



RIVERSIDE COUNTY
WORKFORCE INVESTMENT BOARD

TITLE IB WORKFORCE INVESTMENT ACT (WIA)
YOUTH ELIGIBILITY
POLICY

Date: August 2, 2010

Number: 19-01

- PURPOSE:** Amends the October 23, 2001 version, which provides Workforce Investment Act Youth Service Providers with the policies and procedures for determining the eligibility of youth for program participation. Amendments are underscored, and attachments R and S are added.
- EFFECTIVE DATE:** November 1, 2001. Supersedes Field Memorandum Y01-01
- REFERENCES:** WIA Sec. [101 \(13\) A-C](#). Part II of Department of Labor (DOL) Federal Register (August 11, 2000) Subpart B [§664.200](#), [§664.205](#), [§664.210](#), [§664.215](#), [§664.220](#), [§664.230](#), [§664.240](#), [§664.250](#).
- LOCALLY IMPOSED REQUIREMENTS:** Locally imposed requirements are indicated in ***bold, italic*** type.
- BACKGROUND:** The Workforce Investment Act of 1998 replaces the Job Training Partnership Act (JTPA). WIA Youth Programs serve low-income youth between the ages of 14 through 21 who possess one or more barriers. There are only a few differences between the eligibility criteria of WIA and JTPA. WIA requires that all youth must have at least one barrier. Eligibility for free lunches under the National School Lunch Program can no longer be used as a substitute for the income eligibility criteria under WIA. Up to five percent of the youth served under WIA do not have to meet the low-income criteria. While there are some differences in qualifying youth as eligible, the methods for determining and verifying eligibility remain the same. This Policy and Procedures sets forth the requirements for eligibility determination and verification for participation in WIA Title I Funded Youth Services.

Eligibility Criteria Definitions

Basic Skills Deficient – a youth who computes or solves problems, reads, writes, or speaks English at or below the 8th grade level on a generally accepted standardized test or a comparable score on a criterion referenced test **or** is unable to compute or solve problems, read, write, speak English at a level of literacy necessary to function on the job, in the individual’s family or in society (i.e., deficient in listening, speaking, problem solving, reasoning, decision making, or life skills).

School Dropout – a youth who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. (Note: youth’s dropout status is determined at the time of application).

Offender - a youth who is or has been subject to **any** stage of the criminal justice process, for whose services under this Act may be beneficial – **or** requires assistance in overcoming barriers to employment resulting from a record of arrest or conviction.

Pregnant or Parenting – a youth (male or female) who is pregnant or providing custodial care for one or more dependents under age 18.

Out-of-School Youth – a youth who has dropped out of school or who has received a secondary school diploma or its equivalent but is basic skills deficient, unemployed or underemployed.

Underemployed – an out-of-school youth who is: 1) Working part time but desires full time employment; 2) Employed in a temporary position and desires permanent employment or; 3) Employed full-time but the youth and his/her dependents still meet the WIA income eligibility requirements.

Serious Barriers to Employment – a youth who has one of the following barriers: limited English, substance abuse, gang affiliation, foster youth, at risk of dropping out of school, or is deficient in work readiness skills.

POLICY:

Eligibility Criteria

Youth must meet the WIA Title I Youth eligibility criteria in order to receive WIA-funded program services. WIA defines an eligible youth as an individual who is age 14 through 21, is low income and is within one or more of the following categories:

- (1) Basic Skills Deficient;
- (2) School Dropout;
- (3) Homeless, a Runaway, or a Foster Child;
- (4) Pregnant or Parenting;
- (5) Offender; or
- (6) Requires additional assistance to complete an educational program or to secure and hold employment. An individual who requires additional assistance is defined as follows: special needs youth (disabled), limited English speaking; at risk of dropping out of school, substance abuse issues, affiliated with a gang, deficient in work readiness skills, or a high school graduate who is basic skills deficient, unemployed or underemployed.

Income Eligibility Exception

Up to five percent of youth served may be individuals who are not low-income, provided they are within one or more of the following categories:

- (1) School dropout;***
- (2) Basic skills deficient;***
- (3) Are one or more grade levels below the grade level appropriate for their age;***

- (4) Pregnant or parenting;**
- (5) Possess one or more disabilities, including learning disabilities;**
- (6) Homeless or runaway;**
- (7) Offender; or**
- (8) Faces serious barriers to employment**

The Riverside County Economic Development Agency (EDA) must approve the enrollment of youth who do not meet the income eligibility criteria. To obtain approval, the Program Provider will submit a request letter with the youth's file to EDA for approval. The letter will state the youth's barrier(s), how the youth will benefit from program participation, and the plan to assist the youth in overcoming their barrier(s).

The number of income eligibility exceptions approved will not exceed five percent of the total program enrollments at the time of the Program Provider's request.

PROCEDURES:

Documentation of Eligibility Criteria

There are four income eligibility categories for a youth to qualify as low-income. Each category requires different documentation. In an effort to simplify the process, **Eligibility Documentation Checklists** have been developed for the four income eligibility categories: (TANF) Eligible, Foster Care or Group Home, Special Needs (Disabled Youth), and, Income Eligible (see Attachments B, C, D and E). Eligibility determination also includes verification of the applicant's: a) social security number; b) Riverside County residency; c) citizenship/alien status/right to work; d) age; e) family size and; f) selective service registration. The Eligibility Documentation Checklists include the list of acceptable documentation that must be submitted to verify the above information.

The list of the preferred documentation for each category is included on each Eligibility Documentation Checklist. All acceptable documentation items are not included on each of the Eligibility Checklists. Refer to Attachment P for an inclusive list of acceptable Documentation for each eligibility category when the youth is having difficulties supplying the documents on the Eligibility Documentation Checklist. **Program Providers must make reasonable efforts to obtain the most preferred documentation. The use of the applicant's statement is allowable to document those items that are not verifiable or are not readily available. The youth's difficulty in obtaining documentation does not need to entail undue hardship to justify using an applicant statement (Attachments Q and R). Also, it is not necessary to obtain corroboration unless there is a reason not to believe the youth or the person supplying the statement.** Youth must have one or more of the barriers listed in the Eligibility Criteria section of this Policy and Procedures. Documentation of at least one barrier is a part of the eligibility process. The acceptable documentation varies and is dependent upon the barrier. EDA has developed a **Barriers Verification Checklist** (Attachment F) that lists the acceptable documentation for each barrier.

All males ages 18-25 must be registered for selective service. A youth who becomes 18 years of age while participating in the program must register within 30 days of his 18th birthday. EDA Program Liaisons will provide a report by the 10th of each month of all participating males who will be 18 years of age the following month. Program Providers will be responsible for ensuring the youth listed on the report register for selective service within 30 days of their 18th birthday.

Orientation

Program Providers will be responsible for conducting an orientation for all potential participants. The orientation will include an in-depth overview of the program components and an explanation of the eligibility process. The orientation will also include what is expected of youth and the commitment level needed from youth for successful participation. Upon completion of the orientation, potential participants should have a clear understanding of all aspects of the program and be able to make a sound decision as to whether or not the program will meet their needs. Whenever possible, orientations should be conducted in groups, and parents or guardians should be encouraged to attend.

Program Application

As part of the orientation process, youth will be required to complete the *Program Application* (Attachment A). The Program Application serves multiple purposes: 1) Contact information provided on the application will enable Program Providers to follow up with youth during the eligibility process; 2) The application provides information to assist Program Providers with making an initial identification of the barrier(s) youth may possess; 3) It serves as the verification document for self-reporting barrier(s); and, 4) The application will be used as a pre-assessment tool for Work Readiness skills. Thus, **youth must complete the Program Application during the orientation and without assistance.**

Pre-Eligibility Counseling Session

Following the group orientation, Program Providers will meet one-on-one with the youth to Page 5 of 7 reiterate the program participation requirements and to review the application to ensure the information provided by the youth is accurate. The Program Provider will also explain the eligibility documents needed to determine eligibility and provide the youth with the appropriate Eligibility Documentation Checklist. Information provided by the youth on the program application will assist with determining the appropriate Eligibility Documentation Checklist to use. The Program Provider will also review the Consolidated Civil Rights/Grievance Notification (Attachment G) and provide the youth with a copy. An eligibility interview date and time will be set for the youth to return with the necessary documents for eligibility determination. **Parent, guardian or responsible adult of youth 17 years of age and younger must attend the eligibility interview.**

Initial Eligibility Determination

Program Providers are responsible for gathering and reviewing eligibility documents and making an initial determination of eligibility during the eligibility interview. As part of the process, the Program Provider will complete the right-hand column of the Eligibility Documentation Checklist, checking off the eligibility documents received and the date of receipt. A copy of the checklist and the eligibility documents submitted will be maintained by the Program Provider until all necessary documents to determine eligibility are received. In addition to completing the Eligibility Documentation Checklist, the Program Provider will also complete the Barriers Verification Checklist. The Program Provider will check the appropriate barrier(s) and the document used to support verification of the barrier(s). The Program Provider will be responsible for getting the appropriate agency to complete the "At Risk of Dropping Out of School" verification (see Attachment H) for all youth who qualify under this category.

The Program Provider will administer their basic skills assessment to determine whether one of the youth's barriers is basic skills deficiency. The Program Provider will administer additional assessment

instruments only when it is necessary to identify a barrier for eligibility purposes. However, youth who are officially certified as eligible must receive a comprehensive assessment and be enrolled into the program no later than 15 working days from the date of certification.

The Program Provider will make an initial income eligibility determination for youth who are not TANF recipients, Foster Care or Special Needs. Section 127 (page H.R. 1385-40) C i-ii of the Workforce Investment Act requires the use of one of two sets of data to determine an individual's family income for the six-month period immediately preceding program application to qualify the individual as low income. The measure used is the highest of either the Poverty Guidelines, published by the Department of Health and Human Services, or 70 percent of the Lower Living Standard Income Levels (LLSIL), determined by the Secretary of Labor. The current LLSIL and Poverty Guideline table are provided as Attachment I of this Policy and Procedures.

Determining gross family income eligibility is one of the most difficult tasks of the eligibility process. Family income means the total gross income received by all members in the family unit for the six-month period prior to the date of the State Application form. Family income includes total cash receipts before taxes from all sources, with some exceptions. Page 6 of 7 Attachment J of this Policy and Procedures provides what income must be included in the calculation and what income is excluded from the calculation. Attachment K also provides the methods for calculating income. Program Providers will use the Applicant Income Worksheet (Attachment L) to calculate the total gross income of the family unit for the six-month period. The Applicant Income Worksheet must be maintained in the youth's file.

Note: Only youth's income can be self-reported on the Program Application. An applicant statement is still required.

Youth ages 14-17 must be accompanied at the eligibility interview by a parent, legal guardian or other responsible adult to sign program documents. The definition of "other responsible adult" include:

- A relative with whom the individual resides.
- An adult who has been delegated custodial or administrative responsibilities in writing, either temporarily or permanently, by parents or by an appropriate agency.
- An agency or organization representative who is in a position to know the individual's circumstances (i.e., that they cannot get a parent's or guardian's signature authorizing participation), for example, a clergy person, a school teacher or other school official, a probation or other officer of the court, a foster parent.
- A representative of an agency which is providing support services to the individual and who is aware of the individual's circumstances (i.e., that they cannot get a parent's or guardian's signature authorizing participation), for example, a social worker, a homeless shelter official, a child protective worker, a health clinic official.

Program Providers will have 45 calendar days from the date of the program application to collect all necessary eligibility documents and complete the State Application form. Youth who do not complete the eligibility process within the 45-day period must complete a new program application and the Program Provider will be responsible for collecting updated documentation for income eligibility, residency and any other general eligibility criteria that changed since the completion of the first Program Application. Again, the Program Provider will have 45 calendar days from the date of the second Program Application to collect the updated eligibility documentation and complete the State Application form.

Program Providers are to provide youth with as much assistance and guidance as possible with submitting all of the necessary eligibility documents. The number of interview appointments scheduled beyond the first appointment will be left to the discretion of the Program Provider. Program Providers must take into consideration the effort and motivation of the youth and the challenges the youth faces with obtaining the information. Program Providers must also be conscious of the time limitations for completing the eligibility process.

Completion of WIA Forms

Upon completion of the initial eligibility determination, the Program Provider will complete the State Application form (Attachment M) for **all** youth, regardless of their eligibility status. Program Providers will maintain the file with the Program Application and documentation collected for ineligible youth for record keeping purposes. The State Application form, the Release of Information Authorization (Attachment N), the Nepotism form (Attachment O), the Youth Emergency form (Attachment S), and the Media Photo Release form (Attachment T) must be completed and signed by youth who are determined eligible for program services. ***The State Application form, the Release of Information Authorization, the Media/Photo Release and the Youth Emergency form must also be signed by the parent or legal guardian of youth ages 14-17.***

Eligibility Certification

EDA must certify that youth meet the WIA eligibility requirements prior to youth being enrolled in the program. EDA will review the eligibility verification documents collected by the Program Provider to verify eligibility. EDA will certify eligibility by signing the State Application-WIA EWIR (9/00). EDA will certify eligibility at the Program Provider’s site within seven business days of being notified by the Program Provider of the need for a certification visit.

Referrals for Ineligible Youth

The Program Provider will be responsible for providing ineligible youth with information on other resources and making appropriate referrals to other programs and services. Program Providers will maintain data on all referrals and the results of such referrals.

REVISION HISTORY:

Revision Dates: 05/06/10, 03/29/04

Original Policy Date: 10/23/01

/s/ Melissa Reid

Melissa Reid, Program Development Manager