

Policy for the Determination of Eligibility: Youth Program

I. INTRODUCTION

To be determined eligible to participate in the Youth Program, an individual must be classified as either an In-School Youth or an Out-of-School Youth. Not less than 75% of the total funds allocated to the Youth Program category shall be used to provide services to Out-of-School Youth. The Workforce Innovation and Opportunity Act (WIOA) is specifically designed to support the occupational success of Out-of-School Youth.

II. LEGAL AUTHORITY

- **Sections 3(2), 3(15), and 3(63); Sections 129(a)(1)(B) and 129(a)(1)(C)** of the Workforce Innovation and Opportunity Act (WIOA).
- **20 CFR §§ 681.200 through 681.320** (WIOA Final Regulations).
- **Training and Employment Guidance Letter (TEGL) No. 23-14** (issued March 26, 2015) and **TEGL No. 8-15** (issued November 17, 2015) by the Employment and Training Administration (ETA) of the U.S. Department of Labor.

III. GENERAL REQUIREMENTS FOR THE YOUTH PROGRAM

1. Age

The individual must not be younger than fourteen (14) years of age nor older than twenty-four (24) years of age at the time of eligibility determination.

Required Documentation in Case File:

- Copy of Birth Certificate
- Valid Driver's License
- Valid Federal, State, or Local ID Card
- Valid Passport or Permanent Resident Card

2. Citizenship / Work Authorization



Must be a U.S. citizen, legal permanent resident, or an alien authorized to study or work in the United States, as defined by the Department of Labor and Human Resources.

Required Documentation in Case File:

- Copy of Birth Certificate
- Certificate of Naturalization, Valid Passport, or Valid Permanent Resident Card

3. Selective Service Registration

Male applicants must register with the U.S. Selective Service System within thirty (30) days of their 18th birthday. Selective Service accepts late registrations up until the individual turns twenty-six (26) years of age. This requirement applies to males born after December 31, 1959.

Required Documentation in Case File:

- Selective Service Acknowledgment Letter or Card
- Veteran Form DD-214
- Telephone or Electronic Verification

Note: Individuals presenting evidence of the following conditions are exempt from this requirement:

- Incarceration in a medical, mental, or correctional institution between the ages of 18 and 26.
- Non-citizens who entered the United States and its territories after reaching the maximum registration age.

IV. OUT-OF-SCHOOL YOUTH REQUIREMENTS

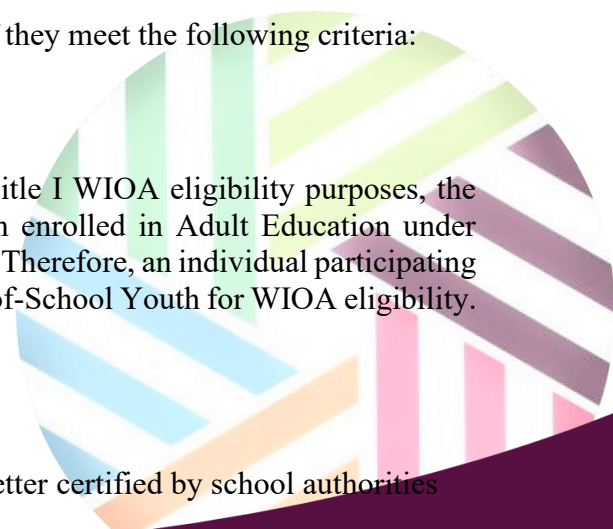
An individual is considered an **Out-of-School Youth (OSY)** if they meet the following criteria:

1. School Attendance

Is not attending any school, as defined under State law. For Title I WIOA eligibility purposes, the U.S. Department of Labor (USDOL) does not consider youth enrolled in Adult Education under WIOA Title II, YouthBuild, or Job Corps as "attending school." Therefore, an individual participating in any of these three programs may still be classified as an Out-of-School Youth for WIOA eligibility.

Required Documentation in Case File:

- School Certification
- Official Academic Transcript or Official Withdrawal Letter certified by school authorities



- *If the above documentation cannot be obtained, a Participant Self-Certification Form will be accepted.*

2. Age

Aged sixteen (16) to twenty-four (24) at the time of system registration. Participants may continue receiving services after turning 24 as long as they have not completed their occupational goals, provided they met the age requirement at the time of enrollment.

Required Documentation in Case File:

- Copy of Birth Certificate, Valid Driver's License, Valid Government ID, or Valid Passport/Resident Card.

3. Barriers / Conditions

Meets one or more of the following conditions:

- **a. School dropout.**
- **b. Compulsory school-age youth who has not attended school for at least the most recent complete school semester.**
 - *Required Evidence:* School Certification, Official Transcript, or Withdrawal Letter.
- **c. Recipient of a high school diploma or its recognized equivalent, who is low-income **and** fits one of the following:**
 - **i. Basic Skills Deficient:** An individual who computes or solves problems, reads, writes, or speaks English at or below the 8th-grade level on a generally accepted standardized test, or is unable to compute, read, write, or speak English at a level necessary to function on the job, in the family, or in society.
 - *Required Evidence:* Standardized test results, school records, or academic transcripts.
 - **ii. English Language Learner:** Enrolled in an English language acquisition course or workshop.
 - *Required Evidence:* School certification or training institution record.
- **d. An individual subject to the juvenile or adult justice system.**
 - *Required Evidence:* Official court or judicial system documentation.
- **e. A homeless individual, a runaway, an individual in foster care or who has aged out of the foster care system, a youth eligible for assistance under Section 477 of the Social Security Act, or an individual in an out-of-home placement.**
 - *Required Evidence:* Official documentation from the Department of the Family or relevant social service agency.

- *Required Evidence:* Copy of Child's Birth Certificate, Medical Note confirming pregnancy, or Direct Observation/Self-Attestation.
- **g.** An individual with a disability.
 - *Required Evidence:* Medical certification, school IEP records, or Direct Observation/Self-Attestation.
- **h.** A low-income individual who requires additional assistance to complete an educational program or to secure or hold employment.
 - *Low-Income Definition:*
 - **i.** Receives or has received in the past six (6) months (or is a member of a family that receives/has received) Supplemental Nutrition Assistance Program (SNAP/PAN) benefits, TANF, or other income-based public assistance.
 - **ii.** Is in a family whose total income does not exceed the poverty line or 70% of the Lower Living Standard Income Level (LLSIL).
 - **iii.** Is a homeless individual (under Section 41403(6) of the Violence Against Women Act or Section 725(2) of the McKinney-Vento Homeless Assistance Act).
 - **iv.** Is a foster child for whom state/local government payments are made.
 - **v.** Is an individual with a disability whose own income meets low-income criteria, even if their family income exceeds it.
 - *Required Evidence:* Documentation outlined in the "Youth Requiring Additional Assistance Policy."

V. IN-SCHOOL YOUTH REQUIREMENTS

An individual is considered an **In-School Youth (ISY)** if they meet the following criteria:

1. School Attendance

Attending school (including secondary or postsecondary school) as defined by State law.

Required Documentation in Case File:

- Official School Certification.

2. Age

Not younger than fourteen (14) years of age (unless an individual with a disability is attending school under State law) and not older than twenty-one (21) years of age.



Required Documentation in Case File:

- Birth Certificate, Driver's License, Government ID, Passport, or Permanent Resident Card.

3. Low-Income Status

Must be a low-income individual (meeting any of the low-income definitions listed under Section IV.3.h).

High-Poverty Area Exception: An In-School Youth living in a high-poverty geographic area is automatically considered low-income. Under 20 CFR § 681.260, a high-poverty area is defined as a Census tract/block group or municipality (county equivalent) with a poverty rate of at least 25%, as determined every five years by the U.S. Census Bureau's American Community Survey (ACS) 5-Year Data.

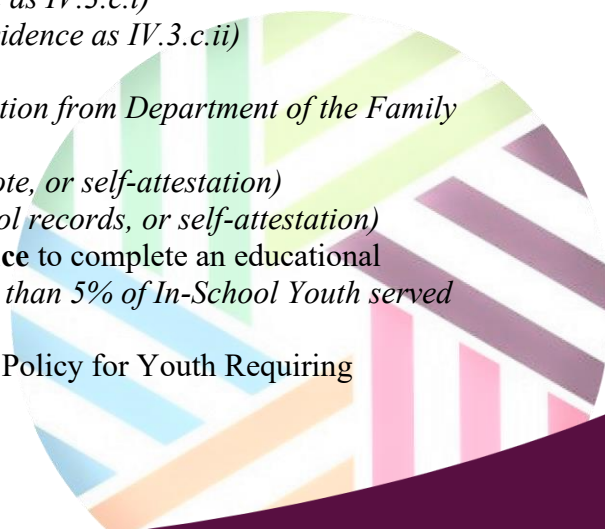
Required Documentation in Case File:

- Verification against LLSIL income tables for the corresponding calendar year based on family size.
- Geographic verification via ACS 5-Year Data map (for high-poverty area qualification).

4. Barriers / Conditions

Meets one or more of the following conditions:

- **a. Basic Skills Deficient.** *(Same definition and evidence as IV.3.c.i)*
- **b. English Language Learner.** *(Same definition and evidence as IV.3.c.ii)*
- **c. Offender.** *(Court/judicial documentation)*
- **d. Homeless, Runaway, or Foster Youth.** *(Documentation from Department of the Family or relevant agency)*
- **e. Pregnant or Parenting.** *(Birth certificate, medical note, or self-attestation)*
- **f. Youth with a Disability.** *(Medical certification, school records, or self-attestation)*
- **g. Low-Income Youth Requiring Additional Assistance** to complete an educational program or to secure/hold employment. *(Note: No more than 5% of In-School Youth served in a Local Area may qualify under this barrier).*
 - *Required Evidence:* As established in the Public Policy for Youth Requiring Additional Assistance.



VI. LOW-INCOME 5% EXCEPTION

Under WIOA, up to 5% of registered youth participants who would otherwise be required to meet low-income criteria may be exempted from the low-income requirement.

- **For In-School Youth:** The 5% exception is calculated based on all ISY enrolled in a given Program Year.
- **For Out-of-School Youth:** The 5% exception applies **only** to OSY categories that strictly require low-income eligibility (i.e., youth with a high school diploma who are basic skills deficient/English learners, or youth requiring additional assistance). OSY under other barrier categories (e.g., dropouts, offenders, homeless) do not have a low-income requirement and are excluded from this calculation.

To apply this exception, staff must request written authorization from the Executive Director to monitor tracking and ensure compliance within federal statutory limits.

VII. APPROVAL AND EFFECTIVE DATE

This public policy shall take effect immediately upon its approval. The Executive Director is responsible for notifying all staff within five (5) business days following its approval.


JOSÉ A. JUSTINIANO RODRÍGUEZ
Chairman, Local Workforce Development Board

June 22th, 2025
DATE

/cmpr

