

COMMONWEALTH OF VIRGINIA  
VIRGINIA COMMUNITY COLLEGE SYSTEM

**WORKFORCE INVESTMENT ACT**

**VIRGINIA WORKFORCE LETTER (VWL) #08-08**

**TO:** LOCAL WORKFORCE INVESTMENT BOARDS  
**FROM:** WORKFORCE DEVELOPMENT SERVICES  
**SUBJECT:** OUT-OF-SCHOOL YOUTH DEFINITION AND THE 30% EXPENDITURE LEVEL  
**DATE:** APRIL 30, 2009

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The purpose of this guidance is to provide local workforce investment areas with further clarification regarding the definition of “out-of-school” and the applicability of the definition to the 30% expenditure requirement relative to youth programs.

**REFERENCES:**

Workforce Investment Act of 1998, Section 101 (33)  
Workforce Investment Act of 1998, Section 129(c) (4) (A)  
Subpart C – Out-of-School Youth – 20 CFR 664.300 – 664.320  
Field Guidance Memorandum #02-02 – Clarification of the Term “School Dropout”

**DEFINITION:**

Out-of-School Youth – The term ‘out-of-school youth’ means:

- (A) an eligible youth who is a school dropout; or
- (B) an eligible youth who has either graduated from high school or holds a GED, but is basic skills deficient, unemployed or underemployed. (Section 101 – 33 Out-of-School Youth).

The above definition will be applied when the 30% minimum expenditure for out-of-school youth is calculated.

Additional clarification was provided concerning the term “school dropout” – as follows:

According to the Code of Virginia, a child who is under the age of eighteen must either attend school or receive an excuse from attendance at school from the local school board.

For WIA purposes, any youth under the age of eighteen will not be considered a school dropout until that youth is excused from the attendance requirements outlined in the Code of Virginia.