Physician's statement/ Psychologist diagnosis</li> <li>• Social Security disability records</li> <li>• Individual Education Plan (IEP)</li> <li>• Veteran Administration Letter/Records</li> <li>• Social Services records</li> <li>• Vocational Rehabilitation Letter and/or Referral</li> <li>• Worker's Compensation Records</li> </ul>
<p><b>Require additional assistance to complete educational program or to secure and hold employment</b> <i>(In-School and Out-of-School)</i></p>	<ul style="list-style-type: none"> <li>• Self-Attestation</li> <li>• Local area plan</li> <li>• Local area policy</li> <li>• Individual service strategy</li> <li>• Case notes</li> <li>• WIOA intake form</li> <li>• State MIS</li> </ul>