

# **SOUTHWESTERN AREA WORKFORCE DEVELOPMENT BOARD**

## **Youth Activities and Eligibility Policy 18-04.2**

### **Effective Date**

April 11, 2024

### **Applicability**

This applies to the Southwestern Area Workforce Development Board (SAWDB), providers of the Workforce Innovation and 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. TEGL 23-14.

This policy is to provide guidance for determining the eligibility of individuals to be enrolled and provided services through the WIOA Youth Program. To provide guidance on the use of self-attestation as a last resort when other documentation cannot be found or accessed.

### **References**

20 CFR 677.150(b)	CFR 681.590(a)	WIOA 3(59)
20 CFR 680.700	TEGL 8-15	WIOA 24-002
20 CFR 681.210	TEGL 9-12	WIOA 116(b)(2)(A)(ii)
20 CFR 681.220	TEGL 09-22(c)	WIOA 123
20 CFR 681.260	TEGL 10-16	WIOA 129 (a)(1)
20 CFR 681.460(a)(2)	TEGL 10-23	WIOA 129 (3)(A)(ii)
20 CFR 681.570	TEGL 21-16	WIOA 129 (3)(B)
20 CFR 681.630	TEGL 23-14	WIOA 129 (c)(2)
CFR 680.400	WIOA 3(36)(A)(vi)	WIOA 188 (a)(5)
CFR 680.410	WIOA 3(44)	WIOA 189 (h)
CFR 681.410		

## 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 is 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 Documentation Requirements

Each LWDB (Local Workforce Development Board) is required to collect supporting eligibility documentation used to determine eligibility. WIOA establishes strict participant eligibility, priorities, and requirements for participation to account for the proper use of Title I funds. Documentation is required to be obtained for each eligibility data element as outlined in the comprehensive checklist of allowable forms of eligibility documentation. A standard for electronic files (e-file) has been established that includes paperless registration, eligibility determination, and program enrollment. All program enrollments are required to be completed in an e-file format. Physical evidence such as copies of documents, completed telephone verification/document inspection forms, and signed self-attestation forms will be maintained in participant files. Local boards must ensure all information or documentation stored in an electronic document management system is backed up routinely. The crash of a computer system is not a valid excuse for loss of information.

Self-attestation use for documenting eligibility should be used as a method of last resort when no other source of documentation can be found or accessed, or that may cause an undue hardship for individuals to obtain. The key elements for self-attestation are: the participant identifying his or her status for permitted elements; and signing and dating a form attesting to this self-identification. The form and signature can be on paper or in the New Mexico Jobs online system (NMJobs), with an online signature. Self-attestation can also be used to clarify documentation that is considered insufficient by itself. **A self-attestation cannot be used to document the basic WIOA eligibility data elements of right to work, selective service, or age.** To assist in determining when it is appropriate to use self-attestation, consult with your local program coordinator if the data element in question is not addressed in this policy.

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## Eligibility Criteria

WIOA Section 129 (a)(1) establishes the eligibility criteria that an individual must meet to participate in the WIOA Youth Program. Every individual receiving services under the WIOA Youth Program must meet either the In-School Youth (ISY) or Out-of-School Youth (OSY) eligibility criteria to enroll in the program. Each of the following eligibility elements must be documented for each participant prior to the receipt of a staff-assisted career service with significant staff involvement, or individualized customized service. To be eligible to receive WIOA youth services, an individual must:

- A. Be a citizen or non-citizen authorized to work in the United States.
- B. Provide documentation of Age/Date of Birth.
- C. Comply with the Selective Service Act Requirements (males only) as required by WIOA section 189 (h); If an individual is enrolled into WIOA youth services at age 17, they must register into Selective Service immediately upon turning age 18; and
- D. Be an ISY between the ages of 14 and 21 years or an OSY between the ages of 16 and 24 years at time of enrollment in WIOA.

Under WIOA as defined in 20CFR 681.210, an Out of School Youth (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 barriers apply:
  - a. A school dropout,
  - b. 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,
  - c. 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,
  - d. An offender, an individual who has been subject to any stage of the criminal justice process,
  - e. A homeless individual aged 16-24, a homeless child aged 16-24, or a runaway aged 16-24,
  - f. 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,
  - g. An individual who is pregnant or parenting,
  - h. An individual with a disability, or
  - i. 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, Youth Build, or Job Corps. Further definition of these terms can be found in TEGL 23-14.

Under WIOA, as defined in 20 CFR 681.220, an In-School Youth (ISY) is an individual who is:

- a. Attending school, including secondary and post-secondary school;
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- 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 the 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:
  - i. Basic skills deficient,
  - ii. An English language learner,
  - iii. An offender, an individual who has been subject to any stage of the criminal justice system,
  - iv. A homeless individual, a homeless child or youth aged 14 to 21 years, or a runaway,
  - v. An individual who is in foster care or has aged out of 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,
  - vi. An individual who is pregnant or parenting,
  - vii. 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. (see Local Workforce Policy 18-03.1 Youth Additional Assistance Policy)

### Assessments

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.

NOTE: A new assessment of a participant is not required if a recent assessment has been made in the last six (6) months as part of another education or training program, but updated as appropriate.

- A. **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.

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.

- B. **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 helps youth understand how a variety of their personal attributes (e.g., interests, values, preferences, motivations, aptitudes, and skills) affect their
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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, which provides a living wage, including information about education, entry requirements, and income potential.

Youth with disabilities also need information on benefits planning, workplace 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.

- C. **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.
- D. **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 the 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-olds 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.

### **Determining School Status**

For the Purpose of determining ISY and OSY eligibility, a youth is “attending school” if, at the time the eligibility determination portion of program enrollment in WIOA is made, the young person:

- A. Is enrolled in a school, including any of the following:
  - a. Public school,
  - b. Charter school,
  - c. Private school, or
  - d. Disciplinary alternative education program (DAEP),
  - e. Is homeschooled,
  - f. Is attending high school equivalency programs funded by the K-12 system,

- g. Is a high school graduate who has registered for postsecondary classes, even if not yet attending postsecondary classes,
  - h. Is attending postsecondary school classes, or
  - i. Is in between postsecondary school semesters and has registered for classes for a future semester or had paid all or part of the tuition for a future semester.
- B. The following programs are not considered “school” under WIOA:
  - a. Adult education provided under Title II of WIOA
  - b. Youth Build Programs
  - c. Job Corps programs
  - d. High school equivalency programs (not funded by the public K-12 system)
  - e. Dropout re-engagement programs

Note: Once the school status of a youth is determined, that school status remains the same until exit from the WIOA youth program.

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

C. ISY Exceptions and Limitations

- a. Additional Assistance Limitation – In each local area, not more than 5 percent of the ISY assisted under this section may be eligible under “individual who requires additional assistance” to complete an education program or to secure or hold employment. (WIOA §129(3)(B))
- b. SAWDB must ensure 5 percent is tracked in NMJobs appropriately.
- c. Low-Income Exception – Not more than 5 percent of the ISY assisted can be individuals that are not low income WIOA §129(3)(A)(ii)

D. OSY Exceptions and Limitations

- a. Low-Income Exception – Not more than 5 percent of OSY individuals in the following categories can be considered eligible and not meet the low-income criteria:
  - i. A recipient of secondary school diploma or its recognized equivalent who is low-income and is basic skills deficient or an English language learner.
  - ii. A low-income individual and requires additional assistance to enter or complete education program or to secure or hold employment may not be low-income individuals. WIOA §129(3)(A)(ii).
  - iii. Co-enrollment Provision – Individuals ages 18 through 24 may be eligible for both adult and Youth programs if they meet the respective eligibility requirements for both programs.
  - iv. Authorization to Work – Authorization to work in the United States can be verified through eligibility for UI benefits.
  - v. Nondiscrimination – WIOA Section 188(a)(5) contains a specific nondiscrimination provision that provides that participant under the WIOA is available to citizens and nationals of the United States; lawfully admitted permanent resident aliens, refugees, asylees or parolees; and other immigrants authorized by the Attorney General to work in the United States. Individuals with employment authorization qualify under this provision as “immigrants

authored by the Attorney General to work in the United States.” This includes “Deferred Action for Childhood Arrivals” (DACA).

Note: All eligibility and miscellaneous documents will need to be scanned using the New Mexico Jobs online system. Documents need to be named correctly using the most recent Document Tag List.

### Low-Income Eligibility Exceptions

- A. A youth who lives in a high poverty area is automatically considered to be a low-income individual. A high poverty area is a Census tract, a set of contiguous Census tracts, an American Indian Reservation, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-year data. 20 CFR 681.260 and EDA-Census Poverty Status Viewer.
- B. Beginning July 1, 2023, New Mexico passed SB4, which offers free school meals to all students. Therefore, free, or reduced lunch **cannot** be used to verify low income. (Hunger-Free Healthy Students’ Bill of Rights Act).
- C. An individual's disability income eligibility is based on their own income, not family income. According to WIOA sec 3(36)(A)(vi), individuals with disabilities whose income meets low-income criteria can qualify for youth services, even if their family’s income exceeds the threshold. However, only In-School Youth (ISY) with disabilities must meet low-income requirements, whereas Out-of-School Youth (OSY) with disabilities are exempt from this condition.

### 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 is 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.” The maximum hours for Work Experience are 720 hours. 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.

Virtual work experiences are allowable under the WIOA youth program. With COVID-19 pandemic, virtual services, such as virtual work experiences, became necessary. Virtual work experiences can offer more flexibility and broaden work experience opportunities, particularly in rural areas. They can also promote equity and access for youth that might not otherwise have the opportunity for certain types of work experiences. Therefore, local WIOA Youth programs are permitted to continue to provide virtual work experiences beyond the COVID-19 pandemic. And while WIOA section 681.600 states that work experiences must take place in a workplace, this includes a virtual workplace when remote work experiences are possible and practical. (TEGL 09-22 (c))

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:

- a. Wages/stipends paid for participation in a work experience,
  - b. Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop work experience,
  - c. Staff time spent working with employers to ensure a successful work experience, including staff time spent managing the work experience,
  - d. Staff time spent evaluating the work experience,
  - e. Participant work experience orientation sessions,
  - f. Employer work experience orientation sessions,
  - g. Classroom training or the required academic education component directly related to the work experience,
  - h. Incentive payment directly tied to the completion of work experience, and
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i. Employability skills/job readiness training to prepare youth for a work experience

Reporting and Expenditures for Pre-Apprenticeship (TEGL 09-22 (g))

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. TEGL Nos. 8-15 and 21-16 provide further discussion of allowable expenditures that may be counted toward the work experience expenditure requirement and articulate that program expenditures on the work experience program element can be more than just wages paid to youth in work experience. An important reminder is that expenditures for pre-apprenticeships count toward the work experience expenditure requirement. In addition, if the pre-apprenticeship program includes an occupational skills training component, separate from the work experience, WIOA Youth programs may report pre-apprenticeship under both the work experience program element and the occupational skills training program element. Also, while not explicitly listed in WIOA as a type of work experience, WIOA Youth expenditures related to Registered Apprenticeship programs count toward the minimum work experience expenditure requirement.

**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 other available 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:

- a. Summer employment opportunities and other employment opportunities throughout the school year,
- b. Pre-apprenticeship programs,
- c. Internships and job shadowing, and
- d. 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:

- a. Be outcome-oriented and focused on an occupational goal specified in the individual service strategy.
  - b. Be of sufficient duration to impart the skills needed to meet the occupational goal; and
  - c. Lead to the attainment of a recognized post-secondary credential.
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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:
    - a. Exposure to post-secondary educational possibilities,
    - b. Community service and learning projects,
    - c. Peer-centered activities, including peer mentoring and tutoring,
    - d. Organizational and teamwork training, including team leadership training,
    - e. Training in decision-making, including determining priorities,
    - f. Citizenship training, including life skills training such as parenting and work behavior training,
    - g. Civic engagement activities to promote the quality of life in a community, and
    - h. 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 § 681.570 in WIOA Sec. 3(59). These services enable an individual to participate in WIOA activities and they include, but are not limited to:
    - a. Linkages to community services,
    - b. Assistance with transportation,
    - c. Assistance with childcare and dependent care,
    - d. Assistance with housing,
    - e. Needs-related payments,
    - f. Assistance with educational testing,
    - g. Reasonable accommodations for youth with disabilities,
    - h. Legal aid services,
    - i. Referrals to health care,
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- j. Assistance with uniforms or other appropriate work attire and work-related tools, including eyeglasses and protective eye wear,
  - k. Assistance with books, fees, school supplies, and other necessary items for students enrolled in post-secondary education classes, and
  - l. 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:

- a. Supportive Services,
  - b. Adult mentoring,
  - c. Financial literacy education,
  - d. Providing labor market and employment information about in-demand sectors, career awareness, career counseling, and career exploration services, and
  - e. Activities that prepare youth for and transition to post-secondary education and training.
  - f. 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.
  - g. 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
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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:
    - a. Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions.
    - b. Support participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards.
    - c. 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.
    - d. Support a participant's ability to understand, evaluate and compare financial products, services, and opportunities, and to make informed financial decisions.
    - e. 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.
    - f. Support activities that address the financial literacy of youth with disabilities, including connecting them to benefits planning and work incentive counseling.
    - g. 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
    - h. Providing 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:
    - a. Take initiative,
    - b. Creatively seek out and identify business opportunities,
    - c. Develop budgets and forecast resource need,
    - d. Understand various options for acquiring capital and the trade-offs associated with each option, and
    - e. Communicate effectively and market oneself and one's ideas.Approaches to teach this skill may include:
    - i. 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;
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- ii. 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
  - iii. 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:
    - a. Placement in employment or education
    - b. Attainment of a degree or certificate
    - c. 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.
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- 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-2nd 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-4th 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-2nd 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:
    - a. Documented achievement of at least one educational function level of a participant who is receiving instruction below post-secondary education level;
    - b. 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;
    - c. 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
    - d. 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.
    - a. Approach 1: Retention with the same employer-addresses the programs' efforts to provide employers with skilled workers.
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- b. 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.
- c. 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**

Questions related to this policy should be directed to the Administrative Entity at (575) 744-4857.

### **Attested**

This policy was reviewed and approved by the SAWDB on April 11, 2024.

*Alisa Estrada*

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SAWDB Chair