

SOP 21-09 Change 2
Workforce Innovation and Opportunity Act
WIOA Youth Program Elements
Standard Operating Procedures
Grow Southwest Indiana Region 11
Approval Date: 12/3/2021
Approval Date: October 27, 2023

Purpose

To provide guidance to the local workforce Development Board, their operators, and service providers regarding the definition and requirements of the provision of youth program elements and service under the Workforce Innovation and Opportunity Act (WIOA).

Change Summary 2

Policy has been updated to reflect TEGL 9-22's coverage of allowable supportive services including the following changes:

- Supportive services that enable WIOA Youth participants to participate in work experience are now an allowable work experience expenditure.
- Mental health services have been added to the "Referral to Health Care" supportive service.
- Food, at a reasonable cost, may be provided to WIOA Youth participants as a supportive service.

Rescissions

DWD Policy 2018-01 Change 1 *Guidance on WIOA Title I Youth Program Elements*
SOP 21-09 *WIOA Youth Program Elements* 12-3-2021.

References

WIOA Section 3(59), 123 and 129

2 CFR part 200

20 CFR 651.10

20 CF

R 680.400, 680.410, and 680.840

20 CFR Part 681

TELG 9-22 Workforce Innovation and Opportunity Act Title I Youth Formula Program
Guidance

TEGL 21-16 Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance
TEGL 8-15 Second Title I WIOA Youth Program Transition Guidance
DWD Policy 2017-10, Change 1 Guidance on WIOA Title I Youth Work Experience

Content

Background

WIOA includes fourteen (14) program elements; five of the fourteen are new program elements under WIOA. Of the original nine (9) Workforce Investment Act (WIA) program elements, the summer employment opportunities element is now a sub-element under Paid and Unpaid and Work Experiences. The five new program elements are:

1. Financial literacy
2. Entrepreneurial skills training
3. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local areas
4. Activities that help youth prepare for and transition to post-secondary education and training, and
5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

Youth Program Elements

WIOA youth services assist young people ages 14-21 if in-school youth (ISY) and ages 16-24 if out-of-school youth (OSY) who face significant barriers to education and/or employment by providing resources and support to overcome those barriers and successfully transition to self-sufficiency through:

- Assessing a participant's skills, interests, needs, and goals.
- Creating customized service plans in collaboration with the participant, and
- Expanding the participant's connection to the local economy, educational opportunities, and community resources.

WIOA requires local workforce development entities to make available all required fourteen program elements to youth participants. Local programs are not required to use WIOA funds for each program element but may leverage partner resources to provide some of the readily available program elements. If the program is not funded with WIOA funds, the local program will have an agreement in place with a partner organization to ensure that the program will be offered. The local WDB will ensure that the program element is closely connected and coordinated with the WIOA youth program.

Utilizing an objective assessment, a youth participant's eligibility, barriers, needs, and goals will determine which program elements are provided to the youth participant. These elements will be documented in the Individual Employment Plan (IEP) and will be updated as additional barriers or needs occur.

Program Elements and Definitions

- 1. Tutoring, studying 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 post-secondary credential.**

Tutoring, study skills training, and instruction that lead to a high school diploma, its equivalent, or a similar certificate for individuals with disabilities are reported under this program element. Such services focus on:

- providing academic support,
- helping a youth identify areas of academic concern,
- assisting with overcoming learning obstacles, and
- providing tools and resources to develop learning strategies.

Tutoring, study skills training, and instruction can be provided one-on-one, in a group setting, through resources, and workshops.

Secondary school dropout prevention strategies intended to lead a high school diploma are also reported under this program element and include:

- services and activities that keep a young person in school and engaged in a formal learning and/or training setting,
- tutoring,
- literacy development,
- active learning experience,
- after-school opportunities, and
- individualized instruction.

Skills training through Jobs for America's Graduates (JAG) are included in this program element.

- 2. Alternative secondary school services or dropout recovery services, as appropriate.**

Under 20 CFR § 681.460(a)(2), alternative secondary school services, such as basic education skills training, individualized academic instruction, and English Language Learner (ELL) are those that assist youth who have struggled in traditional secondary education.

These diverse alternative education programs and models allow local areas the opportunity to reach a wide variety of students. Qualifying services include, but are not limited to:

- alternative classrooms,

- school within-a school programming,
- separate alternative schools, and
- second or last-chance schools.

Drop out recovery services such as credit recovery, counseling, and educational plan development, are those that assist youth who have dropped out of school. In Indiana, participation in JAG out-of-school programs qualifies. Both alternative secondary school services or drop out recovery services have the goal of helping youth to persist in education that leads to the completion of a recognized high school diploma or its equivalent.

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: summer employment opportunities, and other employment opportunities available throughout the school year, pre-apprenticeship programs, internships and job shadowing, and on-the-job training opportunities.

- 20 CFR § 681.600 further defines work experience as “a planned, structure learning experience that takes place in a workplace for a limited period of time.
- Work experience may be paid or unpaid, as appropriate and 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.
- Consistent with 20 CFR § 680.840, funds provided for work experiences may not be used to directly or indirectly aid in the filing of a job opening that is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.
- Work experiences provide the youth participant with opportunities for career exploration and skill development.
- Regulations require that a minimum of 20 percent of local area funds for the Title I Youth program be spent on work experience. As explained in CFR § 681.590(b), local area administrative costs are not subject to the 20 percent minimum work experience expenditure requirement. Leveraged resources cannot be used to fulfill any part of the 20 percent minimum.

TEGL No. 8-15 provides further discussion of allowable expenditure that may be counted toward the work experience expenditure requirement and articulates that program expenditures on the work experience program element can be more than just wages paid to youth in work experience.

Allowable expenditures include the following:

- wages/stipends paid for participation in a work experience,
- staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop the work experience,
- staff time spent evaluating the work experience,

- participant work experience orientation sessions,
- employer work experience orientation sessions,
- classroom training or the required academic education component directly related to the work experience, and
- employability skills/job readiness training to prepare youth for a work experience.
- supportive services that enable WIOA Youth participants to participate in work experience.
- incentive payment directly tied to the completion of work experience, and
- employability skills/job readiness training to prepare youth for a work experience.
 - Incentives not directly tied to the completion of the work experience as listed above would count as a supportive service program element.

Work experiences will include academic and occupational education.

- The educational component may occur concurrently or sequentially with the work experience.
- The academic and occupational education component may occur inside or outside the work site.
- The work experience employer can provide the academic and occupational component or components may be provided separately in the classroom or through other means.
- Local areas have the flexibility to decide who provides the educational components.

Academic and occupational education component refers to contextual learning that accompanies a work experience.

- It includes the information necessary to understand and work in specific industries and/or occupations; however, it will be more than a work site's onboarding program for employees and will cross-individual employers to be occupational.
- Local programs have the flexibility to determine the appropriate type of academic and occupational education necessary for a specific work experience.

4. Occupational skills training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupation in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123.

Occupational skills training is defined 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. Region 11 will give priority consideration to training programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupation in the local area. Training will:

- be outcome-oriented and focused on an occupational goal specified in the individual service strategy,
- be of sufficient duration to convey the skills needed to meet the occupational goals, and

- lead to the attainment of a recognized postsecondary credential.

For OSY ages 16-24, Individual Training Accounts (ITAs) may be utilized when appropriate. Participants will be allowed to choose the training provider that best meets their needs on the condition that the training provider is on the Eligible Training Provider List (ETPL) as outlined in regulations.

ISY cannot use youth program funded ITAs unless the ISY is between the ages of 18-21 and co-enrolled in the WIOA Adult program if the youth adult's needs, knowledge, skills, and interests align with the WIOA Adult program and may receive training services through an ITA funded by the Adult program.

The chosen occupational skills training will meet the in-demand and quality standards as highlighted in the state's demand-driven online tools.

5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

20 CFR § 681.630 states that this program element reflects an integrated education and training model and describes how workforce preparation activities, basic academic skills, and hands-on occupational skills training are to be taught within the same timeframe and connected to training in a specific occupation, occupational cluster, or career pathway.

6. Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors.

Regulations define this program element as opportunities that encourage responsibility, confidence, employability, self-determination, and other positive social behaviors including:

- exposure to postsecondary educational possibilities,
- community and service-learning projects,
- peer-centered activities such as peer mentoring and tutoring,
- organizational and teamwork training including team leadership training,
- training in decision-making, including determining priorities and problem-solving,
- citizenship training, including life skills training such as parenting and work behavior training
- civic engagement activities which promote the quality of life in a community, and
- other leadership activities that place youth in a leadership role such as serving on youth leadership committees, such as a Standing Youth Committee.

7. Supportive Services

Supportive services must be made available to all youth participants and can be solely funded by the youth program regardless of funding availability from other sources. Region 11 will have a plan for supportive services for youth as defined in WIOA sec.

3(59), as services that enable an individual to participate in WIOA activities. See SOP 21-02 Revision 2. These services include, but are not limited to, the following:

- linkages to community services,
- assistance with transportation,
- assistance with childcare and dependent care,
- assistance with housing,
- needs-related payments, including emergency needs,
- assistance with educational testing,
- reasonable accommodations or youth with disabilities,
- legal aid services,
- referrals to health care, including mental health services
- assistance with uniforms or other appropriate work attire and work-related tools, including such items such as eyeglasses and protective eye gear,
- assistance with books, fee, school supplies, and other necessary items such as electronic devices for student enrolled in postsecondary education classes, and
- payments and fees for employment and training-related applications tests, and certifications.
- food for Title I Youth program participants only.
 - Food, at a reasonable cost, may be provided to youth-serving program participants as a supportive service.
 - Food may be provided to eligible youth when it will enable them to participate in allowable youth program activities, assist them in obtaining their employment and training goals as identified on their ISS/IEP, and the participant's situation poses an immediate need for food assistance.
 - The use of grant funds for food will be limited to reasonable and necessary purchases that are coordinated with other community, state, or federal services that provide food for low-income individuals.
 - Currently, Region 11 does not intend to provide food as a supportive service element.

Electronic Device as a Supportive Service

- If the local area intends to permit the provision of electronic device, such as computers, laptops, and tablets for training participants, the local policy will contain:
 - Process for determining the device is necessary to complete the program
 - Cost limits for the electronic device
 - Disposition of the electronic device upon completion of the training. This must be communicated to the participant, and
 - Documentation of the necessity of the device in the case management system.

See SOP 21-02 Supportive Services Revision 2.

Incentive Payments

“Incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experience.” 20 CFR § 681.640.

- Region 11 will have written policies and procedures in place that govern the award of incentives and ensure that incentive payments are tied to goals of the specific program. See SOP 21-02 Supportive Services Revision 2.
- Incentive payments will be known before the commencement of the program,
- align with the local program’s organizational policies and are in accordance with requirements of 2 CFR part 200.
- Incentives will not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment.
- Local areas may leverage private funding for incentives that WIOA cannot fund.

Electronic Device as an incentive

If the local area intends to permit electronic devices as a type of incentive, written procedures must govern the award of such an incentive and ensure that:

- They are only permitted for recognition of the achievement of milestones in the program tied to WEX, education, or training.
- They are tied to the goals of the program.
- They are outlined in writing before the commencement of the program.
- They are aligned with the local program’s policies.
- The milestone and awarded device are case noted in the case management system.
- They are in accordance with the requirement contained in 2 CFR part 200.

Currently, Region 11 does not intend to permit electronic devices as a type of incentive.

8. Adult mentoring for a duration of at least 12 months that may occur both during and after program participation.

Adult mentoring for youth will:

- last at least 12 months and may take place both during the program and following exit from the program.
- be a formal relationship between a youth participant and an adult mentor that includes structure activities where the mentor offers guidance, support, and encouragement to develop the competence and character of the mentee, and
- while group mentoring activities and electronic means are allowable, at minimum, the program will match the youth with an individual mentor with whom the youth interacts on a face-to-face basis. Mentoring may include workplace mentoring where the local program matches a youth participant with an employer or employee of a company.
- If finding a mentor presents a burden to a program, case managers can serve as mentors in areas where adult mentos are sparse.

9. 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.

- Comprehensive guidance and counseling provide individualized counseling to participants including drug and alcohol abuse counseling mental health counseling, and referral to partner programs, as appropriate.
- When necessary counseling cannot be provided by the local youth program, Region 11 will coordinate with the organization to which it refers to ensure continuity of service.
- If resources exist within the local program or services providers, it is allowable to provide counseling services directly to participants rather than refer to partner programs.

10. Financial literacy education

20 CFR § 681.500 states that the financial literacy education program element may include the following activities:

- support the ability of participants to create budgets, initiate checking and saving accounts at bank, and make informed financial decisions,
- support participants in learning how to effectively manage spending, credit, debt, including student loans, consumer credit, and credit cards,
- teach participants about the significance of credit reports and credit scores, rights regarding credit and financial information, how to determine accuracy of a credit report and correct inaccuracies, and how to improve or maintain good credit,
- support a participant's ability to understand, evaluate, compare financial products and services and opportunities, and to make informed financial decisions,
- educate participants about identify theft, way to protect from identity theft, how to resolve cases of identity theft, and in other ways understand their rights and protections concerning personal identity and financial data,
- support activities that address the particular financial literacy needs of youth with disabilities, connecting them to benefits planning, and work incentives counseling,
- provide financial education that is age appropriate, timely, and provides opportunities to practice lessons that enable money management and saving,
- support activities that address the particular financial literacy needs of non-English speakers, including distribution of multilingual financial literacy and education materials, and
- 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.

11. Entrepreneurial skills training

This program element provides the basics of starting and operating a small business; the element will develop the skills associated with entrepreneurship including the ability to:

- take initiative,
- creatively seek out and identify business opportunities,
- develop budgets and forecast resource needs,
- understand various options for acquiring capital and the trade-offs associated with each option, and
- communicate effectively and market oneself and one's ideas.

Approaches to teaching youth entrepreneurial skills may include, but are not limited to:

1. education that introduces the values and basics of starting and running a business that includes the development of a business plan and may include simulations of business start-up and operation,
2. enterprise development that provides supports and services that incubate and help youth develop their own businesses such as helping youth access small loans or grants needed to begin business operation and providing more individualized attention to the development of viable business ideas, and
3. experiential programs that provide youth with experience in the day-to-day operation of a youth-run business or facilitate placement in apprentice or internship positions with adult entrepreneurs in the community.

12. 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.

- This youth program element includes “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.”
- Wagner-Peyser regulations provide additional information about this element under the “definition of workforce and labor market information – defining workforce and labor market information as “the body of knowledge that describes the relationship between labor demand and supply.”
- Indiana Career Explorer and Indiana Career Ready will be utilized to appropriately provide labor market and career information (LMI) to each youth. LMI identifies in-demand industries, occupations, employment opportunities, job market expectations, education requirements, skills requirements, potential earnings, and long-term employment.
- WIOA youth programs and providers in region 11 will become familiar with state and federal LMI data and tools. It is important for youth providers to share and discuss career exploration tools, ability and interest inventories, and employment services.
- Career awareness develops the knowledge of the variety of careers and occupations available. Career exploration helps the youth choose an educational path and training or a career that fits interests, skills, and abilities. Career

counseling include information concerning resume preparation, interviewing skills, job shadowing, work experience, and long-term benefits of postsecondary education and training.

13. Activities that help youth prepare for and transition to postsecondary education and training.

Postsecondary preparation and transition activities and services prepare ISY and OSY for advancement to postsecondary education after attaining a high school diploma or its recognized equivalent. These services include:

- exploring postsecondary education options, including technical training schools, community colleges, four-year colleges and universities, and registered apprenticeships,
- assisting youth to prepare for SAT/ACT testing,
- assisting with college admission applications,
- searching and applying for scholarships and grants,
- completing financial aid applications, and
- connecting youth to postsecondary education programs.

14. Follow-up services for not less than 12 months after the completion of participation.

- 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 postsecondary education and training and may include regular contact with a youth participant's employer. This contact may include assistance in addressing work-related problems that arise.
- Follow-up services will begin immediately following the last expected date of service in the Youth program when no future services are scheduled; follow-up services do not cause the exit date to change and do not trigger reenrollment in the program.
- Exit date is determined when the participant has not received services in the Youth program or any other Department of labor funded program in which the participant is co-enrolled for 90 days and no additional services are scheduled. Note that the date of exit is applied retroactively to the last date of service.
- Following 90 days of no service, other than the follow-up services, self-service, and information-only services and activities and when the participant has an official exit date applied retroactively to the last day of service, the program continues to provide follow-up services for the remaining 275 days for the 12-month follow-up requirement. One year from the date of exit, the 12-month follow-up requirement is completed.

Follow-up services for youth may include the following program elements:

- supportive services
- adult mentoring,
- financial literacy education,

- 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,
- activities that help youth prepare for and transition to postsecondary education and training.

Provision of these elements must occur after the exit date to count as follow-up services, and therefore, are to be coded as follow-up service in the state's case management systems as opposed to program services provided prior to program exit. This allows the case management system to clearly differentiate follow-up services from those services provided prior to exit. Such follow-up service will be documented in the case file that they were provided as follow-up service post exit.

Per 20 CFR § 681.580, all youth participants will be offered an opportunity to receive follow-up services that align with their individual service strategies. Follow-up services will be provided to all participants for a minimum of 12 months (with the exception of a participant who declines to receive follow-up services, or the participant cannot be located or contacted). Follow-up services may be provided beyond 12 months at the discretion of the local Workforce Development Board. Since the types and duration of provided services are determined based on the needs of the individual, the type and intensity of follow-up services may differ for each participant. Note that follow-up service will include more than only a contact attempted or made for securing documentation to report a performance outcome.

When a participant cannot be located or contacted in a reasonable amount of time using reasonable means, the service provider will document in case notes. At the time of enrollment, youth will be informed that follow-up services will be provided for 12 months following exit. If at any point in time during the program or during the 12 months following exit, the youth requests to opt out of follow-up services, they may do so. In this case, the request to opt out or discontinue follow-up services made by the youth will also be documented in the case file.

In region 11, one year of follow-up will:

- be based on the needs of the individual and staff will update the youth's ISS/IEP prior to exit to reflect the follow-up plan and strategy,
- include collection of information on employment status, education progress, need for additional services, and problems and challenges that occur and the assistance needed to address them,
- include reciprocal communication between staff and the youth to identify how a participant is progressing,
- occur in person, or via the phone, texting, email, or other forms of on-on-one communication, and
- be recorded as a follow-up service with a detailed case note in the mandated case management system.

Action

Region will implement DWD policy 2018-01, Change 2 as SOP-09 change 2 Youth Program Elements.

Effective Date

Immediately

Ending Date

Upon rescission