

## Attachment C

### WIOA Youth Eligibility

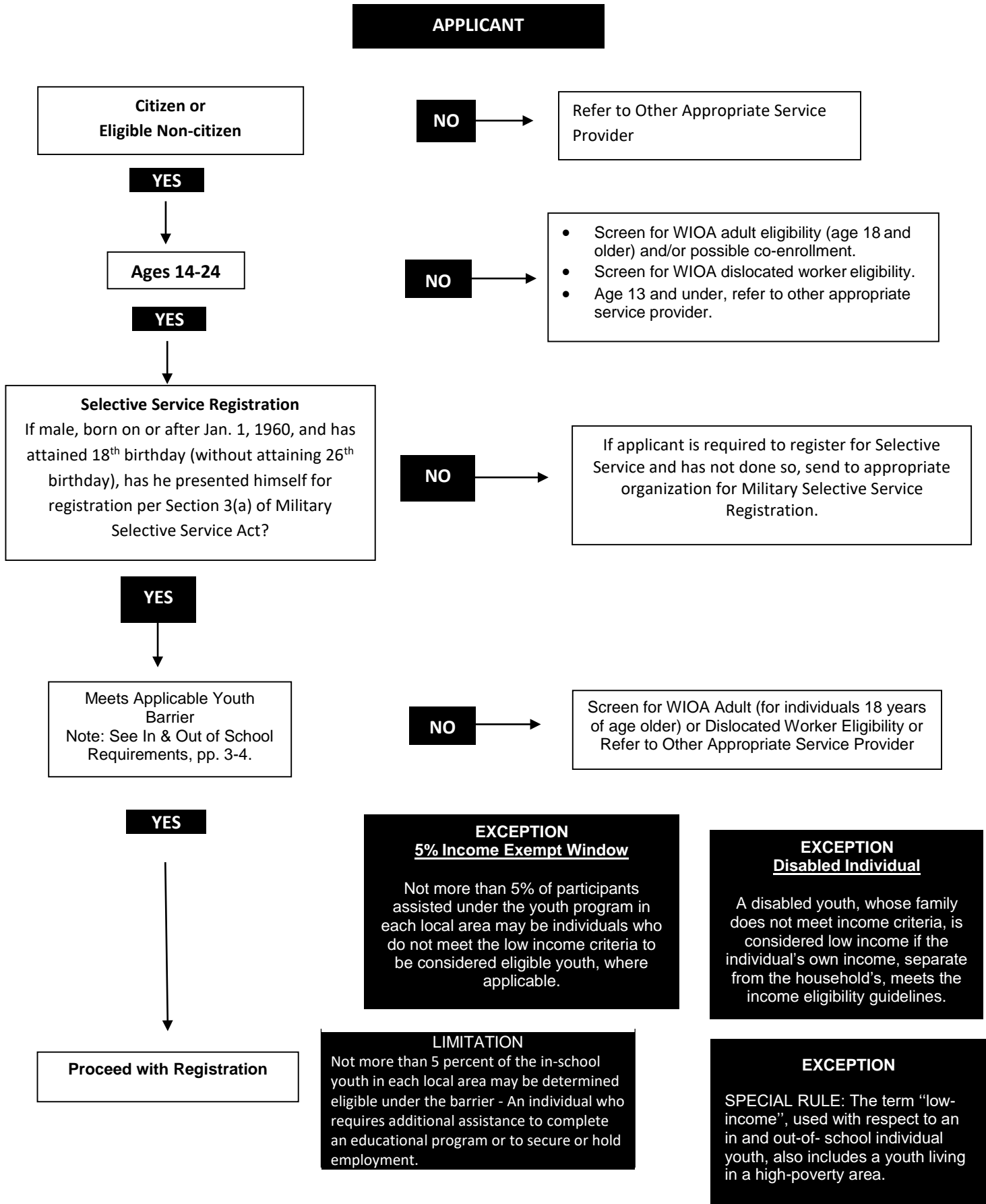
The Workforce Innovation and Opportunity Act (WIOA) serve youth participants who are between the ages of 14 and 24.

WIOA is very specific when addressing youth programs. Local youth programs offer year-round services and are designed to provide:

- (i) activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;
- (ii) preparation for postsecondary educational and training opportunities;
- (iii) strong linkages between academic instruction (based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311)) and occupational education that lead to the attainment of recognized postsecondary credentials;
- (iv) preparation for unsubsidized employment opportunities, in appropriate cases; and
- (v) effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets.

This section provides information for determining eligibility for the youth program. See Attachment D for verification and documentation for WIOA eligibility.

## WIOA Youth Eligibility Flowchart



**WIOA Youth Eligibility Requirements**

**ACT AND/OR REGULATION CITATION**

**WIOA ELIGIBILITY REQUIREMENTS  
YOUTH**

An individual who is not less than 14 and not more than 24 shall be eligible to participate in the WIOA Title I Youth Program if such individual:

Meets General Eligibility, which consists of providing a verification source for each applicable category:

- Citizenship or Eligible to Work
- Selective Service Registrant (if applicable)

**AND**

**For Out-Of-School Youth**

Meets the definition and provides a verification source for one or more of the following Barrier categories:

(i) not attending any school (as defined under State law);

(ii) not younger than age 16 or older than age 24; and

(iii) one or more of the following:

(I) A school dropout.

(II) 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.

(III) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—

(aa) basic skills deficient; or

(bb) an English language learner.

(IV) An individual who is subject to the juvenile or adult justice system.

(V) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child

Act 188(a)(5)  
Act 189(h)

Act 129(a)(1)(B); 20 CFR 681.210

20 CFR 681.250

**ACT AND/OR REGULATION CITATION**

**WIOA ELIGIBILITY REQUIREMENTS**

**YOUTH**  
(continued)

or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2))), a runaway, in foster care or

has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

(VI) An individual who is pregnant or parenting.

(VII) A youth who is an individual with a disability.

(VIII) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

**For IN-School Youth**

All In-School Youth must meet the following eligibility criteria:

(i) attending school (as defined by State law);

(ii) not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;

(iii) a low-income individual;

**And**

(iv) one or more of the following conditions:

(I) Basic skills deficient.

(II) An English language learner.

(III) An offender.

(IV) A homeless individual (as defined in section 41403(6) of the 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 McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

Act 129(a)(1)(C); 20 CFR 681.220

20 CFR 681.230

20 CFR 681.250

**ACT AND/OR REGULATION CITATION**

**WIOA ELIGIBILITY REQUIREMENTS  
YOUTH (14 – 24)  
(continued)**

(V) Pregnant or parenting.

(VI) A youth who is an individual with a disability.

(VII) An individual who requires additional assistance to complete an educational program or to secure or hold employment.

**OR**

Act 129(a)(3)(A)(ii)

**EXCEPTION** – Not more than 5% of participants assisted under the youth program in each local area may be individuals who do not meet the low income criteria to be considered eligible youth, where applicable.

Act 129(a)(3)(B)

**LIMITATION** - Not more than 5 percent of the in-school youth in each local area may be determined eligible under the barrier - An individual who requires additional assistance to complete an educational program or to secure or hold employment.

## YOUTH

### Eligibility Definitions

**Individuals must meet General Eligibility, which consists of Citizenship or Eligible to Work, Selective Service Registration and Low-income Individual (where applicable).**

**Citizenship or Eligible to Work** – participation in programs and activities financially assisted in whole or part under WIOA shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States (applies to all programs under Title I). **[Act 188(a)(5)]**

**Selective Service Registrant** – the WDBs shall ensure that each individual participating in any program established under WIOA, or receiving any assistance or benefit under WIOA, has not violated Section 3 of the Military Selective Service Act (MSSA) (50 U.S.C. App. 453) by not presenting or submitting to registration as required pursuant to such section.

**Note: Males born on or after January 1, 1960 must register with the selective service system within 30 days after their 18<sup>th</sup> birthday or at least before they reach the age of 26. [Act 189(h)]**  
Procedures are outlined in Training and Employment Guidance Letter 11-11, change 2, dated May 16, 2012.

### Where applicable:

**Low-income Individual** – an individual who

(i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;

(ii) is in a family with total family income that does not exceed the higher of—

(I) the poverty line; or

(II) 70 percent of the lower living standard income level;

(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 H. R. 803—12 (42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement. **[Act 3(36)]**

**Exception**

SPECIAL RULE— the term “low-income”, used with respect to an in and out-of- school individual youth, also includes a youth living in a high-poverty area. **[Act 129(a)(2)]**