

VI WORKFORCE DEVELOPMENT BOARD POLICY DOCUMENT

Workforce Program Guidance WIOA 302-15

TO: Virgin Islands Single State Workforce Development Area

SUBJECT: WIOA TITLE I ELIGIBILITY REQUIREMENTS – *Youth*

DATE: July 2015

Purpose: To provide guidance to all staff and administrators of the One-Stop Career Centers providing WIOA services to customers of the Workforce Development System.

References: Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128) Title I; TEGL 23-14

Background: The recent passage of the Workforce Innovation and Opportunity Act of 2014 supersedes the Workforce Investment Act of 1998. WIOA outlines a broader Youth vision through an integrated service delivery system and provides a framework that leverages other Federal, state and local resources to support in-school and out-of-school Youth. The primary focus under WIOA is to provide educational and career preparatory services to out of school youth. In-school youth are still provided with services, resources and connections that enable them to complete their educational experience while preparing them for the workforce.

Policy: The Virgin Islands Single State Workforce Area establishes these policies and procedures that determine criteria for individual eligibility to receive Title I WIOA Youth funds. Eligible Youth must be between the ages of 14 – 24 and face barriers to school completion or employment. WIOA establishes separate criteria for Out-of-School Youth and In-School Youth.

Out of School Youth Priority

In general, for any program year, not less than 75 percent of the funds available shall be used to provide youth workforce investment activities for out-of-school youth.

Out of School Youth (WIOA Section 129 (a) (1) (B))

Under WIOA, an out of school youth is an individual who is:

- (a) Not attending any school (as defined by State law);
- (b) Not younger than 16 or older than age 24 at the time of enrollment. Because age is determined at the time of enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program; and
- (c) One or more of the following –
 - (1) A school dropout;
 - (2) 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. School year

- calendar quarter is based on how a local school district defines its school year quarters;
- (3) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
 - (4) An individual who is subject to the juvenile or adult justice system;
 - (5) A homeless individual, a runaway, an individual who is 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, or an individual who is in an out-of-home placement;
 - (6) An individual who is pregnant or parenting;
 - (7) An individual with a disability;
 - (8) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

In-school Youth (WIOA Section 129 (a) (1) (C) (iv))

Under WIOA, an in-school youth is an individual who is:

- (a) Attending school;
- (b) Not younger than 14 (unless an individual with a disability who is attending school under State law) or older than 21;
- (c) Is low-income*; and
- (d) Has one or more of the following barriers –
 - (1) Basic skills deficient;
 - (2) An English language learner;
 - (3) An offender;
 - (4) A homeless youth or a runaway, in foster care or has aged out of the foster care system;
 - (5) Pregnant or parenting;
 - (6) A youth who is an individual with a disability;
 - (7) An individual who requires additional assistance to complete an educational program or to secure or hold employment.

**Special Rule* – The term low-income, used with respect to an individual, also includes a youth living in a high-poverty area.

***Exception* – In each local area, not more than 5 percent of the individuals assisted under this section may be persons who would be *covered individuals*, except that the persons are not low-income individuals.

The term “*covered individual*” means an in-school youth or an out-of-school youth who meets the following conditions:

- Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
- Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment

Low Income Individual (WIOA Section 3(36))

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; the program of block grants to States for temporary assistance for needy families program; or the supplemental security income program established under title XVI of the Social Security Act; 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;
- (iv) Receives or is eligible to receive a free or reduced price lunch;
- (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.

Registration

Registration is the process for collecting information for supporting a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview, or an individual's application.

Documentation Requirements

Youth participants must submit documentation that demonstrates that they are eligible to participate in WIOA Title I activities. A list of documentation can be found in Attachment A.

Attachments: The following Attachments further define the policy above:

- A – Eligibility Documentation
- B – Selective Service Registration Requirements
- C – Alternate Forms of Documentation

ELIGIBILITY CRITERIA	SOURCES OF DOCUMENTATION (Only one of the following is required for each criterion)
YOUTH GENERAL ELIGIBILITY REQUIREMENTS	
Birth Date/Age	Baptismal Record Birth Certificate DD-214, Report of Transfer or Discharge Paper Driver's License Federal, State or Local Government Identification Card (that includes date of birth) Selective Service Card Hospital Record of Birth Passport (if includes date of birth) Public Assistance/Social Service Records School Records/Identification Card
Citizenship/Authorization to Work in the United States	US Baptismal Certificate (if place of birth is shown) US Birth Certificate US Passport (either current or expired) Certificate of Naturalization Unexpired Alien Registration Card indicating Right to Work (INS Forms I-551, I-94, I-688A, I-197, I-179)
Selective Service Registrant*	DD-214, Report of Transfer or Discharge Selective Service Advisory Opinion Letter (<i>not used after Jan., 1995</i>) Selective Service Online Verification at http://www.sss.gov printout Selective Service Registration Acknowledgement Card Selective Service Status Information Letter Selective service Registration Record (Form 3A) Stamped Post Office Receipt of Registration Certificate of Naturalization (indicates compliance with all Selective Service requirements) US Passport (for non-US born customers, only)

YOUTH ECONOMIC ELIGIBILITY

<p>Cash Public Assistance</p> <p>NOTE: <i>The listed items of documentation are acceptable for any individual listed on grant.</i></p>	<ol style="list-style-type: none"> 1. Copy of Authorization to receive Cash Public Assistance 2. Copy of Public Assistance Check 3. Medical Card showing Cash Grant Status 4. Public Assistance Identification Card showing Cash Grant Status 5. Public Assistance Records/Printout/Master File
<p>Individual/Family Income</p>	<ol style="list-style-type: none"> 1. Alimony Agreement 2. Award letter from Veterans Administration 3. Bank Statements (Direct Deposits) 4. Compensation Award Letter 5. Court Award Letter 6. Employer Statement/Contact 7. Business Financial Records 8. Housing Authority Verification 9. Pay Stubs 10. Pension Statement 11. Quarterly Estimated Tax for Self-Employed Persons 12. Social Security Benefits 13. Unemployment Insurance Documents 14. Written statement from other Federal, State or Local agency 15. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness
<p>Individual Status/Family Size</p>	<ol style="list-style-type: none"> 1. Birth Certificate 2. Decree of Court 3. Disabled (see “Individuals with Disabilities” below) 4. Divorce Decree 5. Lease or Landlord Statement 6. Marriage Certificate 7. Medical Card 8. Public Assistance/Social Service/Public Housing Agency record 9. Applicant Statement, if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness
<p>SNAP</p>	<ol style="list-style-type: none"> 1. Current Authorization to obtain SNAP 2. Current SNAP Receipt 3. SNAP Card with Current Date 4. Public Assistance Records/Printout

Free or Reduced School Lunch	1. Verification from School
Homeless	<ol style="list-style-type: none"> 2. Written Statement from an Individual Providing Temporary Residence 3. Written Statement from Shelter/Social Service Agency 4. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness
Foster Child	<ol style="list-style-type: none"> 1. Court Contact 2. Court Documentation 3. Medical Card 4. Verification of Payments made on Behalf of the Child 5. Written Statement from State/Local Agency 6. Document Inspection if provided document cannot be legally photocopied
Individual with Disabilities	<ol style="list-style-type: none"> 1. Letter from Drug or Alcohol Rehabilitation Agency 2. Letter from Child Study Team Stating Specific Eligibility 3. Observable Condition 4. Physician Statement 5. Psychiatrist's/Psychologist's Diagnosis 6. Rehabilitation Evaluation 7. School Records 8. Sheltered Workshop Certification 9. Social Service Records/Referral 10. Social Security Administration Disability or Veterans Administration Records 11. Vocational Rehabilitation Letter 12. Workers Compensation Record 13. Applicant Statement, if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness
State Custody Youth	<ol style="list-style-type: none"> 1. Court Contact 2. Court Documentation 3. Written Statement from State/Local Agency 4. Document Inspection if provided document cannot be legally photocopied

ELIGIBILITY CRITERIA	
YOUTH ADDITIONAL CONDITIONS FOR ELIGIBILITY	
Basic Skills Deficient	<ol style="list-style-type: none"> 1. Assessed by a Generally Accepted Standardized Test 2. School Records
School Dropout	<ol style="list-style-type: none"> 1. Attendance Letter 2. Dropout Letter 3. Eligibility Verification Statement (if other documents are unavailable) 4. Applicant Statement (if other documents are unavailable)
Homeless or Runaway	See "Homeless" in Economic Eligibility above
Within Compulsory School Age and has Not Attended School in the Most Recent Complete School Year Calendar Quarter	<p>*Compulsory School Age in US the Virgin Islands is 5-18 years of age</p> <ol style="list-style-type: none"> 1. Attendance letter from school 2. Letter from school official stating youth school status 3. Applicant Statement if no other forms of documentation are available- must be supported with a corroborative contact or reliable witness 4. Document Inspection if provided document cannot be legally photocopied
Recipient of Secondary School Diploma or its Recognized Equivalent who is Low-Income and Basic Skills Deficient or an English Language Learner	<ol style="list-style-type: none"> 1. Copy of Secondary School Diploma or equivalent and provide proof of either: <ol style="list-style-type: none"> a. Basic Skills Deficiency; or b. English Language Learner
Pregnant or Parenting	<ol style="list-style-type: none"> 2. Birth Certificate 3. Hospital Record of Birth 4. Medical Card 5. Physician's Note 6. Referrals from Official Agencies 7. School Program for Pregnant Teens 8. School Records 9. Statement from Social Services Agency
Offenders	<ol style="list-style-type: none"> 1. Court Documents 2. Halfway House Resident 3. Letter of Parole 4. Letter from Probation Officer 5. Police Records 6. Document Inspection if provided document cannot be legally photocopied

Disability, Learning Disability	See “Individuals with Disabilities” in Economic Eligibility above
Low-Income Individual who Requires Additional Assistance	1. Proof of low-income status and meets the local definition of Requires Additional Assistance
English Language Learner	1. Letter from School Official 2. Statement from recognized community Youth organization

5% Exception – For Youth who do not meet the minimum income criteria Not more than 5% of “Covered Individuals” in each local area may be individuals who do not meet the income criteria	
Covered Individuals	<ol style="list-style-type: none"> 1. In-school Youth who is not low-income 2. Out-of-School Youth who meet one of the following conditions: <ul style="list-style-type: none"> • Recipients of a secondary school diploma or its recognized equivalent who is basic skills deficient or an English language learner who is not low-income; • Individual who requires additional assistance to enter or complete an educational program or to secure or hold employment who is not low-income

Selective Service Registration Requirements

To be eligible to participate in WIA Title I services, certain Selective Service requirements must be met by One-Stop Career Center customers:

- A) All males born in the United States on or after January 1, 1960 *must have registered* with the Selective Service System (must be able to document registration with SSS).
- B) Males not born in the United States whose birth date is on or after January 1, 1960 and who entered the U.S. before their 26th birthday *must have registered* with the Selective Service System (must be able to document their date of entry and date of birth). Since a foreign born male who enters the U.S. as a student attending school on a full-time basis is not required to register with Selective Service, verification of the individual's F1 Student Visa status when he was between the ages of 18-26 would be sufficient.
- C) Males not born in the United States, whose birth date is on or after January 1, 1960 and who entered the U.S. after their 26th birthday are not required to register with Selective Service (must document their date of entry and date of birth).
- D) Males born on or after January 1, 1960 and who have been discharged from U.S. military service must document their date of discharge on their DD214.

For non-U.S. born customers presentation of either a Certificate of Naturalization form or a valid United States Passport will indicate that an individual has met all Selective Service requirements, as Selective Service compliance is also a requirement of the naturalization process.

ALTERNATE FORMS OF DOCUMENTATION

APPLICANT STATEMENTS

Applicant statements may be used, in a limited way, to document those items that, in some cases, are not verifiable or may cause undue hardship for individuals to obtain. Consistent with requirements described in USDOL Technical Assistance Guide (TAG) JTPA Title II Eligibility Documentation Guide (published in 1993 and adopted by USDOL for use in determining eligibility under Title I of the Workforce Investment Act), an applicant statement may be used *as the sole source document only* for determining family income, residence and family size and *may not be used as the sole source document* for any other eligibility criteria. Applicant statements should be supported by a documented corroborative contact or reliable witness attesting to the accuracy of the statement. The corroboration may be via witness signature on the applicant statement form or supporting telephone verification form.

Example: Use of the sample Applicant Statement form is as follows: If an applicant states that he/she is unable to provide evidence that no income was received during the past six months, and that he/she was unemployed for that period, the blank spaces following the words ***“I certify, under penalty of perjury, that I”*** may be completed, for example as follows: ***“have received no income from any source during the past six months, that I have been unemployed during that time, and have been supported by donations/contributions from relatives and friends.”*** This should be corroborated by the person(s) providing the support.

APPLICANT STATEMENT FORM

I certify, under penalty of perjury that I _____

(If applicant cannot obtain a satisfactory witness or provide a telephone contact, explain above.)

Applicant's Signature _____ Date _____

Applicant's Address, City, State, Zip _____

Corroborating Witness Signature _____ Date _____

Witness' Relationship to Applicant _____

Office Use Only

The above applicant statement is being utilized for documentation of the following eligibility criteria:

Signature of eligibility worker _____ *Date* _____