

# SOUTHWESTERN AREA WORKFORCE DEVELOPMENT BOARD

## YOUTH ACTIVITIES POLICY 18-04

### DATE OF ISSUE

October 25, 2018

### EFFECTIVE DATE

November 1, 2018

### APPLICABILITY

Southwestern Area Workforce Development Board (SAWDB) providers of Workforce Innovation & Opportunity Act (WIOA), youth training and employment services.

### PURPOSE

To support in-school youth (ISY) and out-of-school youth (OSY) by providing high-quality services beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training, such as pre-apprenticeships or internships for in-demand industries and occupations and culminating with employment, enrollment in post-secondary education, or a registered apprenticeship. [OWI-DYS March 2, 2017 item 3].

### BACKGROUND

These funds are used to develop WIOA youth programs to improve the long-term prospects of young people, giving them basic educational, occupational and citizenship skills. Local communities collaborate and establish partnerships, bringing together local workforce training providers, schools, human services, housing organizations, and other entities to create community assistance strategies.

### PROGRAM DESIGN

The primary focus of WIOA youth services are to support the educational and career success of out-of-school youth. A minimum of 75 percent of the Youth funds allocated to States and local areas, except for the local area expenditures for administration, *MUST* be used to provide services to

OSY. It creates opportunities for youth that move beyond traditional employment and training services and infuses such principles as preparation for post-secondary education and employment opportunities, linkages between academic and occupational learning, connections to the local job market, and needed follow-up services for youth served under the Act. Work experience is a critical element to the WIOA program. A minimum of 20% of non-administrative local area funds will be used for work experience. [CFR § 681.590(a)] Paid and unpaid work experience may include: summer employment opportunities, other employment opportunities throughout the school year, pre-apprenticeship programs, internships, job shadowing, and on-the-job training.

### ELIGIBILITY CRITERIA

Under WIOA as defined in 20CFR 681.210, an OSY is an individual who is:

- A. Not attending any school;
- B. Not younger than 16 or older than 24 at the time of enrollment. Because age eligibility is based on age at 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 apply:
  - 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, based on local school definitions;
  - 3) A recipient of a secondary school diploma or it's recognized equivalent, who is a low-income individual and is either basic skills deficient or an English language learner;
  - 4) An offender, an individual who has been subject to any stage of the criminal justice process;

- 5) A homeless individual, a homeless child, or a runaway;
- 6) An individual who is in foster care or has aged out the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under section 477 of the Social Security Act, or an individual who is an out-of-home placement;
- 7) An individual who is pregnant or parenting;
- 8) An individual with a disability;
- 9) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

Under WIOA, as defined in 20 CFR 681.220, an ISY is an individual who is:

- A. Attending school, including secondary and post-secondary school;
- B. Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at time of enrollment. Because 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;
- C. A low-income individual; and
- D. One or more of the following:
  - 1) Basic skills deficient;
  - 2) An English language learner;
  - 3) An offender, an individual who has been subject to any stage of the criminal justice system;
  - 4) A homeless individual, a homeless child, or a runaway;
  - 5) An individual who is in foster care or has aged out the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under section 477 of the Social Security Act, or an

individual who is 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.

**Note:** A youth may be considered OSY for the purposes of eligibility if they are attending Adult Education provided under Title II of WIOA, YouthBuild, or Job Corps. Further definition of these terms can be found in OWI-DYS 03/02/2017, pages 2-7.

#### **ASSESSMENTS**

**Note:** Youth funds can be expended on outreach, recruitment or assessment for eligibility determination (such as assessing basic skills level) *PRIOR* to eligibility determination, but they cannot be spent on youth program services, such as the 14 program elements.

The WIOA youth program requires an objective assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and developmental needs. Assessments must also consider a youth's strengths rather than just focusing on areas that need improvement.

**Basic Skills:** An objective assessment will be conducted to include a review of basic skills. It is not required to use assessments approved for use in the Department of Education's National Reporting System (NRS), nor is it required to determine an individual's grade level equivalent or educational functioning level (EFL), although use of these tools is permitted. Other formalized testing instruments designed to measure skills-related gains may be used. It does need to be valid, reliable, appropriate, fair, cost effective, easy to administer and interpret results. Skill gains may be determined through less formal assessments techniques such as observation, folder reviews, or

interviews. Previous basic skills assessment results may be used if the assessment was conducted within the past six months.

If you are measuring EFL gains *AFTER* enrollment under the measurable skill gains indicator, you must use an NRS approved assessment for both the EFL pre- and post-test to determine an individual's educational functioning level.

Career-Related Assessments: All youth can benefit from participation in career assessment activities, including assessment of prior work experience, employability, interests, and aptitudes. The Career assessment help youth understand how a variety of their personal attributes (e.g. interests, values, preferences, motivations, aptitudes, and skills) affect their potential success and satisfaction with different career options and work environments. Youth need access to reliable information about career opportunities, based on labor market information, that provide a living wage, including information about education, entry requirements, and income potential.

Youth with disabilities also need information on benefits planning, work place supports and accommodations. This group may also benefit from less formalized career-related assessments such as discovery techniques. These assessments may be provided directly through WIOA youth program staff, and/or through referrals to national and community-based partners and resources.

Individual Employment Plan (IEP): An IEP will be developed to outline a service strategy to identify educational training, employment goals, appropriate achievement objectives, and appropriate services for the participant based on the results of the assessment. The IEP will be a joint effort between the youth and the youth program provider. When appropriate, the IEP should include specific literacy and numeracy goals, as well as steps for attainment of the desired goals. A new service strategy for a participant is not required if the provider determines a recent service strategy developed for the participant under an existing education or training program is still valid and all the required elements have been addressed.

Serving 18-24-year-old youth: To adequately serve 18 to 24-year-old youth, consideration can be given to enroll them to participate in WIOA Title I adult and youth programs concurrently. Such individuals must be eligible under the youth or adult eligibility criteria applicable to the services received. Local providers may determine the best mix of services under both programs.

School status at time of enrollment may determine which program options are appropriate for this population because young adults who are in school are only eligible for the Title I youth program if they are 21 or younger at the time of enrollment.

Some 18-24-year old's may be ready for adult services based on life experiences, prior work experiences, adult schedules, family responsibilities, and individual needs. Others need specific youth services covered in the 14 WIOA youth program elements, such as maturity, drug and alcohol abuse, homelessness, foster care status, family abuse/neglect, career readiness, literacy, and supportive service needs.

The local provider must identify and track the funding streams which pay the costs of services provided to participants who are enrolled in both programs concurrently and ensure no duplication of services.

**PROGRAM ELEMENTS REQUIRED UNDER WIOA SECTION 129(c)(2) AND CFR 681.410 AND TEGL 21-16:**

A. Tutoring, study skills training, instruction, and evidence-based dropout prevention services and recovery strategies: This element will lead to completion of the requirements for a secondary school diploma or its recognized equivalent or for a recognized post-secondary credential.

Achievement of a high school diploma are reported under this element. Such services focus on providing academic support, helping a youth identify areas of academic concern, assisting with overcoming learning obstacles, and providing tools and resources to develop learning strategies. These can be provided one

on one, in a group setting, through resources and workshops.

Secondary school dropout prevention strategies intended to lead to a high school diploma are reported under this element. These strategies include services and activities that keep a young person in school and engaged in a formal learning and/or training setting. This can include tutoring, literacy development, active learning experiences, after-school opportunities, and individualized instruction.

For documentation purposes, those services aimed at getting a youth who has dropped out of secondary education back into a secondary school or an alternative secondary school/high school equivalency program and preparing them for high school equivalency attainment, should be counted under program element 2. (20 CFR § 681.460(a)(2)).

Furthermore, while the statutory and regulatory language for both program elements 1 and 4 include language discussing services leading to recognized post-secondary credentials, training services that lead to recognized post-secondary credentials should be reported under program element 4, occupational skills training to avoid duplicated reporting services.

- B. Alternative secondary school services or drop-out recovery services: Alternative secondary school services, such as basic education skills training, individualized academic instruction, and English as a second language training, are those that assist youth who have struggled in traditional secondary education. Drop-out recovery services, such as credit recovery, counseling, and educational plan development, are those that assist youth who have dropped out of school. While the activities within both types of services may overlap, each are provided with the goal of helping youth to re-engage and persist in education that leads to the completion of a recognized high school equivalent.

- C. Paid and unpaid work experience: Work experience is defined as a “planned, structured learning experience that takes place in a workplace for a limited period of time.” It may take place in the private for-profit sector, the non-profit sector, or the public sector. Funds provided for work experiences may not be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike or is being locked out during a labor dispute involving a work stoppage.

WIOA and 20 CFR § 681.590(a) require that a minimum of 20 percent of local area funds for the Title I Youth program be spent on work experience. Local area administrative costs are not subject to the 20 percent minimum work experience expenditure requirement. Leveraged resources cannot be used to fulfill any part of the 20 percent minimum.

Allowable expenditures that may be counted toward the work experience expenditure requirement can be more than just wages paid to youth in work experience. Allowable work experience expenditures include the following:

- 1) Wages/stipends paid for the participation in a work experience;
- 2) Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop work experience;
- 3) Staff time spent working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- 4) Staff time spent evaluating the work experience;
- 5) Participant work experience orientation sessions;
- 6) Employer work experience orientation sessions;
- 7) Classroom training or the required academic education component directly related to the work experience;

- 8) Incentive payment directly tied to the completion of work experience; and
- 9) Employability skills/job readiness training to prepare youth for a work experience

*Supportive services* are a separate program element and cannot be counted toward the work experience expenditure requirement even if supportive services assist the youth in participating in the work experience.

*Work experience* must include academic and occupational education. This may occur inside or outside the work site and may occur concurrently or sequentially with work experience. The work experience employer can provide the academic and occupational component or can be a combination of classroom, through work or some other means.

*Academic and occupational education* refers to contextual learning that accompanies a work experience. For instance, if a youth is in a hospital setting, an example of occupational education would be to introduce them to the other positions within the hospital settings. The academic portion would explain why a blood test is needed for a patient, what is the name of a specific bone in the body, or the function of a particular ligament.

*WIOA recognizes four categories of work experience.*

- 1) Summer employment opportunities and other employment opportunities throughout the school year;
- 2) Pre-apprenticeship programs;
- 3) Internships and job shadowing; and
- 4) On-the-job training (OJT) as defined in WIOA Section 3(44) and in 20 CFR § 680.700.

D. Occupational Skills Training: This is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. Such training must:

- 1) Be outcome-oriented and focused on an occupational goal specified in the individual service strategy;
- 2) Be of sufficient duration to impart the skills needed to meet the occupational goal; and
- 3) Lead to the attainment of a recognized post-secondary credential.

In addition, the chosen occupational skills training must meet the quality standards in WIOA Section 123.

To enhance individual participant choice in education and training plans, and provide flexibility to service providers, use WIOA Individual Training Accounts (ITAs) for OSY, ages 16-24 using WIOA youth funds, is allowed when appropriate. To receive funds from an ITA, the training provider must be on the Eligible Training Provider list as outlined in § 680.400 and § 680.410.

ISY youth cannot use youth program funded ITAs. However, ISY between the ages of 18 and 21 may co-enroll in the WIOA Adult program if the young adult's individual needs, knowledge, skills, and interests align with the WIOA adult program and may receive training services through an ITA funded by the adult program.

E. Education offered concurrently with workforce preparation and training for a specific occupation: 20 CFR § 681-630 states this element reflects an integrated education and training model and describes how workforce preparation activities, basic academic skills, and hands-on occupational skills training are taught within the same time frame and connected to training in a specific occupation, occupational cluster, or career pathway.

While programs developing basic academic skills (element 2), workforce preparation activities (element 3), and occupational skills training (element 4) can all occur separately and at different times (thus counted under separate program elements), this element refers to the concurrent delivery of these services which make up an integrated education and training model.

F. Leadership development opportunities: This element is designed to encourage responsibility, confidence, employability, self-determination, and other positive social behaviors such as:

- 1) Exposure to post-secondary educational possibilities;
- 2) Community service and learning projects;
- 3) Peer-centered activities, including peer mentoring and tutoring;
- 4) Organizational and team work training, including team leadership training;
- 5) Training in decision-making, including determining priorities;
- 6) Citizenship training, including life skills training such as parenting and work behavior training;
- 7) Civic engagement activities to promote the quality of life in a community; and
- 8) Other leadership activities that place youth in a leadership role such as serving on youth leadership committees.

G. Supportive Services: Supportive services for youth are defined in 20 CFR § 68.570 in WIOA Sec. 3(59). These services enable an individual to participate in WIOA activities and they include, but are not limited to:

- 1) Linkages to community services;
- 2) Assistance with transportation;
- 3) Assistance with child care and dependent care;
- 4) Assistance with housing;
- 5) Needs-related payments;
- 6) Assistance with educational testing;
- 7) Reasonable accommodations for youth with disabilities;
- 8) Legal aid services;
- 9) Referrals to health care;
- 10) Assistance with uniforms or other appropriate work attire and work-related tools, including eyeglasses and protective eye wear;

11) Assistance with books, fees, school supplies, and other necessary items for students enrolled in post-secondary education classes; and

12) Payment and fees for employment and training-related applications, tests and certifications.

H. Adult mentoring: May take place both during the program and following exit from the program and must last at least 12 months. It must be a formal relationship between a youth participant and an adult mentor that includes structured activities, guidance, support, and encouragement to develop the competence and character of the youth. At a minimum, group mentoring activities and electronic means are allowable. However, the program must match the youth with an individual mentor to interact on a face-to-face basis. Mentoring can also include workplace mentoring.

In cases where finding a mentor presents a burden to the program, case managers can serve in this capacity.

I. Follow-up services: Provides a critical step in following a youth's exit from the program to ensure the youth is successful in employment and/or post-secondary education and training. The follow-up may include regular contact with a youth participants employer, including assistance in addressing work-related problems that arise.

Follow-up services begin immediately following the last expected date of service in the Youth program when no future services are scheduled. Follow-up services do not cause the exit date to change and do not trigger re-enrollment in the program.

The exit date is determined when the participant has not received services in the Youth program of any other DOL funded program in which the participant is co-enrolled for 90 days and no additional services are scheduled. At that point, the date of exit is applied retroactively to the last day of service. Once 90 days of no services, other than follow-

up, self-service, and information-only services and activities, has elapsed and an official exit date has been established, the program continues to provide follow-up services for the remaining 275 days of the 12-month follow-up requirement, completion taking place 12 months one year from the exit date.

Follow-up services may include:

- 1) Supportive Services;
- 2) Adult mentoring;
- 3) Financial literacy education;
- 4) Providing labor market and employment information about in-demand sectors, career awareness, career counseling, and career exploration services; and
- 5) Activities that prepare youth for and transition to post-secondary education and training.

These elements must be coded as follow-up services to clearly differentiate follow-up services from those services provided prior to exit. They should be documented in the case file that they were provided as follow-up services *POST* exit.

All youth participants must be offered an opportunity to receive follow-up services that align with their individual service strategies. If the youth cannot be located for follow-up or if they opt out of the service, the 12-month follow-up requirement does not apply. There must be more than one documented contact attempted or made for securing documentation to report a performance outcome. If the youth opts out of the follow-up it must be documented in the case file.

- J. Comprehensive Guidance and counseling: Guidance and counseling will be individualized to the participant. It includes drug and alcohol abuse counseling, mental health counseling, and referral to partner programs, as appropriate. If a referral is made, coordination with the organization is necessary to ensure continuity of service. If the local program offers these services, counseling services can be

provided directly to the participant rather than to refer to another organization.

- K. Financial literacy education: This may include the following activities:
- 1) Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions;
  - 2) Support participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards;
  - 3) Teach participants about the significance of credit reports and scores, what their rights are regarding their credit and financial information, how to determine the accuracy of a credit report, how to correct inaccuracies, and how to maintain good credit;
  - 4) Support a participant's ability to understand, evaluate and compare financial products, services, and opportunities, and to make informed financial decisions;
  - 5) Educate participants about identity theft, ways to protect themselves, and how to resolve cases of identity theft and understand their rights and protections related to personal identity and financial data;
  - 6) Support activities that address the financial literacy of youth with disabilities, including connecting them to benefits planning and work incentive counseling;
  - 7) Support activities that address the financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials; and
  - 8) Provide customized financial education that is high quality, age appropriate, timely, relevant, provides opportunities to put lessons into practice, and to help youth gain the knowledge, skills, and confidence

to make informed financial decisions that enable them to attain greater financial health and stability.

- L. Entrepreneurial skills training. To develop the skills associated with starting and operating a small business. Such skills may include the ability to:

- 1) Take initiative;
- 2) Creatively seek out and identify business opportunities;
- 3) Develop budgets and forecast resource needs;
- 4) Understand various options for acquiring capital and the trade-offs associated with each option; and
- 5) Communicate effectively and market oneself and one's ideas.

Approaches to teach this skill may include:

- a) Education to introduce the values and basics of starting and running a business, development of a business plan, and simulations of business start-up and operation;
- b) Provide support and services to incubate their own business, access to small loans or grants, and individualized attention to the development of viable business ideas; and
- c) Experiential programs to provide youth with experience in the day-to-day operations of a business. It can include development of a youth-run business that youth participating in the program work in and manage. Placement in apprentice or internship positions with adult entrepreneurs in the community.

- M. Services that provide labor market information: To impart to youth the body of knowledge that describes the relationship between labor supply and demand and how it relates to the job market in the local community. This may include career

awareness, career counseling, career exploration services, and identifying an in-demand occupation that is of interest to the youth. Career counseling may include resume preparation, interview skills, opportunities for job shadowing, and the long-term benefits of post-secondary education and training. One tool to use is labor market information (LMI). In addition to identifying in-demand occupations, it details job market expectations including education, skill requirements, longevity, and potential earnings.

- N. Post-secondary preparation and transition activities: These activities prepare both ISY and OSY for advancement to post-secondary education and training after attainment of a high school diploma or recognized equivalent. This could include technical training schools, community colleges, four-year colleges and universities, and registered apprenticeship. Other activities may include, assisting youth to prepare for SAT/ACT testing, college admission applications, searching for and applying for scholarships and grants, filling out the proper Financial Aid applications and adhering to changing guidelines, and connecting youth to post-secondary education programs.

**NOTE:** Documenting receipt of program elements is critical to ensure youth who are actively participating in programs are not unintentionally exited due to 90 days of no service. All 14 WIOA youth elements are contained in the PIRL and services received must be reported in the applicable program element. Case management is not considered a program element.

**PERFORMANCE MEASURES:** Measuring the success and overall effectiveness of youth programs is a critical but challenging responsibility. Local boards will consider the overall goals of the program and demonstrate that funded activities lead to outcomes which contribute to these goals. Under

waiver authority, New Mexico replace the statutory performance measures with common measures. Local boards and service providers will monitor common measures, output, and additional outcomes to evaluate program effectiveness.

- A. Common measures for youth consist of three measures:
  - 1) Placement in employment or education
  - 2) Attainment of a degree or certificate
  - 3) Literacy/Numeracy measurement
- B. Output measures are evidence that a service has been provided. Participation by itself is an output. For example, "sixty percent of youth will be engaged in community service projects" indicates an activity took place. It is an indication that the program provided service. Output alone does not demonstrate the success of a program.
- C. Outcome is a measure of the change that occurs in a participant because of program activities. Attaining a skill is an example of such a change. Programs should specify a benchmark of the number or percentage of participants who achieve a particular outcome.

**PERFORMANCE ACCOUNTABILITY:** Under section 116(b)(2)(A)(ii) of WIOA, there are six primary indicators of performance for youth:

- A. *Employment/Education/Training Rate-2<sup>nd</sup> Quarter After Exit:* The percentage of participants who are in education or training activities, or in unsubsidized employment during the second quarter after exit from the program.
- B. *Employment/Education/Training Rate-4<sup>th</sup> Quarter After Exit:* The percentage of participants who are in education or training activities, or in unsubsidized employment during the fourth quarter after exit from the program.
- C. *Median Earnings-2<sup>nd</sup> Quarter After Exit:* The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program.

D. *Credential Attainment:* The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized post-secondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent, is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent, only if the participant also is employed or is enrolled in an education or training program leading to a recognized post-secondary credential within one year after exit from the program.

E. *Measurable Skill Gains:* The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized post-secondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:

- 1) Documented achievement of at least one educational function level of a participant who is receiving instruction below post-secondary education level;
- 2) Documented attainment of a secondary school diploma or its recognized equivalent; secondary or post-secondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards;
- 3) Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or

training provider who is conducting training; or

- 4) Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks, such as knowledge-based exams.

F. *Effectiveness in Serving Employers*: This is a workforce system measure and is not specific to the WIOA youth program alone. DOL is piloting three approaches designed to gauge three critical workforce needs of the business community.

- 1) Approach 1: Retention with the same employer-addresses the programs' efforts to provide employers with skilled workers.
- 2) Approach 2: Repeat business customers-addresses the programs' efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time.
- 3) Approach 3: Employer penetration rate-addresses the programs' efforts to provide quality engagement and services to all employers and sectors within a State and local economy.

Additional information on performance indicators and reporting can be found in TEGL No. 10-16 at: <https://wdr.doleta.gov/directives>

**SELECTION OF SERVICE PROVIDERS:**

Youth service providers will be competitively procured in accordance with local, state and federal procurement practices. Acceptable local procurement practice cannot be less restrictive than Federal or State requirements in the awarding of grants or contracts. In no instance will a local procurement process violate New Mexico procurement policies.

**INQUIRIES**

WIOA Administrative Entity; (575) 744-4857.

**ATTESTED**

This policy was approved through board resolution on October 25, 2018

---

SAWDB Board Chair Signature

---

Date