

# YOUTH ELIGIBILITY

All WIOA Title I Youth participants will also be enrolled in the Wagner-Peyser Title III program. Many Title I Youth over the age of 18 will be enrolled in the Title I Adult program as the enrollment process identified below will trigger participation based on service delivery. The WIOA Title I Youth program is not an entitlement program. Enrollment into the WIOA Title I Youth program and the provision of services are based on individual eligibility and funding availability.

## ENROLLMENT

Before becoming a WIOA Title I Youth participant an individual must complete:

1. Eligibility determination and documentation verification as an In-School Youth or Out-of-School Youth.
2. Objective Assessment.
3. Development of the Employment Plan (see Employment Plan [Policy 4.11](#)).
4. A triggering Title I Youth service (see Services Chart [Resource 1](#) for a list of triggering youth services).

## PARTICIPATION

Once an individual has completed the enrollment process, they are now a participant of the youth program and will be included in the youth performance measures. No fiscal services are available for an individual until after they become a participant.

## REFERRAL

Regardless of eligibility for the Youth Program, an individual may be eligible for other program services through the One-Stop system. Referrals to other One-Stop partners and providers must be offered to assist individuals with further assessment, training, and educational needs. Refer to One-Stop System [Policy 3.2](#) for a list of core programs and partners.

## PARENTAL/GUARDIAN CONSENT

### ***Release of Information***

A parent/guardian signature is required on the Release of Information [Form 1](#) for applicants under the age of 18 in order to provide financial services.

### ***Low Income***

If Low Income status is verified by the Family Income Worksheet [Resource 21](#) for an applicant under the age of 18, a parent/guardian must provide their signature anywhere on the document.

### ***Wagner Peyser and Title I Application***

All participants under the age of 18 must have the Wagner Peyser and Title I Youth Applications signed by the participant, a parent/guardian, and a DLR staff member.

### ***Signature Request***

Parent/Guardian signatures are requested on Equal Opportunity [Form 2](#), but not required.

### ***Signature Exception***

If an exception is deemed appropriate for applicants who are unable to produce the parent/guardian signature, the requirement may be waived by a Labor Program Specialist. Justification must be documented in case notes.

## SCHOOL STATUS

School status is based on the individual's status at the time eligibility is determined and program enrollment is complete. School status does not change through the participation period. **For example:** if an individual is an Out-of-School Youth, but returns to school, they remain an Out-of-School Youth.

WIOA Title I places a priority on serving out-of-school youth by requiring no less than 75% of funding be used to provide services for out-of-school youth. As a result, DLR may restrict enrollments of in-school youth.

## ATTENDING SCHOOL

### *Attending School, In-School Youth includes those*

- Registered for credit bearing post-secondary classes
- Between school terms and intends to return to school
  - Students planning to return to school after summer/winter/holiday breaks are considered In-School-Youth during these breaks
- Attending secondary school, secondary alternative school, or credit bearing post-secondary classes,
- High school equivalency programs funded through the K-12 school system, and
- Individuals with a disability under the age of 21 who are receiving services funded through the K-12 school system.
- With [DOE Alternative Instruction](#) status
  - Completed by minor and parents if parents remove minor from school district; parents assume responsibility for minor's education.
  - These individuals are considered in-school youth until the age of 18.

### *Not Attending School, Out-Of-School Youth includes those*

- Who are not attending any school
- Attending Adult Education and Literacy under Title II of WIOA
- Dropout re-engagement programs
- Participating in Youth Build programs,
- Attending Job Corps programs,
- High school equivalency programs (not funded through the K-12 school system),
- Youth within the age of compulsory school attendance but has not attended school for at least the most recent complete school year calendar quarter or is enrolled in non-credit-bearing post-secondary classes.

## ELIGIBILITY REQUIREMENTS

For definitions related to determining eligibility, see Definitions [Policy 9.2](#).

In order to be considered eligible for the WIOA Title I Youth program an individual must be:

1. Eligible to work in the United States; and
2. Between the ages of 14 and 24 at the time of enrollment (see "Age Eligibility" below); and
3. Meet Selective Service Registration requirements as outlined in the Selective Service [Policy 4.6](#); and
4. An eligible In-School Youth or an Out-of-School Youth as identified below; and
5. Directly referred to DLR through an internal mechanism available to established partners; and
6. Live in the State of South Dakota or its adjacent counties at time of enrollment.

### *WIOA In-School Youth Eligibility*

- ☐ 1. Eligible In-School Youth must be Attending school (as defined under the "School Status" section above); And
- ☐ 2. Not younger than 14 and not older than 21 at the time enrollment<sup>3</sup>; And
- ☐ 3. **Low-income**<sup>1</sup> ; And
- ☐ 4. Meet one or more of the following:
  - ☐ **Basic skills deficient**;
  - ☐ English Language Learner;
  - ☐ Ex-offender;
  - ☐ Homeless individual as defined by the McKinney-Vento Homeless Assistance Act and or a runaway youth or a youth in an out of home placement.

<sup>1</sup> **Low Income Eligibility Exception** – If an applicant meets all other eligibility criteria for WIOA Title I Youth except the low-income criteria, eligibility could still be possible. Five percent of WIOA Youth can be participants who meet all other eligibility criteria for WIOA Title I Youth except the low-income criteria. Prior to enrolling Title I Youth under the five percent window, the Employment Specialist must contact the WIOA Youth Labor Program Specialist to obtain availability approval. A program must calculate the five percent based on the percent of newly enrolled youth in the WIOA Youth program in a given program year

<sup>3</sup> **Age** is determined at participation. Youth participants do not age out of the Youth Program. Once eligible for the Title 1 Youth Program, Youth Eligibility extends to the end of their participation period.

- ☐ Youth in or aged out of a foster care system;
- ☐ Pregnant or parenting;
- ☐ Individual with a disability;
- ☐ Eligible under an additional assistance category<sup>2</sup>:
  - ☐ No employment in the last 6 months
  - ☐ Has a record of not being able to hold employment due to being fired, or quitting two or more jobs in the last six months
  - ☐ Has a history of substance abuse
  - ☐ Having one or more parents currently incarcerated
  - ☐ Is a veteran

### **WIOA Out-of-School Youth Eligibility**

Eligible Out-of-School Youth who are:

- ☐ 1. Not attending school (as defined under the “School Status” section above); and
- ☐ 2. Not younger than 16 and not older than age 24 at time of enrollment; and
- ☐ 3. Meet one or more of the following:
  - ☐ School dropout
  - ☐ Under the age of 18, does not have a high school diploma or equivalency, has not attended school for the most recent school year quarter as determined by the school
  - ☐ A recipient of a secondary school diploma or its recognized equivalent who is a **low-income**<sup>1</sup> individual and is either:
    - ☐ **Basic skills deficient**; or
    - ☐ English Language Learner;
  - ☐ Ex-offender
  - ☐ Homeless individual as defined by the amended McKinney Homeless Assistance Act. May also include:
    - ☐ Runaway youth
    - ☐ Youth in or aged out of a foster care system
    - ☐ Youth in an out-of-home placement.
  - ☐ Pregnant or parenting
  - ☐ Individual with a disability
  - ☐ A **low-income**<sup>1</sup> individual who meets the additional assistance criteria<sup>2</sup>:
    - ☐ No employment in the last 6 months.
    - ☐ Has a record of not being able to hold employment due to being fired or quitting two or more jobs in the last six months.
    - ☐ Has a history of substance abuse.
    - ☐ Having one or more parents currently incarcerated.
    - ☐ Is a veteran.

### **YOUTH ELIGIBILITY DATA VALIDATION**

Many youth eligibility data elements allow self-attestation as an acceptable source of documentation. Best practice when self-attestation is an option is to ask if another type of documentation is available. If one is not, self-attestation may be used. I-9 documents required for employment will then be obtained with the help of employment specialists after WIOA enrollment.

**WIOA Law §3 & 129**  
**20 CFR §677.150, §681.230 & §681.240**  
**South Dakota Codified Law**  
**Administrative Rules of South Dakota**  
**Participant Individual Record Layout**  
**TEGL 21-16**

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<sup>2</sup> **Additional Assistance Limitation** – If a participant **only** meets additional assistance, obtain availability approval from WIOA Youth Labor Program Specialist prior to participation. Not more than 5 percent of the In-School or Out-of-School Youth in South Dakota may be assisted under the additional assistance barrier