

## WIOA Out-of-School Youth Eligibility Requirements Policy

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**Approved: February 11, 2022**

**Purpose:** To provide program and participant eligibility requirements for Out-of-School Youth (OSY) services under the Workforce Innovation and Opportunity Act (WIOA).

**Policy:** All individuals who want to participate in a WIOA program must provide proof of eligibility.

### General Eligibility Requirements:

- **Birth Date/Age:** In order to receive WIOA funded activities and/or services in an OSY program, an individual must be no younger than sixteen (16) years of age, no older than twenty-four (24) years of age and be determined eligible for the specific program or service.
- **Employment Authorization:** An individual must be authorized to work in the United States to receive WIOA services.
- **Selective Service Registration:** A male individual born after December 31, 1959 must be registered with the U.S. Selective Service within 30 days of their 18th birthday. A male individual who was born after December 31, 1959, is between the ages of 18-26, and has not yet registered with Selective Service should be referred for registration prior to WIOA enrollment. For a male individual who was born after December 31, 1959, and who has not registered with Selective Service, the Service Provider must follow Nevadaworks Failure to Register with Selective Service Policy NWP-3101.

### Out-of-School Youth Eligibility Requires an Individual Who:

- A. Is not attending any school and is not enrolled in any credit-bearing post-secondary institution, AND
- B. Is not younger than age 18 or older than age 24  
OR  
Is 16 or 17 years of age with a high school diploma or its equivalent at the time of enrollment, AND
- C. Is one or more of the following:
  1. A school dropout.
  2. A Youth who is within the age of compulsory school attendance but has not attended school for at least the most recent complete school year calendar quarter. A school year calendar quarter is based on how a local school district defines its school year quarters. In cases where schools do not use quarters, local programs must use calendar year quarters.
  3. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either:
    - a. basic skills deficient; or
    - b. an English language learner.
  4. An offender.

5. A homeless individual aged 18 to 24 (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 aged 18 to 24 who meets the criteria as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 111434a(2)), or a runaway.
6. In foster care or has aged out of the foster care system.
7. A child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677).
8. In an out-of-home placement.
9. An individual who is pregnant or parenting.
10. A Youth who is an individual with a disability.
11. A low-income individual who requires additional assistance to enter or complete an educational program, or to secure or hold employment.

### **Youth Requiring Additional Assistance:**

An Out-of-School Youth (OSY) who requires additional assistance to enter or complete an educational program, or to secure and hold employment must also be low-income. (20 CFR §681.210(c)(9)). The low-income documentation must be in the participant's file and entered into the Management Information System (MIS)

State Compliance Policy 2.1 requires one of the following eligibility criteria be met to qualify for its definition of "A low-income individual who requires additional assistance to enter or complete an educational program, or to secure or hold employment".

### **The Individual:**

1. Has repeated at least one secondary grade level or is one or more grade levels behind age appropriate level;
2. Has a core Grade Point Average (GPA) of less than 2.0 or is a postsecondary student deemed by a school official to be on academic probation;
3. Is at least two (2) semester/four (4) quarter credits behind the rate required to graduate from high school for each year of secondary education;
4. Has a family history of chronic unemployment (during the two (2) years prior to application, family members were unemployed longer than employed);
5. Is an emancipated Youth;
6. Is a current or previous dropout that lacks a high school diploma/high school equivalency or is deemed at risk of dropping out of school by a school official;
7. Has been suspended two (2) or more times from school or has been expelled;
8. Has been referred to or is being treated by an agency for documented mental health issues or a substance abuse-related problem;
9. Has experienced a recent traumatic event (within two (2) years of application), is a victim of abuse, or resides in an abusive environment as documented by a school official or professional;
10. Is a Youth sixteen (16) years of age or older who meets one or more of the following criteria:
  - has not held a full-time job for longer than six (6) months;
  - has been fired from a job in the last six (6) calendar months;

- is currently unemployed, or has a poor or no work history and lacks work readiness skills necessary to obtain and retain employment as documented on the Youth objective assessment; or
- lacks occupational and/or educational goals.

**References:**

**Public Law 113-128**

**20 CFR §681** Youth Activities Under Title I of the Workforce Innovation and Opportunity Act

**TEGL 21-16** Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance

**TEGL 11-11** Selective Service Registration Requirements for Employment and Training Administration Funded Programs

**SCP 2.1** Participant Eligibility for Youth Services