



CWP Policy/Procedure Transmittal

Policy and Procedures Transmittal Number: 20-02

Effective Date: October 21, 2020

To: CWP Staff and Subrecipient Staff

From: Julie Watson, Compliance & Accountability Administrator

A handwritten signature in blue ink, appearing to read 'Julie Watson', is positioned to the right of the 'From:' field.

Issue Date: October 21, 2020

Subject: WIOA Youth Eligibility Policy

With this transmittal, CWP is issuing its revised WIOA Youth Eligibility policy, WIOA Youth 5% Low-Income Exception Enrollment Request form and Annualized Income Methods instructions. This policy issuance includes CWP's policy for determining WIOA Youth eligibility for in-school and out-of-school youth, the five percent (5%) low-income exception, priority of service and documentation of the eligibility elements.

In addition to being attached to this transmittal, this policy, form and instructions can be found in CWP's online Policy and Procedures Manual, Section 5-10 WIOA Youth Eligibility, Section 8 Forms and Appendix at <https://capitalworkforce.org/policies/>.

Questions regarding CWP's WIOA Youth Eligibility Policy should be addressed to Somaya McDermott, CWP's WIOA Youth Coordinator, at smcdermott@capitalworkforce.org.

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A. General provision

Workforce Investment and Opportunity Act (WIOA) eligible youth may be in-school youth or out-of-school as defined at 20 CFR 681.200. WIOA separates youth into two separate categories: In-school youth ages 14-21 and out-of-school youth ages 16-24 at the time of enrollment. The intent of WIOA is to serve more Out-of-School Youth (OSY) who are disconnected from school and work.

B. Definitions

Basic Skills Deficient: As defined in 20 CFR 681.290(a)(1) having English reading, writing, or computing skills at or below the eighth (8th) grade level on a generally accepted standardized test; or (2) unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society.

Dependents: As defined by 20 CFR 675.300 and U.S. Internal Revenue Service (IRS), dependents are two or more persons related by blood, marriage or decree of court, who are living in a single residence, and are in one or more of the following categories: 1. Married couple & dependent children, 2. Parent(s) or guardian & dependent children; or Married couple. A dependent child is defined as younger than 19 years or a student who is younger than 24 years by the end of the calendar year or permanently & totally disabled.

Family: Family includes parents and dependents as defined by 20 CFR 675.300 and U.S. Internal Revenue Service (IRS). See definition of dependent in this policy section.

Low Income: As defined by WIOA Section 3(36), an individual is considered low income who:

1. 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,
 - a. the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), or
 - b. the Temporary Assistance for Needy Families (TANF) program under part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.), or
 - c. the Supplemental Security Income (SSI) program established under Title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or
 - d. State or local income-based public assistance i.e., State Administered General Assistance (SAGA); Refugee Cash Assistance (RCA); and HUSKY Health.Or
2. Is in a family with total family income that does not exceed the higher of:
 - a. the poverty line; or
 - b. 70 percent of the lower living standard income level.Or
3. Receives or is eligible to receive a free or reduced-price lunch
Or
4. Is a youth who lives in a high poverty area as defined by WIOA regulations 20 CFR 681.260 (also see WIOA TEGL 21-16 p.5 and Attachment II).

School: Secondary or post-secondary school as defined by the State. WIOA does not consider

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providers of Adult Education under WIOA Title II or dropout re-engagement programs, YouthBuild programs, and Job Corps programs to be “schools” (20 CFR 681.230). One exception is High School Equivalency (HSE) programs funded by the K-12 school system that are classified by school system as “school” (WIOA TEGL 21-16 p.3).

C. **Out-of-School Youth (OSY) Eligibility** (20 CFR 681.210)

To be eligible to participate in CWP’s WIOA-funded OSY youth activities, an individual shall, at the time the eligibility determination is made, be an OSY as defined by section C.4 below and meet all other eligibility criteria listed in sections C.1 - 3 below.

1. Be authorized to work in the United States.
2. Reside in one of the 37 towns within the North Central region.
3. Register with Selective Service, if applicable. **Note:** Youth who become of age for Selective Service registration after enrollment must meet Selective Service requirements by, or within 30 days of, their 18th birthday (CWP Policy Manual Section 2-40).
4. Meet the “out-of-school” youth criteria as defined by WIOA 129(a)(1)(B) and 20 CFR 681.210. To meet the WIOA OSY criteria, an individual is:
 - a. not attending any school, secondary or post-secondary (see definition of school in section B above),
And
 - b. not younger than age 16 or older than age 24
And
 - c. 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:
 - a) basic skills deficient; or
 - b) 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 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. An individual who does not possess any of the criteria identified section C. 4.c.i. - vii above but is low-income and requires “additional assistance” to enter or complete an educational program or to secure or hold employment. CWP defines a youth who requires “additional assistance” as an individual who meets one of the following criteria:
 - a) Youth of color who is a child of a single parent
 - b) Youth of color who is a child of parents without postsecondary education

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- c) Young victim of violence/assault or exposed to violence/assault
- d) Young male of color

D. In-School Youth (ISY) Eligibility

To be eligible to participate in CWP's ISY WIOA-funded youth activities, an individual shall, at the time the eligibility determination is made, be an ISY as defined by section F.3 below and meet all other eligibility criteria listed in section D.1-2 below.

1. Be authorized to work in the United States.
2. Reside in one of the 37 towns within the North Central region.
3. To meet the WIOA ISY criteria (20 CFR 681.220), an individual is:
 - a. Attending school, including secondary or post-secondary school. WIOA does not consider providers of Adult Education under WIOA Title II, YouthBuild programs, and Job Corps programs to be "schools". Youth attending high school equivalency programs funded by the public K-12 school system who are classified by the school system as still enrolled in school are considered ISY.
And
 - b. Not younger than 14 (unless an individual with a disability who is attending school under State law) and not older than 21 at the time enrollment (age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program).
And
 - c. Low-income
And
 - d. One or more of the following:
 - i. Basic Skills deficient;
 - ii. An English Language Learner;
 - iii. An offender;
 - iv. A homeless individual which may include:
 - a) runaway youth;
 - b) youth in foster care or has aged out of the foster care system;
 - c) youth eligible for assistance under Sec. 477 of the Social Security Act (Chafee Foster Care Independence Program); or
 - d) youth in an out-of-home placement
 - v. Pregnant or parenting;
 - vi. Individual with a disability;
 - vii. An individual who does not possess any of the criteria identified section D. 3.d.i. - vi above, but who requires "additional assistance" to complete an educational program or to secure or hold employment. The State WIOA CWP defines a youth who requires "additional assistance" as an individual who meets one of the following criteria:
 - a) Youth of color who is a child of a single parent
 - b) Youth of color who is a child of parents without postsecondary education
 - c) Young victim of violence/assault or exposed to violence/assault
 - d) Young male of color

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E. Five percent (5%) Low Income Exception

WIOA 20 CFR 681.250(c) allows for a low-income exception of up to five percent of WIOA youth participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth except the low-income criteria. The exception is for five percent of the newly enrolled WIOA youth in the North Central region during the program year who would ordinarily be required to meet the low-income criteria. It is not five percent of all WIOA Youth participants in the North Central region since many OSY eligibility categories do not require low-income status.

For an OSY applicant who does not meet any of the eligibility criteria listed in section C.4.c.i-vii above to be eligible based on CWP's 5% low-income exception policy, the OSY applicant must meet at least one of the following criteria: basic skills deficient, an English language learner, a youth who is a child of a single parent, a youth who is a child of parents without postsecondary education, a young victim of violence/assault or exposed to violence/assault, or young person of color. For an ISY applicant who is not low-income to be eligible based on CWP's 5% low-income exception policy, the ISY applicant must have at least two of the barriers listed in section D.3.d above. CWP determines applicants' eligibility for a low-income exception. See section H.5 below for instructions to request an exception to the low-income eligibility requirement.

F. Priority of Service Subpopulations

Within the eligible population as defined above in sections C and D, CWP prioritizes programming to low-income youth in the following subpopulations:

1. Youth of color
2. Young parents
3. Youth in or aging/aged of foster care
4. Youth who are involved in the justice system
5. Youth with disabilities

G. School Status Continues for Duration of Enrollment

OSY or ISY determination is made at the time of program enrollment. Once the school status of a youth is determined at enrollment that school status remains the same throughout the youth's participation in the WIOA youth program. For example, if a youth determined to be an OSY at the time of enrollment and subsequently reenters high school or enrolls in postsecondary education, that youth is still considered an OSY throughout his/her participation in the WIOA youth program. (WIOA TEGL #8-15 p. 4.)

H. Documenting Elements of Eligibility

1. Authorization to Work

An individual must be authorized to work in the United States in order to participate in WIOA-funded programs. An applicant verifies authorization to work by presenting acceptable documentation that establishes both identity and employment authorization in accordance with the US Citizenship and Immigration Services (USCIS). The USCIS issues guidance on acceptable documentation for both identity and employment authorization. See USCIS Form I-

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9, List of Acceptable Documents and M-274, Handbook for Employers in the Appendix of this manual for detailed information and examples of acceptable documentation to establish identity and work authorization.

2. Resident of a Town in the North Central Region

To receive WIOA Youth funded services through CWP, an applicant must reside in one of the 37 towns in the North Central region (see list of NC region towns at <https://capitalworkforce.org/town-profiles/>). An applicant verifies residency by presenting documentation that contains both his/her name and address. Documentation of residency must be dated within the six (6) months prior to the application date. Examples of documents that verify residency include but are not limited to:

- a. A government or school issued ID (if expired, within 30 days of expiration date),
- b. School records,
- c. A post-marked envelope addressed to the applicant,
- d. A bank statement or bill,
- e. Rental agreement

Documentation such as school records, bank statements or bills may have been received through the mail or printed from online accounts. If the applicant has no documentation of residency but resides with someone who does have documentation of residency, that documentation plus a letter from the other person with whom he/she resides that stating that the applicant resides with them at their address will be accepted as documentation.

3. Selective Service Registration

All male applicants who are the ages of 18 through 24 who are required to register with the Selective Service under the Military Selective Service Act must register as a condition of eligibility. Prior to being enrolled in a WIOA-funded program, all male applicants born on or after January 1, 1960 who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website at <http://www.sss.gov>. For more details regarding selective service requirements see CWP Policy Manual Section 2-40 or the Selective Service website at <http://www.sss.gov>. Documentation of Selective Service registration includes:

- a. Selective Service Acknowledgement letter
- b. Form DD-214 "Report of Separation"
- c. Screen printout of the Selective Service Verification on the Selective Service website at <http://www.sss.gov>. For males who have already registered this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and date of birth.
- d. Selective Service Registration Card
- e. Selective Service Verification Form (Form 3A)
- f. Stamped Post Office Receipt of Registration

4. WIOA Eligibility Criteria

- a. Age
Any government issued document containing the applicant's date of birth such as a

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- passport, birth certificate, driver's license, State ID, or school record.
- b. Basic skills deficiency or English language learner
Most recent CASAS assessment obtained within the last 12 months. A CASAS reading or math scaled score of less than 235 is evidence of a basic skills deficiency.
 - c. School Enrollment
School records including report card, transcript, printout of school record, letter from school official on school letterhead that indicate enrollment in current school year.
 - d. In foster care or has aged out of foster care
Letter or memo from DCF stating applicant was or is in foster care.
 - e. Subject of juvenile or adult justice system
Court records, letter from official in justice system or letter from DCF indicating applicant was or is involved in juvenile or adult justice system.
 - f. Pregnant
Doctor's note, medical record or a completed Self-Attestation form (see Section 8 Forms of this policy manual for Self-Attestation form), if obtaining medical records or Doctor's note is not possible.
 - g. Parenting
Child's birth certificate listing applicant as parent.
 - h. Youth with a disability
School record such as a PPT, documentation of SSI or a completed Self-Attestation form (see Section 8. Forms of this policy manual).
 - i. Low Income
 - 1) Any document from the issuing authority showing that the applicant received or is a dependent of a family who received SNAP, TFA, refugee cash assistance, or HUSKY Health in the last six (6) months.
 - 2) Any document from the issuing authority showing that the applicant received SAGA or SSI.
 - 3) Documentation of free or reduced lunch eligibility includes a letter or record from the school system, self-attestation of free and reduced lunch eligibility on a signed Self-Attestation form, and verification of school of attendance at a school on the Community Eligibility Provision (CEP) list. Documentation must be for the current school year or, in the case of youth enrolling during the summer, verify that the lunch eligibility was determined no more than one year (or previous school year) prior to WIOA eligibility determination.
 - 4) If not a recipient of any of these benefits, the CWP Family Income Statement is completed to determine annual income (see Section 8. Forms of this policy manual for Family Income Statement form). For detailed instructions for various methods of determining and documenting income see Annualized Income Methods in the Appendix of this manual.
 - 5) If there is no income, the applicant completes Self-Attestation form (See Section 8. Forms of this manual for Self-Attestation form).
 - j. Documentation of the following eligibility criteria is obtained by the completion of a Self-Attestation form (see Section 8. Forms of this policy manual for the Self-Attestation Form).

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- 1) Not attending school
 - 2) A school dropout
 - 3) A youth 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 quarter is based on how the local school district defines its school year quarters.
 - 4) A homeless individual
 - 5) A runaway
5. Five Percent (5%) Low Income Exception
- CWP determines eligibility under five percent (5%) low-income exception policy. Documentation of the eligibility determination is an approved WIOA Youth 5% Low-Income Exception Request form. At the time of application, providers complete the WIOA Youth 5% Low-Income Exception Request form (See Section 8 Forms of the CWP online policy manual) and submit it to the CWP WIOA Youth Manager for consideration. CWP's eligibility determination for WIOA under CWP's low-income policy will be documented on the form and returned to the provider to retain in the applicant's record.



WIOA Youth 5% Low-Income Exception Enrollment Request

Applicant Name: _____ Applicant CTHires User ID#: _____

- Out-of-School Youth (complete section 1 below)
- In-School Youth (complete section 2 below)

1. OSY applicants who do not meet any of the OSY eligibility criteria may be eligible under the 5% low-income exception policy if they meet one of the following criteria. Check all that apply.

- Basic skills deficient Reading score: _____ Math score: _____
- English Language Learner (specify 1st language): _____
- Youth who is a child of a single parent
- Youth who is a child of parents without postsecondary education
- Young victim of violence/assault or exposed to violence/assault
- Young person of color

2. ISY applicants who are not low-income may be eligible under the 5% low-income exception policy if they have two of the following barriers. Check all that apply.

- Basic Skills deficient Reading score: _____ Math score: _____
- An English Language Learner (specify 1st language): _____
- An offender
- A homeless individual which may include:
 - a. runaway youth
 - b. youth in foster care or has aged out of the foster care system
 - c. youth eligible for assistance under Sec. 477 of the Social Security Act or
 - d. youth in an out-of-home placement
- Pregnant or parenting
- Individual with a disability
- An individual who requires additional assistance to complete an educational program or to secure or hold employment. A youth who requires additional assistance is an individual who meets one of the following criteria:
 - a. Youth of color who is a child of a single parent
 - b. Youth of color who is a child of parents without postsecondary education
 - c. Young victim of violence/assault or exposed to violence/assault
 - d. Young male of color

WIOA Youth Provider: _____

Staff Name: _____ Supervisor Name: _____

Supervisor Signature: _____ Date: _____

CWP Review and Determination	
Total low income WIOA Youth enrollment to date _____	5% window enrollment to date _____
Window is open: <input type="checkbox"/> Yes <input type="checkbox"/> No	CWP determination: Criteria are met _____ Approved _____ Denied _____
CWP Program Manager Signature: _____	Date: _____

ANNUALIZED INCOME METHODS

A. Determining Family Size

WIOA youth income eligibility is based on total family income over the 6-month (26-week) period prior to the youth's application date. You must determine family size prior to determining family income, as some individuals in the household may be excluded. Once you have determined who the family members are, you must determine who had income.

Family: Family includes parents and dependents as defined by 20 CFR 675.300 and U.S. Internal Revenue Service (IRS). See definition of dependent below.

Dependents: As defined by 20 CFR 675.300 and U.S. Internal Revenue Service (IRS), dependents are two or more persons related by blood, marriage or decree of court, who are living in a single residence, and are in one or more of the following categories: 1. Married couple & dependent children, 2. Parent(s) or guardian & dependent children; or Married couple. A dependent child is defined as younger than 19 years or a student who is younger than 24 years by the end of the calendar year or permanently & totally disabled.

When is a youth a family of one? A youth is automatically considered a family of 1 and therefore only the youth's income is considered if the youth: has a documented disability, is 19 or older and not a student or lives alone and is 18 years old or older or an emancipated minor.

B. Income Eligibility

If any of the following questions can be answered "yes," the youth is automatically income eligible.

1. Does the youth receive, 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, Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) program, the Supplemental Security Income (SSI) program or State or local income-based public assistance i.e., State Administered General Assistance (SAGA); Refugee Cash Assistance (RCA); and HUSKY Health?
Or
2. Does the youth receive or is eligible to receive a free or reduced-price lunch?
3. Does the youth live in a high poverty area as defined by WIOA regulations 20 CFR 681.260?
4. Is the youth in a family with total family income that does not exceed the higher of:
 - a. the poverty line; or
 - b. 70 percent of the lower living standard income level?

To determine total family income, complete the Family Income Worksheet. See instructions below for completing the Family Income Worksheet.

C. Completing the Family Income Worksheet: Part I

1. Enter the applicant name.
 - a. Enter the dates for the prior 6-month income review period. Example: if a youth applies on 8/8/2012, enter 2/12/2012 in the "From" field and 8/8/2012 in the "To" field.
2. Complete the family composition table.
 - a. Enter the applicant's name and age.
 - b. Enter the family member's name, relationship to the applicant, and age (see definition of family above).
 - c. For each person listed in the family composition, indicate income source(s) [see income source key].
 - d. For each person with earned income, complete Part II: Annualized Income Calculation.
 - e. Enter the annualized income for each person. If a person has no includable income, enter 0 [see directions for Part II].
3. Complete the Income Review section.
 - a. Enter the family size and income limit [see LLSIL chart].
 - b. Enter the sum of all annualized income from family composition table.
4. Have the applicant and parent/guardian (if applicable) review, sign and date.
5. Sign and date the staff signature line.

D. Completing the Family Income Worksheet: Part II

NOTE: All income documents must be dated within the income review period. The applicant should supply applicable documentation for each income source for each family member with income. Family members with no income should complete a self-attestation detailing how they support themselves (i.e. housing, cash or other resources from family or friends, unemployment compensation, child support, etc.).

1. Enter the family member name, relationship to the applicant, and the income review period.
2. Complete the family member's work history.
 - a. Ask the family member to describe his/her work history over the past 6 months.
 - b. For each job held in the review period, enter the employer name, start date, and end date. If the family member is still working for the employer, enter "present" in the end date column.
 - c. Count the number of weeks worked during the income review period.
3. Select the appropriate income calculation method, based on the documentation provided by the applicant, and calculate income [Average Pay Method, Year-to-Date Method or Intermittent Work Method].
4. Add any comments or additional information.
 - a. If the family member had a period of unemployment during the income review period, note this here and include dates.
5. Total all annualized income and enter it in the family composition table in Part I.

E. Methods of Calculating Income (Note: formulas imbedded in the worksheet calculate all totals automatically)

1. AVERAGE PAY METHOD

Use this method if the family member provides at least 2 pay stubs.

- a. For each pay stub, convert the gross pay to a weekly gross income.
 - i. Enter the employer name, pay period end date, and gross pay amount.
 - ii. Enter the number of weeks in the pay period (weekly = 1; bi-weekly = 2; monthly = 4.3).
- b. Divide the gross pay by the number of weeks in the pay period and enter the amount in the weekly gross income column.
- c. Calculate the average weekly gross. Add up the amounts in the weekly gross income column and divide by the number of pay stubs.
 - i. Calculate the total income for the review period. Multiple the average weekly gross by the total number of weeks worked during the income review period [see work history table].
 - ii. Calculate the annualized income. Multiple the total income by 2.

2. YEAR-TO-DATE METHOD

Use this method if the family member provides a recent pay stub with the cumulative year-to-date gross earnings indicated on it. Note that this method cannot be used with pay stubs dated before April 1st.

- a. Calculate the weekly gross income. Divide the year-to-date gross pay by the number of weeks worked year-to-date and enter the amount in the weekly gross income column.
- b. Calculate the total income for the review period. Multiple the weekly gross income by the total number of weeks worked during the income review period [see work history table].
- c. Calculate the annualized income. Multiple the total income by 2.

3. INTERMITTENT WORK METHOD

Use this method if the family member has not had steady work with one or more employers during the review period. Note that this method must be supplemented with a self-attestation detailing missing pay stubs, non-work periods and other forms of support during the income review period.

- a. Enter the employer name, other information explaining employment, start date, end date and total gross income.
- b. Calculate the annualized income. Add up the amounts in the total gross income column and multiple by 2.