

SOP 17-05
Youth Eligibility Change 1
Workforce Innovation and Opportunity Act (WIOA)
Standard Operating Procedures
Grow Southwest Indiana Region 11
Approval Date: October 27, 2017
WDB Approval Date: 5-19-2023

Purpose

To address eligibility requirements for the Workforce Innovation and Opportunity Act (WIOA) Title I Youth program.

Change 1 Summary

- Updated definition of Basic Skills Deficient (BSD) for in-school youth to include the following assessments:
 - American College Testing (ACT)
 - Scholastic Aptitude Test (SAT) 9th Grade
 - SAT 10th Grade
 - SAT 11th Grade
 - Armed Services Vocational Aptitude Battery (ASVAB)
 - Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) (formerly ISEP)
- Corresponding score ranges for BSD eligibility for in-school youth are provided in Figure 2.
- Attachment A's language regarding eligibility-to-work requirements in Indiana has been simplified.
- Attachment B's language regarding use of funding for out-of-school youth has been updated to include a caveat in the case of a waiver.
- Attachment C's Eligibility Source Documentation has been aligned with PIRL data elements.

Rescission

DWD Policy 2017-03 *Youth Eligibility*
Region 11 SOP 17-05 *Youth Eligibility*, 10-27-2017

References

Workforce Innovation and Opportunity Act, Sections 3(27), 3(46), 129 (a)
20 CFR 681.200 through 681.320
TEGL 26-13
TEGL 09-22
PIRL

Action

DWD Policy 2017-03 , Change 1, *Youth Eligibility* will be implemented as Region 11 SOP 17-05, Change 1.

Content

As youth eligibility factors significantly changed under the Workforce Innovation and Opportunity Act (WIOA), this guidance is to be used as a standard for the required eligibility qualifiers for the WIOA Title I Youth program.

U.S. citizenships and/or eligibility-to-work in the U.S. are not program eligibility requirements for WIOA Title I. While citizenship does not need to be validated, Indiana has determined that an individual's eligibility-to-work in the United States (regardless of citizenship) must be validated for all WIOA Title I youth prior to the receipt of work experience and/or occupational skills training services.

See **Attachment A** for guidelines on validating eligibility to work in the United States.

The Department of Workforce Development (DWD) has identified acceptable forms of source documentation for the statutory eligibility requirements for youth. See **Attachment B** for eligibility requirement for in and out of school youth, and **Attachment C** for Eligibility Source Documentation. DWD has outlined includable and excludable income for determining eligibility. These may be found in **Attachment D**.

DWD will follow the United States Department of Labor (USDOL) guidance on which customer data elements are validated and the source documentation required to validate those data elements to ensure the validity of participant eligibility and avoid disallowed costs.

Action

Southwest Indiana Workforce Board will provide guidance to the service providers to ensure the validity of participant eligibility and avoid questions, or potentially disallowed, costs.

Attachments

- **Attachment A** – Guidelines for Validating Eligibility to Work in the United States.
- **Attachment B** – Eligibility Criteria Workforce Innovation and Opportunity Act (WIOA) Youth Program
- **Attachment C** - Eligibility Source Documentation
- **Attachment D** - Includable and Excludable Income for Determining Eligibility

Effective Date

Immediately.

Ending Date

Upon Rescission.

Attachment A

Eligibility to Work in the United States

Guidance on Validating Eligibility-to-Work:

- The customer “self-declares” when they enter data into the labor exchange system or when staff enters data into State’s participant reporting system. **Self-attestation** is an acceptable source of documentation, and no further validation is required for WIOA Title I youth who do **NOT** receive work experience or occupational skills training.
- Indiana has determined that an individual’s eligibility to work in the United States (regardless of citizenship) must be validated for all WIOA Title I youth prior to the receipt of work experience and/or occupational skills training services.

See Federal Form I-9 for a list of acceptable documents for employment eligibility. A copy must be maintained or scanned into State’s participant reporting system. <http://www.uscis.gov/i-9>

Attachment B

Eligibility Criteria Workforce Innovation and Opportunity Act (WIOA) Youth Grant

All participants must meet the following criteria:

I. Age Requirement:

Workforce Innovation and Opportunity Act participants must be between the ages of 14 and 24.

II. Specific Criteria:

In-school youth: is an individual attending school (as defined by state law) who is not younger than age 14 or 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), low income, and one or more of the following:

- Basic skills deficient
- An English language learner
- An offender
- A homeless individual aged 14 to 21 who meets the criteria defined in sec. 41403(6) of Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 14 to 21 who meets the criteria defined in sec 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), or 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 for kinship guardianship or adoption, 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
- An individual who is pregnant or parenting
- An individual with a disability, or
- An individual who requires additional assistance to complete an educational program or to secure to hold employment (must be locally defined). See SOP 21-03 *Regionally Elected Youth Barriers*.

Out of school youth: is an individual not attending any school (as defined by state law), age 16 through 24 at the 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 one or more of the following:

- A school dropout
- 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 is based on how a local school district defines its school year quarters. In cases where schools do not use quarters, local programs must use calendar year quarters.
- 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
- An offender
- A homeless individual aged 16 to 24 who meets the criteria defined in sec. 41403(6) of Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 16 to 24 who meets the criteria defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)) or 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 for the kinship guardianship or adoption, 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
- An individual who is pregnant or parenting
- An individual with a disability
- A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (must be locally defined). See SOP 21-03 *Regionally Elected Youth Barriers*.

Definitions

1. Use of Funding Requirement for Out of School Youth:

WIOA requires that Workforce Development Areas (WDAs) use at least 75 percent of their formula youth allocation to provide services to out of school youth. Funding percentage requirements may be adjusted when a DOL waiver is awarded.

2. High Poverty Area Criteria:

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, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the U.S. Census Bureau), Alaska Native Village Statistical Area or Alaska Native Regional Corporation Area, Native Hawaiian Homeland Area, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-year data.

3. Residency:

Eligible individuals residing in the WDA may be served, with considerations that the Local WIOA Plan provides for limited exceptions including providing services to youth outside the WDA and homeless individuals who cannot prove residence within the WDA. IC 20-26-11-1 governs the definition of residence and IC 20-26-11-2 governs legal settlement. Generally, a residence does not include a youth attending school in a different county than he/she lives. Please refer to the Indiana Codes for specific details. Preference should be given to Indiana residents followed by individuals who reside along regional boundaries including neighboring states.

4. Family of One:

An individual with a disability may be considered a family of one for the purpose of income eligibility determination under WIOA regardless of guardianship or other family members' income.

5. Five Percent Exception for Non-Income Eligible ISY and OSY:

The 5% exception for non-income eligible individuals applies to in school youth and out of school youth. This would reflect the two low-income eligibility categories for OSY and ALL eligibility categories for ISY. A program must calculate the five 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.

For example, if a local area enrolled 200 youth and 100 of those youth were OSY who were not required to meet the low-income criteria, 50 were OSY who were required to meet the low-income criteria and 50 were ISY. In this example, the 50 OSY required to be low-income and the 50 ISY are the only youth factored into the 5 percent low-income exception calculation. Therefore, in this example, 5 of the 100 youth who ordinarily would be required to be low-income do not have to meet the low-income criteria based on the low-income exception. This percent is calculated at the end of a program year based on new enrollees in that program year.

Listed below are the criteria that have low-income eligibility requirement (ALL ISY and two categories for OSY) in which the five percent (5%) exception applies:

Figure 1.

| In School Youth | Out of School Youth |
|--|--|
| Basic skills deficient | A recipient of a secondary school diploma or its recognized equivalent who is either basic skills deficient or an English Language Learner |
| An English language learner | An individual who requires additional assistance to enter or complete an educational program or to secure or hold employment |
| An offender | |
| A homeless individual, or a runaway | |
| An individual in foster care or who has attained 16 years of age and left foster care for kinship, guardianship or adoption, a child eligible for assistance, or in an out of home placement | |
| Pregnant or parenting | |
| An individual with a disability | |
| An individual who requires additional assistance to complete an educational program or to secure or hold employment | |

6. An individual who is pregnant or parenting:

An individual who is parenting can be a mother or father, custodial or non-custodial. As long as the youth is within the WIOA youth age of eligibility, the age when the youth became a parent does not factor into the determination of parenting. A pregnant individual can only be the expectant mother.

7. Additional Assistance Barrier:

Region 11 Workforce Development board will define in the Local Youth Plan and policy the definition of “an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment” for OSY. The definition is slightly different for ISY. Region 11 Workforce Development Board will define in the Local Youth Plan and policy the definition of “an individual who requires additional assistance to complete an educational program or to secure or hold employment.”

These definitions will be reasonable, quantifiable, and evidence-based that the specific characteristic of the identified youth objectively requires additional assistance. Examples may include: migrant youth, having an incarcerated parent, behavior problems at school,

family literacy problems, domestic violence, substance abuse, chronic health conditions, and one or more grade levels below appropriate age or refugee status. See SOP 21-03 *Regionally Elected Youth Barriers*.

8. Five-Percent Limitation for Eligible ISY:

In each local area, not more than five percent of the ISY newly enrolled in a given program year may be eligible based on the “requires additional assistance to complete an educational program or secure or hold employment” criterion.

9. Determination of School Status:

Determination of ISY or OSY is made at the time of program enrollment. Once the school status of a youth is determined, that school status remains the same throughout the youth’s participation in the WIOA youth program. For purposes of reporting, if a youth is determined to be OSY at time of enrollment and subsequently re-enters high school or enrolls in post-secondary education, that youth is still considered an OSY due to their status at the time of enrollment.

10. Indiana’s Diplomas:

The Indiana State Board of Education adopts course and credit requirements for earning a high school diploma. Under current requirements, students have the option of earning four diploma types:

- General
- Core 40
- Core with Academic Honors (AHD)
- Core 40 with Technical Honors (THD)

A Certificate of Completion, which deals with special education programs is not a diploma because Indiana does not permit students with disabilities to receive a diploma that is different than students without a disability. It is DWD’s opinion that a General Diploma is considered a diploma for the purpose of eligibility determination for OSY.

11. School Dropout:

WIOA defers the definition of “school dropout” to state law. A youth’s eligibility status is determined at the time of enrollment; therefore, if a youth has not received a high school diploma, or a recognized equivalent, AND is not attending any school, they are considered a dropout and are an OSY. A dropout only includes an individual who is currently a secondary school dropout and does not include a youth who previously dropped out of secondary school but re-enrolled. An individual who has dropped out of post-secondary education is not a “school dropout” for purpose of youth program eligibility.

12. Compulsory School Attendance/Not Attending Any School”

Under the WIOA Youth eligibility requirements, the term “school” refers to both secondary and postsecondary school (credit-bearing courses only). Therefore, an individual attending either secondary or postsecondary is considered ISY.

The Workforce Innovation and Opportunity Act added an additional provision for determining eligibility for an out of school youth (ages 16-24). This criterion is listed as “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.” Indiana’s definition of Compulsory School Age per Indiana Code 20-33-2-6, includes all youth who, beginning of the fall school term for the school year in which the student becomes seven (7) years of age, until the date on which the student:

- Graduates;
- Becomes eighteen (18) years of age; or
- Becomes sixteen (16) years of age but is less than eighteen (18) years of age and the requirements under Section 9 concerning an exit interview are met enabling the student to withdraw from school before graduation.

Indiana has also defined its School Year as “for each school year, a school corporation shall conduct at least on hundred eighty (180) student instructional days,” per Indiana Code, 20-30-2-3. While there may be extenuating circumstances that a school district may request a waiver of these 180 days, which could include weather related cancellations, the Indiana Department of Workforce Development would consider 180 student instruction days as the “school year.”

For the purposes of out of school youth eligibility calculations, a “school calendar quarter” would be defined as 45 student instructional days. Weekends, holidays, or cancelled days in which school was closed would not count towards the 45 student instructional days. Some school corporations may define these 45 days as a “semester,” but calculations for accuracy of total instructional days should still be verified by the case manager at the time of application and enrollment.

13. Homeschooling:

Home education in Indiana is classified as a non-accredited, non-public school. It is parent-directed, home-based, privately-funded education. IC 20-33-2-28 requires parents provide an equivalent education taught in the English language. Attendance records must be kept that are available upon request to the state or local school superintendent. Upon a specific and individual request by the state superintendent of public instruction, homeschools must furnish the number of children, by grade level, that are taught at home. Education is to be provided the same number of days that the local public school is in session, which is generally 180 days. Most homeschool students will be able to provide transcripts and/or a homeschool diploma to verify their completion of high school.

Students who are in a verified home education program, as outlined above would be considered ISY. Those who cannot provide verified home education transcripts and/or homeschool diplomas are considered for OSY eligibility.

14. Youth in between School Years:

If a youth is enrolled in the WIOA youth program during the summer and is in between school years, the youth is considered an ISY if they are enrolled to continue school in the fall. If a youth is enrolled in the WIOA youth program between high school graduation and postsecondary education, the youth is considered an ISY if they are registered for postsecondary education, even if they have not yet begun postsecondary classes at the time of WIOA youth program enrollment. However, if a youth graduates high school and registers for postsecondary education, but does not ultimately follow through with attending postsecondary education, then such a youth could be considered an OSY if the eligibility determination is made after the point that the youth decided not to attend postsecondary education.

For the purposes of defining registered, a youth does not have to attend the first day of class; acceptance to postsecondary education and scheduling courses will suffice.

15. Credit-bearing Postsecondary Education Classes:

If the youth participant is registered in any credit-bearing postsecondary education classes, then they are considered attending postsecondary education, and therefore, an ISY. If the youth is only enrolled in non-credit bearing postsecondary classes, they would not be considered attending postsecondary school and, therefore, could be OSY eligible.

16. Individuals 22 and older attending postsecondary education:

Local programs should keep in mind that ISY, including those attending postsecondary education, must be between the ages of 14 through 21. A youth attending postsecondary education who is 22 at the time of eligibility determination would not be eligible for the WIOA youth program because they are in school and over the age of 21. That individual could be served through the WIOA Adult program.

17. Exception for youth with disabilities:

There is one exception to the age eligibility for youth attending school. Youth with disabilities who have an individualized Education Plan (IEP) may be enrolled as ISY after the age of 21, per IC 20-35-1-8. The maximum age for attending school is less than twenty-two years of age.

The definition of disability that applies to services provided under the WIOA, is section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102): an individual with a physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or regarded as having an impairment.

18. High school equivalency programs and dropout re-engagement programs:

For the purposes of WIOA, Indiana does not consider providers of adult education under Title II of WIOA, YouthBuild programs, the Job Corps programs, high school equivalency (HSE) programs, or dropout re-engagement programs to be schools. WIOA youth programs may consider a youth to be an OSY for purposes of WIOA youth program eligibility if he or she attended adult education provided under Title II of WIOA, YouthBuild, Job Corps, high school equivalency programs or dropout re-engagement programs regardless of the funding source. Per IC 20 C.F.R. 681.230, Adult High Schools, for Adult Learners fall into the “dropout re-engagement” category, when considering the clientele served.

An HSE program offers preparation for, and the taking of, tests that lead to an HSE credential. A dropout re-engagement program conducts active outreach to encourage out of school youth to return to school and assists such youth in resuming their education and/or training to become career ready. A dropout re-engagement program or center may provide case management and other services to support youth in overcoming barriers that prevent them from returning to school or work. In Indiana, DWD has determined that individuals attending dropout re-engagement centers, such as the Excel Center, may be considered OSY eligible.

19. Basic Skills Deficient:

The term “basic skills deficient” means, with respect to an individual:

- Have English reading, writing, or computing skills at or below the 8.9 grade level on a generally accepted standardized test; or
- 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. This is defined as:
 - Lacks a high school diploma or equivalency and is not enrolled in secondary education, or
 - Scores 8.9 or below on the TABE, or
 - Is enrolled in Title II Adult Education (including enrolled for ESL even if the individual isn’t enrolled at the time of WIOA entry into participation), or
 - Has poor English language skills (and would be appropriate for ESL even if the individuals is not enrolled at the time of WIOA entry into participation), or
 - The case manager makes detailed observations of deficient functioning and records those detailed observations, as justification in a case note, or

For in school only:

- Behind in credits to graduate on time with peer cohort, or
- GPA 2.0 or below, or
- Have taken any of the following assessments and scored below established criteria for graduation requirements.

Figure 2.

| Assessment | English | Reading/Writing | Math | Other |
|----------------------------|----------------|------------------------|---------------|--------------|
| ACT | 17 or below | 21 or below | 21 or below | |
| SAT 9 th Grade | | 120-400 | 120-440 | |
| SAT 10 th Grade | | 160-420 | 160-470 | |
| SAT 11 th Grade | | 160-450 | 160-500 | |
| ASVAB | | | | 30 or below |
| ILEARN | 5510 or below | | 6508 or below | |

See:

1. <https://www.in.gov/doi/files/graduation-requirements.pdf>
2. <https://www.act.org/content/act/en/product0andservices/the-act-postsecondary-professionals/scores.html>
3. <https://satsuite.collegeboard.org/k12-educators/about/understand-scores-benchmarks/benchmarks>
4. <https://www.goarmy.com/ho-to-join/steps/asvab.html>
5. <https://www.in.gov/doi/students/assessment/ilearn/>

20. Selective Services Act:

Registration is required of all males who reach 18 years of age on or after 1960. An individual who meets this description must demonstrate proof of registration prior to enrollment. If the individual has not registered, he/she must demonstrate they were exempt from doing so or that he/she did not knowingly or willfully fail to register.

21. Citizenship:

U.S. citizenship and/or eligibility to work in the U.S. are not program eligibility requirements for WIOA Title I. While citizenship does not need to be validated, Indiana has determined that an individual's eligibility to work in the United States (regardless of citizenship) must be validated for all WIOA Title I youth prior to the receipt of work experience and/or occupational skills training services.

22. Veteran Preference:

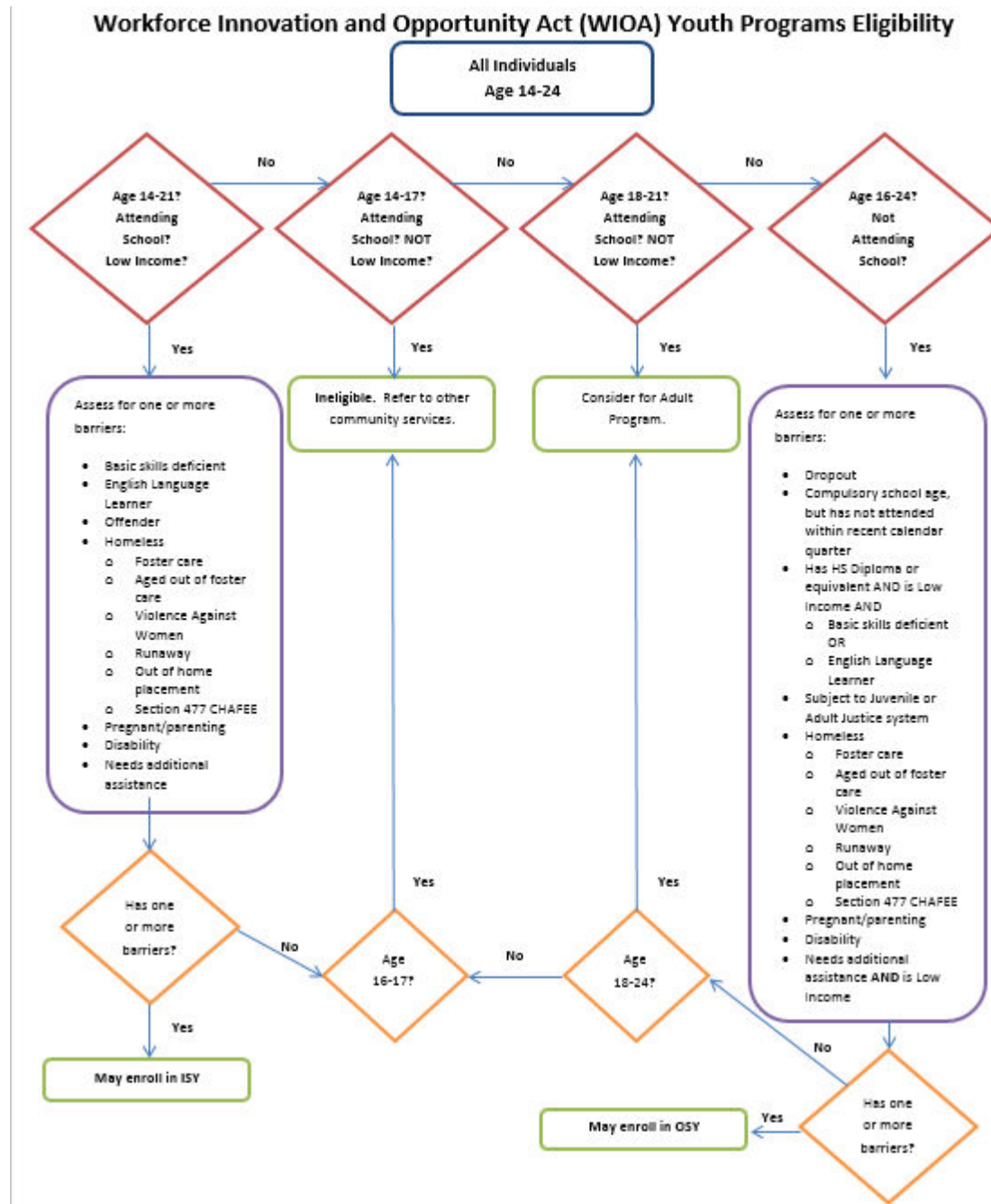
Veterans gain preference for all WIOA services.

Figure 3.

| WIOA Youth Requirements | |
|---|--|
| In School | Out of School |
| <p>Must meet all three criteria:</p> <ul style="list-style-type: none"> • Age 14 through 21, and • Attending school; and • Low income <p style="text-align: center;">AND</p> | <p>Must meet both criteria:</p> <ul style="list-style-type: none"> • Age 16 through 24, and • Not attending any school <p style="text-align: center;">AND</p> |
| One or more of the following: | One or more of the following: |
| <ul style="list-style-type: none"> • Basic skills deficient; below 2.0 GPA, behind on credits, scored below established criteria for graduation requirements on State assessment (see Figure 2. Above), <p style="text-align: center;">OR</p> | <ul style="list-style-type: none"> • Dropout, OR • Is within compulsory school age (16-17) but has not attended school in most recent complete school year calendar quarter; <p style="text-align: center;">OR</p> |
| <ul style="list-style-type: none"> • English Language Learner, OR | <ul style="list-style-type: none"> • Have a secondary school diploma or equivalent who is low income and either <ul style="list-style-type: none"> ○ Basic skills deficient, OR ○ An English Language Learner OR |
| <ul style="list-style-type: none"> • Offender, OR | <ul style="list-style-type: none"> • Subject to juvenile or adult justice system, OR |
| <ul style="list-style-type: none"> • Homeless (multiple categories) <ul style="list-style-type: none"> ○ In foster care ○ Aged out of the foster care system ○ Violence Against Women Act of 1994 ○ McKinney-Vento Homeless Assistance Act ○ Runaway Youth ○ Out of home placement ○ Chafee Foster Care Independence Program (Section 477 of the Social Security Act), OR | <ul style="list-style-type: none"> • Homeless (multiple categories): <ul style="list-style-type: none"> ○ In foster care, ○ Aged out of the foster care system, ○ Violence Against Women Act of 1994, ○ McKinney-Vento Homeless Assistance Act, ○ Runaway youth, ○ Out of Home placement, ○ Chafee Foster Care Independence Program (Section 477 of the Social Security Act), OR |
| <ul style="list-style-type: none"> • Pregnant or Parenting, OR | <ul style="list-style-type: none"> • Pregnant or Parenting, OR |
| <ul style="list-style-type: none"> • Youth who is individual who has a disability, OR | <ul style="list-style-type: none"> • Youth who is an individual who has a disability, OR |
| <ul style="list-style-type: none"> • An individual who requires additional assistance to complete an education program or to secure or hold employment (must be locally defined) | <ul style="list-style-type: none"> • A low-income individual who requires additional assistance to complete an educational program or to secure or hold employment, OR |
| | |

Figure 4.

The logic chart, **Figure 4**, below, is a helpful tool for determining whether a youth is appropriate for the in-school or out-of-school youth program.



Attachment C Eligibility Source Documentation

Note: Youth who receive WIOA Youth program services must have paper or scanned documentation.

| Eligibility Item | Eligibility Definition | Source Documentation-Eligibility |
|---|---|--|
| Age- PIRL Date of Birth | Must be “not less than age 14” and “not more than age 24” <u>at the time of first youth service</u> | <p>The birth date must match on one of the following documents:</p> <ul style="list-style-type: none"> • Copy of ID (driver’s license, school ID) • School records • Baptismal Record • Birth Certificate • Federal, State, or Local government identification Card • Hospital Record of Birth • Passport • Public Assistance/Social Service Records • DD-214 • Report of Transfer of Discharge Paper • Work Permit • Federal, State, Local, or Tribal Identification Card • Family Bible • Crossmatch with State Agency Records • Justice System Records • Selective Service Registration • Signed Letter from a parent or guardian • Medical Records • Self-Attestation |
| Attending School – PIRL School Status at Program Entry | In-school youth must be attending school | <p>Applicable records from education institution (GED certificate, diploma, attendance record, transcript, drop out letter, school documentation) Intake Application or Enrollment Form Electronic Records Case notes Self-attestation (signed and dated) indicating the school status at the time of participation</p> |

| Eligibility Item | Eligibility Definition | Source Documentation - Eligibility |
|--|---|---|
| Not Attending School – PIRL School Status at Program Entry | Out of school youth must not be attending any credit-bearing school/courses. | <ul style="list-style-type: none"> • Applicable records from education institution (GED certificate, diploma, attendance record, transcripts, drop out letter, school documentation) • Intake Application or Enrollment Form • Electronic Records • Case notes • Self-Attestation |
| 5% Eligibility Exception for youth who are not low income – PIRL Youth Who Needs Assistance | <p>Not more than five percent (5%) of youth may be covered individuals except that they are not low income.</p> <p>A “covered individual” is:</p> <ul style="list-style-type: none"> • An in-school youth, or • An out-of-school youth who is: <ul style="list-style-type: none"> ○ A recipient of a secondary school diploma or equivalent who is low income, or ○ A low-income individual who requires additional assistance to enter into or complete an educational program to secure or hold employment | <p>Additional Assistance:</p> <p>Intake Application or Enrollment Form</p> <p>Case notes</p> <p>Needs Assessment</p> <p>Individual Service Strategy (ISS)</p> <p>Self-Attestation</p> |
| %5 Limitation for in-school youth requiring Additional Assistance | No more that five percent (5%) of in-school youth participants may be those who are eligible because they require additional assistance to complete an educational program or to secure or hold employment. | <p>Additional Assistance:</p> <p>Intake Application or Enrollment Form</p> <p>Case notes</p> <p>Needs Assessment</p> <p>Individual Service Strategy (ISS)</p> <p>Self-Attestation</p> |
| Military Selective Service – PIRL Date Verified Selective Service Registration | <p>All males born after December 31, 1959 to registered with the US Military Selective Service. Section 189(h) of WIOA requires individuals to be in compliance with Section 3 of the Military Selective Service Act (50 USC Appr. 452) in order to participate in WIOA Title IB funded programs.</p> <p>Staff must follow operational guidance issued by DWD on verifying that a male customer born after December 31, 1959 is registered with the US Military Selective Service. This include local management coordinating and publishing a policy for non-registered males, age 26+ and born after December 31, 1959.</p> | <p>Acknowledgment letter from the Selective Service</p> <p>Screen printout of the Selective Service Verification site:</p> <p>www.sss.gov.REGVER/wfVerification.aspx (Staff enters last name, SSN, and date of birth at website. Printout includes Selective Service number and date of birth as confirmation for data validation)</p> <p>Selective Service Registration Card</p> <p>Selective Service Verification Form (form 3A)</p> <p>Stamped Post Office Receipt of Registration</p> |

| Eligibility Item | Eligibility Definition | Source Documentation-Eligibility |
|--|--|--|
| <p>Low Income – PIRL Low Income Status at Program Entry</p> | <p>The individual is a person who:</p> <ul style="list-style-type: none"> • Receives, or in the past six months has received, or is a member of a family that receives, or in the past six months has received, assistance through SNAP, TANF, SSI under Title XVI of the Social Security Act. Or another federal, state or local income-based public assistance program. Other income-based public assistance programs include: <ul style="list-style-type: none"> ○ Refugee Cash Assistance (RCA) ○ General Assistance (GA) (state/local government). In the United States, General Assistance encompasses a varying set of assistance programs that share two defining characteristics: 1) They are funded and administered by the state, county, and/or locality in which the particular program operates; and 2) They provide benefits to low-income persons who are not eligible for federal assistance. Across states, assistance is usually cash benefits and also includes state-funded medical assistance. • Is a member of a family that receive a total family income, for the six-month period prior to to program participation that, in relation to family size does not exceed the higher of: <ul style="list-style-type: none"> • The poverty line, for an equivalent period; or • 70 percent of the lower living standard income level, for an equivalent period, or • Is a homeless individual, as defined in section 4140396) of the Violence Against Women Act of 1994, or a homeless child or youth as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act, or • Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act, or • Is a foster child on behalf of whom state or local government payments are made, or • Is a person with a disability whose own income meets the income criteria established in WIOA 3(36)(A)(ii) but is a member of a family who income does not meet this requirement, or • Is a youth living in a high poverty area. | <p>Income:</p> <ul style="list-style-type: none"> • Award Letter form Veteran’s Administration • Bank Statements • Pay Stubs • Compensation Award Letter • Court Award Letter • Pension Statement • Employer Statement/Contact • Family or Business Financial Records • Housing Authority Verification • Quarterly Estimated Tax for Self-Employed Persons • Social Security Benefits • UI Claim Documents • Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Public Assistance Eligibility Verification • Crossmatch with Public Assistance Records • Crossmatch with UI Wage Records • School 504 Records Provider by Student • Assessment jTest Results • School Individualized Education Program (IEP) record • Self-Attestation • For Youth Living in a High Poverty Area: Case notes documenting High Poverty Area status |

Attachment D

Includable and Excludable Income for Determining Eligibility

Eligibility requirements frequently reference family income. For purposes of determining family income for eligibility, “family is defined as:

Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple and dependent children
- A parent or guardian, and dependent children
- A married couple

Per TEGL 26-13, (2014), THE Department of Labor’s policy is to recognize lawful same-sex marriages as broadly as possible to the extent that federal law permits, and to recognize all marriages valid in the jurisdiction where the marriage was celebrated (the ‘state of celebration’). ETA interprets gender specific terms of marriage such as widow, widower, husband, and wife, to include married same-sex spouses.

Low-income eligibility for youth is based on family size and includable income. Determining the family income is completed by calculating all includable income form six month prior to the date of enrollment/application. The six-month figure is them multiplied by two to give an annualized income that is more representative of the current economic status.

Includable Forms of Income

- **Gross wages and salaries before deductions:** The full amount, before payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation from work performed as an employee. If a family’s only source of income was from wages and salary payment, family income would be equal to grow wages and salary received.
- **Income from non-farm self-employment:** Net income (gross receipts minus operating expenses) from a person’s own unincorporated business, or other non-farm enterprise in which a person is engaged on their own account. If the business or enterprise has suffered a loss, this loss will be allowed to off-set wage earnings. Expenditures for businesses expansion or amortization of capital indebtedness cannot be used as deduction in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service Regulation. Any withdrawal of cash or assets from the operation of a business or profession is to be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
- **Income from farm self-employment:** Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to off-set wage earnings. Money received under the Agricultural Crop Stabilization Program is considered income.

- **Interest, dividends, and other net income from real or personal property:**
Expenditures for amortization of capital indebtedness cannot be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized by the Internal Revenue Service. Any withdrawal of cash assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family.
- **Child Support Payments**
- **State and Federal Unemployment Insurance Compensation**
- **Money received from such periodic sources such as:**
 - Governmental and non-governmental pensions (including military retirement pay)
 - Social Security Disability Insurance (SSDI) payments (Title II of the Social Security Act, Federal Old Age, Survivors, and Disability Insurance)
 - Regular payments from Old Age, Survivors and Disability Insurance (OASI) benefits received under Section 202 of the Social Security Act
 - Railroad retirement benefits
 - Stricke benefits from Union funds
 - Workers' compensation
 - Regular training stipends
 - Alimony
 - Military family allotments or other regular support from an absent family member or someone not living in the household
 - Regular insurance or annuity payments
 - College or university scholarships, grants (excluding Pell Grants), fellowships, and assistantships
 - Net royalties
 - Periodic receipts from estates or trusts
 - Net gambling or lottery winnings

Exclusions from Family Income

- **Non-cash benefits such as:**
 - Employer paid or union paid portions of fringe benefits
 - Food housing received in lieu of wages
 - Medicare benefits
 - Medicaid benefits
 - SNAP
 - School lunches
 - Housing assistance
- **Housing and Urban Development:** Rental subsidies such as Section 8 programs
- **Scholarship Assistance:** assistance that is needs-based
- **Financial assistance:** assistance under Title IV of the higher Education Act (i.e. Pell Grants, Federal Supplemental Educational Opportunity Grants, Feddra Work-Study program PLUS, Stafford and or Perkins loans). Loans are consider to be debt and not income.

- **Capital gains/losses**
- **Assets drawn down as withdrawals from banks**
- **Case welfare payments:** payments received under a Federal, State, or local income-based public assistance such as:
 - TANF
 - Supplemental Security Income (SSI)
 - Emergency Assistance money payments
 - General Assistance/Work Readiness
 - Refugee Cash Assistance
- Cash Payment under Title V of the Older Americans Act:
 - Green thumb
 - Senior Aides
 - Older American Community Service Employment Program
- Job Corps payments
- The sale of property, house, or an automobile
- Tax refunds
- One-time gifts
- Loans
- Lump sum inheritances
- One-time insurance payments, or compensations for injury
- IRA withdrawals
- Cash value of food and fuel produced on and consumed on farms
- Imputed value of rent from owner-occupied non-farm or farm housing
- Income earned by any person while serving on active duty and income derived from certain other veterans' benefits
 - Compensation for service-connected disability
 - Family compensation for service-connected death
 - Vocational rehabilitation
 - Education assistance
- Payments received under the Trade Readjustment Act of 1974 as subsequently amended
- Black Lung payments received under the Benefits Reform Act of 1977
- Terminal leave pay, severance, pay or a cash-out of unused accrued vacation time
- **Payment to volunteers under the Domestic Volunteer Act of 1973 (42 U.S.C. 5044 (g) 5058):**
 - AmeriCorps
 - Volunteers in Service to American (VISTA)
 - Retired Senior Volunteer Program
 - Foster Grandparent Program
 - Youthful offender incarceration alternative
 - Senior companions
- **Allowances, earnings, and payment to participants under the national and Community Service Act of 1990 (42 U.S.C. 12637(d))**
- **Allowance, earnings, and payments made to individuals participating in WIOA programs or any other workforce development program for which eligibility is based upon a needs and/or income test**

- **Payments or allowances made under the US Department of Health and Human Services Low-Income Home Energy Assistance Program (42U.S.C.8624 (f))**
- **Earned income tax credit refund payment received on or after January 1, 1991, including advanced earned income credit payment (26 U.S. C. 32 (j))**
- **Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Act (42 U. S. C 10602)**
- **Payment made by the State and/or local on behalf of a foster child**

NOTE:

Documents used to calculate an individual's or family's income level are generally valid for a one-month period of time, unless specified otherwise. Once low-income eligibility has been established for a youth or an adult income-based program, the customer must receive a service under the funding source within 30 calendar days.