


## **Youth Program Eligibility Determination Policy**

### **I. INTRODUCTION**

 When determined eligible, a young person must be in or out of school to be eligible to participate in the Youth Program. No less than 75% of the program category funds will be allocated to provide services to out-of-school youth. The Workforce Innovation and Opportunity Act (WIOA) is intended to support the occupational success of out-of-school youth.

### **II. LEGAL BASIS**

Section 3 (2), (15) and (63); Section 129 (a) (1) (B) and 129 (a) (C) - Workforce Innovation and Opportunity Act (WIOA);

Sections 681.200 through 681.320 of the Workforce Innovation and Opportunity Act (WIOA) Regulations;

"Training and Employment Guidance Letter 23-14 issued by the Employment and Training Program attached to the United States Department of Labor on March 26, 2015 and 8-15 on November 17, 2015.

### **III. GENERAL REQUIREMENTS FOR THE YOUTH PROGRAM**

1. Age: Not younger than fourteen (14) years old and not older than twenty-four (24) years old.

Evidence Required in the Record - a copy of Birth Certificate, Driver's License (current), Federal, State, or Local Identification Card, Passport or Residence Card (current).


2. U.S. Citizenship

Must be a U.S. citizen, lawful permanent resident, and/or alien authorized to study or work in

the United States as defined by the United States Department of Labor and Human Resources.

Evidence Required in the Record – a copy of Birth Certificate, Certificate of Naturalization, Valid Passport or Resident Card.

3. Be registered with the Selective Service.



The male customer must register with the U.S. Army Selective Service within thirty (30) days of his eighteenth (18th) birthday. The selective service will accept late registrations, but it will not accept late registrations after the male has reached twenty-six (26) years of age. This applies to males born after December 31, 1959.

Evidence is Required in the file: a letter or card from the selective service acknowledgment letter, a Veteran DD-214, telephone verification, or electronic verification.

Note: Only those who present evidence of the following circumstances will be excluded from this requirement:

- Have been confined in a medical, mental, or correctional institution between the ages of 18 and 26;
- Aliens who have arrived in the United States and its territories after having passed the age of enrollment.

#### **IV. OUT-OF-SCHOOL YOUTH REQUIREMENTS**

A young person is considered to be in the Out-of-School category if he/she meets the following requirements:

1. He/she is not attending school, according to the state's definition of this term.

For WIOA Title I purposes, USDOL does not consider youth enrolled in WIOA Title II Adult Education programs, the YouthBuild Program, or participants in the Job Corps program as in-school youth. Therefore, the WIOA youth program may consider a youth for eligibility purposes as Out-of-School, even if he or she participates in one of these three programs.

Evidence Required in the File - School Certification, Transcript of Credit, or Letter of Dismissal (certified by school authorities). If the above evidence cannot be presented, a

Certification from the youth will be accepted.

2. The youth must be between 16 and 24 years old at the time of enrollment in the system. If they have not completed their occupational goals, they may continue to receive service beyond age 24, as the age requirement applies when they begin receiving services and enrollment in the system.

Evidence Required in the File - a copy of Birth Certificate, Driver's License (current), Federal, State, or Local ID Card, Passport, or Current Residency Card.

3. Meets one or more of the following conditions:
  - a. School dropout;
  - b. A young person of compulsory school attendance age but has not attended school in the last semester of the school year;

Evidence Required in the File - School Certification, Credit Transcript, or Letter of Withdrawal (certified by school authorities).

- c. Has completed a high school diploma or its equivalent, is low-income, and has one of the following barriers:
      - i. Basic skills deficient;

Basic skills deficient is defined as an individual who computes or solves problems reads, writes, or speaks English at a level equivalent to 8th grade or below 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 in an employment, family, or social environment.

Evidence Required in the Record - Generally accepted standardized test, school evidence, transcript of credits, or testing evidence.

- ii. Learning English - He/she is enrolled in an English language course or workshop.

Evidence Required in the File - Certification from the school or institution where the workshop is being taken.

- d. An individual who is subject to the juvenile or adult justice system;

Evidence Required in the Record - Court system documentation.

- e. An individual who is considered homeless, has run away from home, is in foster care, or is of foster care age; a youth eligible for assistance under Section 477 of the Social Security Act, or an individual who is consistently placed in different foster homes.

Evidence Required in the Record - Documentation from the Department of the Family or agency stipulating.

- f. A young woman who is pregnant or a young man raising minors;

Evidence Required in the Record - Copy of Birth Certificate, Medical Note confirming pregnancy, direct observation or self-identification of the client.

- g. A young person who is an individual with disabilities;

Evidence Required in the Record - Medical or school certification, direct observation or self-identification of the client.

- h. Low-income individuals who require additional aid to enter or complete an educational program or to secure or maintain employment.

A low-income youth is defined as:

- i. Receives, or in the past six (6) months has received, or is a member of a family that receives, or in the past six (6) months has received, supplemental nutrition assistance from the Food and Nutrition Act of 2008, the TANF Program, or other income-based public assistance;
- j. Is part of a family group where the family income does not exceed the poverty guidelines ceiling or 70% of the "lower living standard income level";
- k. Is a homeless person (as defined in Section 41403 (6) of the federal Violence Against Women Act of 1994) or a homeless youth (as defined in Section 725 (2) of the federal Homeless Assistance Act);
- l. Foster child for whom payments are made by the state or government;
- m. Disabled individual whose own income meets the requirements of subsection (b) but is a member of a family that does not meet the income requirement.

Evidence Required in the Record - As outlined in the Youth Requiring Additional Assistance Policy.

## V. REQUIREMENTS FOR YOUTH ATTENDING SCHOOL

A young person is considered in the Youth in School category if he/she meets the following requirements:

1. He/she is attending school according to the definition that the state has adopted for this term;

Evidence Required in the Record - School Certification.

2. Not younger than 14 years of age (except an individual with a disability who is attending school under State law) and not older than 21 years of age;

Evidence Required in the Record - a copy of Birth Certificate, Driver's License (current), Federal, State, or Local Identification Card, Passport, or Resident Card (current).

3. Low-income individual - A low-income youth is defined as:
  - a. Receives, or in the past six (6) months has received, or is a member of a family that receives, or in the past six (6) months has received, supplemental nutrition assistance from the Food and Nutrition Act of 2008, the TANF Program, or other income-based public aid;
  - b. Is part of a family group where the family income does not exceed the poverty threshold or 70% of the " lower living standard income level";
  - c. Is a homeless person (as defined in Section 41403 (6) of the federal Violence Against Women Act of 1994) or a homeless youth (as defined in Section 725 (2) of the federal Homeless Assistance Act);
  - d. A foster child for whom payments are made by the state or government;
  - e. Disabled individual whose own income meets the requirements of subsection (b) but is a member of a family that does not meet the income requirement.

In addition, a youth living in a high-poverty geographic area is automatically considered to be a low-income person. The regulation (681.260) establishes that a high poverty area is a census tract of various groups as defined by the Secretary or a county (in the particular case of Puerto Rico municipalities) that have a rate of at least 25 percent as established every five years using the American Community Survey (5-Year Data) published by the U.S. Census Bureau.

Evidence Required in the Record - Ascertained from the Lower Living Standard Income Level (LLSIL) table by calendar year, which varies by family size. Ascertained from the American Community Survey 5 Year Data" (high poverty geographic area).

4. Meet one or more of the following conditions:

- a. Basic Skills Deficient: Basic Skills Deficient is defined as an individual who computes or solves problems, reads, writes, or speaks English at a level equivalent to 8th grade or below 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 in an employment, family, or social environment.

Evidence Required in the Record - Generally accepted standardized test, school evidence, transcript of credits, or testing evidence.

- b. Learning English - He/she is enrolled in an English language course or workshop, or he/she receives English classes as part of his/her regular curriculum.

Evidence Required in the File - certification from the school or institution where the workshop or course was taken.

- c. An offender of the law;

Evidence Required in the Record - Minor court system documentation evidencing this.

- d. A homeless person (as defined in Section 41403(6) of the Federal Violence Against Women Act of 1994 (42 U.S.C. 14043e- 2(6)), a homeless child or youth (as defined in Section 725(2) of the Federal McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), a runaway, foster youth or youth who has aged out of foster care, a child eligible for assistance under Section 477 of the Federal Social Security Act (42 U.S.C. 677), or is in an out-of-home placement program.

Evidence Required in the Record - Documentation from the Department of the Family or agency stipulating.

- e. A young woman who is pregnant or a young man raising minors;

Evidence Required in the Record - Copy of Birth Certificate, Medical Note confirming

pregnancy, direct observation or self-identification of the client.

- f. A young person who is an individual with disabilities;

Evidence Required in the Record - Medical or school certification, direct observation, or self-identification of the client.

- g. Low-income individuals who require additional assistance to complete an educational program or to secure or maintain employment. No more than 5% of in-school youth served will be considered in this criterion.

Evidence Required in the Record - As outlined in the Public Policy for youth requiring additional assistance.

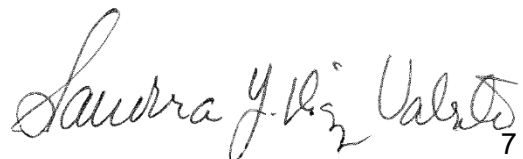
## VI. EXCEPTION TO THE LOW-INCOME CRITERION

The WIOA Act maintains the 5 percent exception for low-income eligibility for participants who do not need to meet this low-income provision. The 5% is calculated based on youth enrolled in the program who must meet the low-income criteria. For in-school youth, 5% of all youth enrolled in a given year. For out-of-school youth, the 5% exception to the low-income criteria is calculated only from the youth enrolled in the program year who must meet the low-income criteria (youth who have completed a high school diploma or its equivalent and are deficient in basic skills or are in the process of learning the English language; or who require additional aid to enter or complete an educational program or to secure or maintain employment).

To use this eligibility criterion, authorization must be requested from the Executive Director to maintain controls and stay within the percentage approved by law.

## VII. APPROVAL AND EFFECTIVENESS

This policy shall become effective immediately upon approval. The Executive Director shall inform the staff within five (5) days of its approval.



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Ángel San Miguel Hernández  
Local Workforce Development Board  
President

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Sandra I. Díaz Valentín  
Local Workforce Development  
Board Secretary

*27- octubre - 2016*

October 27<sup>th</sup>, 2016

\_\_\_\_\_  
Date

**CERTIFICATE OF TRANSLATOR**

*Smile Again Learning Center, Corp., certifies that a fluent translator in English and Spanish translated this document, that the above is a true and correct translation of the original document provided, in our best judgment, the translated text truly reflects the content, meaning, and style of the original text and constitutes in every aspect a complete and accurate translation of the original document. This is to certify the correctness of the translation only. We do not make any claims or guarantees about the authenticity or content of the original document. Further, Smile Again Learning Center assumes no liability for the way in which the translation is used by the customer or any third party, including end-users of the translation. Any translation into another language shall be deemed as reference and the original version shall prevail in any case. A copy of the translation is attached to this certification.*

*In Isabela, Puerto Rico, June 30, 2024*

**Aledawi Figueroa Martínez**  
**President**  
**Smile Again Learning Center, Corp.**  
**(787)872-5151 / (787)225-6332**  
**widy.figueroa@smileagainpr.com**  
**www.smileagainpr.com**