



**WORKFORCE INVESTMENT COUNCIL
DISTRICT OF COLUMBIA**



WIC Policy No.	Subject	Date
2013.012	WIA YOUTH ELIGIBILITY	10/8/2013

ISSUING ENTITY:

Workforce Investment Council

SCOPE:

Workforce Investment Council, DC WIA Administrative Entity, One-Stop Operators, and Mandatory Partner Programs

REFERENCES:

Title I of the WIA of 1998, (Public Law 105-220, 29 U.S. C. et.seq; Final Rule at Title I, Chapter 4, "Youth Activities," Sections 126 through 129 and in the Federal Register Volume 65, Number 156, dated August 11, 2000, Part 661, "Statewide and Local Governance of the Workforce Investment System Under Title I of the Workforce Investment Act," Part 664, "Youth Activities Under Title I of the Workforce Investment Act, " any amendments to the aforementioned references, Section 506(c); Pub. L. 105-220; 20 U.S.C. 9276(c); Training and Employment Guidance Letter 33-12; Training and Employment Guidance Letter 3-03, Change 1; Training and Employment Guidance Letter 12-01, Attachment C; Training and Employment Guidance Letter 28-11, Attachment 1.

EFFECTIVE DATE:

January 1, 2014

OBJECTIVE:

To provide the WIA Administrative Entity with guidance regarding eligibility for enrollment in WIA Youth programs, and outline acceptable forms of documentation to verify eligibility.

BACKGROUND:

The District of Columbia receives federal formula funds under Title I-B of the Workforce Investment Act (WIA) to serve the education and employment needs of low-income youth between the ages of 14-21 - including both in-school youth (ISY) and out-of-school youth (OSY) - with significant barriers to high school graduation and entry into postsecondary education or the labor market. The DC Workforce Investment Council (WIC) is responsible for establishing policies and priorities with respect to the use of these funds. The Department of Employment Services (DOES), in its capacity as the administrative entity for WIA funds, is responsible for administering WIA Youth grants according to the policies established by the WIC.

This policy provides updated guidelines for DOES and WIA Youth providers regarding eligibility determinations for WIA Youth programs, and provides information on the use of appropriate documentation for eligibility determinations.

DEFINITIONS:

- A. Applicant:** An individual who applies for employment, training and/or services provided under WIA through a WIA grant recipient or sub-recipient.

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- B. Deficient In Basic Literacy Skills:** An individual who:
1. computes or solves problems, reads, writes, or speaks English at or below the eighth grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test; or
 2. is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society.
- C. Dependent Child:** A child related by blood, marriage, or decree of court, living in a single residence with his/her parent(s) or guardian.
- D. Excludable Income:** For the purpose of determining WIA income eligibility, the following are excluded from income:
1. Unemployment compensation. [WIA §101(25)(B)]
 2. Needs-based scholarship assistance.
 3. Financial assistance under Title IV of the Higher Education Act—Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS, Stafford, and Perkins loans—is debt and not income.
 4. Child support payments. [WIA §101(25)(B)]
 5. Cash welfare payments (including TANF, SSI, RCA, GA, emergency assistance, and general relief). [WIA §101(25)(B)]
 6. Onetime income received in lieu of TANF cash assistance.
 7. Income earned while a veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance. [TEIN 22-92]
 8. Regular payments from Social Security, such as Old Age and Survivors Insurance. [WIA §101(25)(B)]
 9. Lump sum payments received as assets in the sale of a house, where the assets are to be reinvested in the purchase of a new home. [Consistent with IRS guidance]
 10. Payments received as the result of an automobile accident insurance settlement that are being applied to the repair or replacement of an automobile.
 11. Foster care payments.
 12. Any withdrawal from an Individual Development Account (IDA) for the purchase of a home, medical expenses, or educational expenses.
 13. Onetime cash payment, including tax refunds; loans, which are debt and not income; onetime insurance payments; gifts; and lump sum inheritances.
 14. Noncash benefits such as employer-paid fringe benefits, food, or housing received in lieu of wages, Medicare, Medicaid, food stamps, school meals, and housing assistance.

Note: When a federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIA eligibility determination. *Example:* adoption subsidies

Everything that is not listed as excluded from income above is included as income.

- E. Family:** Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:
1. A husband, wife, and dependent children.

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2. Parents or guardians and dependent children.
3. A husband and wife.

Note: Family size is determined based on those individuals meeting the above definition at time of application.

- F. Family Income:** Family income includes total six months cash receipts before taxes (i.e. Gross wages) from all sources as defined in "Family" above, except: If the applicant reports little or no includable income, s/he must indicate other resources relied upon for life support during the last six months on the Applicant Statement. Such resources may include such things as unpaid debts, gifts, loans, unemployment compensation, etc.
- G. Foster Child:** A youth 14-21 years of age on whose behalf state or local government payments (excluding OASI) are made. This may include youth who have been made a ward of the state by a court, including those in the following categories:
1. Youth in State Institutions
 2. Youth in Community Group Homes
 3. Youth in Foster Homes
- H. Guardian:** An individual related by blood, marriage, or decree of court, living in a single residence, where the parents are not present in the residence.
- I. Homeless Person:** An individual who lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is
1. a supervised publicly or privately operated shelter designed to provide temporary living accommodation (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 2. an institution that provides a temporary residence for individuals intended to be institutionalized; or
 3. a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. **EXCLUSION** – For purposes of WIA, the term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State law.
- A homeless individual who meets the above criteria is presumed to be economically disadvantaged for purposes of eligibility under the WIA unless demonstrated otherwise.
- J. In-School Youth:** Means a person age 14 through 21 who is attending school full time and who has not yet received a high school diploma or its equivalent (GED).
- K. Individual:** (Family of one) A person not meeting the definition of family is considered to be an individual. Youth aged 18 years and older living with parents or other family member(s) must document individual status by completing the Self-Attestation form verifying that status.
- L. Individual With A Disability:** An individual with a disability as defined in the Americans with Disabilities Act of 1990, §3. [42 U.S.C. §12102]. The individual:
1. has a physical or mental impairment that substantially limits one or more of the major life activities of such individual;

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2. has a record of such an impairment; or
3. is regarded as having such an impairment. [PL 101-336 ADA of 1990]

M. Low-Income Individual: An individual who:

1. receives or is a member of a family that receives cash payments under a federal, state, or local income-based public assistance program;
2. received an income or is a member of a family that has received a total family income for the six-month period prior to application for the program involved [exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under Section 202 of the Social Security Act (42 U.S.C. 402)] that, in relation to family size, does not exceed the higher of:
 - a. the poverty line, for an equivalent period; or
 - b. 100 percent of the Lower Living Standard Income Level, for an equivalent period;
3. is a member of a household that receives (or has been determined within the six-month period prior to the application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;
4. qualifies as a homeless individual, as defined in the Stewart B. McKinney Homeless Assistance Act §103(a) and (c);
5. is a foster youth on behalf of whom state or local government payments are made; or
6. is an individual with a disability whose own income meets the requirements of (b) above, but who is a member of a family whose income does not meet such requirements. [WIA §101(25)]

N. Living In a Single Residence:

1. **Temporary, voluntary residence elsewhere** – An individual is included in a single residence if they are temporarily and voluntarily living outside of the residence. This may include individuals attending school or college, or visiting relatives. It does not include involuntary temporary residence elsewhere (i.e. incarceration or placement as a result of a court order) or permanent voluntary residence elsewhere. **Note:** If a college student is not claimed as a dependent on anyone else's tax return, they are NOT a dependent child.
2. **Temporary, involuntary residence elsewhere** – An individual is NOT included in a single residence if they are temporarily and involuntarily living outside of the residence. This may include individuals who are incarcerated or placed as a result of a court order.
3. **Permanent voluntary residence elsewhere** - A person not meeting the definition of family is considered to be an individual (family of one). Individuals ordinarily included in the definition of family, but no longer claiming to be dependent must complete an applicant statement attesting to individual status. Such statements should be corroborated by the head of household in which the individual resides. (S)He must also show source of his/her support. The individual must provide over 50% of his/her support to be considered a family of one. Income tax records are also a good source of documentation to support that the youth is not claimed by the parents. Youth aged 18 years and more, see "Individual" definition.

- O. Lower Living Standard Income Level:** the income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary. Income levels for

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families of two or more are revised for the lower living standard income level from the U.S. Department of Labor Federal Register issued annually.

P. Offender: Any adult or juvenile who is or has been subject to any stage of the criminal justice process for whom services may be beneficial or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Q. Out-Of-School Youth: An eligible youth who is a school dropout; or who has either graduated from high school or holds a GED, but is deficient in basic literacy skills, unemployed or underemployed and those who are attending post-secondary school and deficient in basic literacy skills.

Note: An individual who is out of school at the time of registration and subsequently placed in an alternative school may be considered an out-of-school youth for the 30% expenditure requirement for out-of-school youth.

R. Participant: An individual determined eligible to participate in a program who receives a service funded by the program. Only “qualifying” services trigger participation as defined in WIC Policy No. 2013.006, “Co-Enrollments.”

S. Pregnant Or Parenting Youth: A youth who is 21 years of age or less at the time of application and who is pregnant, or a male or female who is providing custodial care for one or more dependents under age.

T. Post-Secondary Education: A program at an accredited degree-granting institution that leads to an academic degree or other credential beyond secondary education.

U. Public Assistance/Cash Welfare Payments: Federal, State or local government cash welfare payments issued directly to the recipient for whom eligibility is determined by a needs or income test (i.e. TANF, Refugee Cash Assistance, and Supplemental Security Income). *Note:* Supplemental Security Disability Income (SSDI) is not considered cash welfare and does not make a person automatically eligible for WIA.

V. Run-Away Youth: A person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of parents or legal guardian.

W. School Dropout: An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. A youth’s dropout status is determined at the time of registration.

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The Department of Employment Services shall be responsible for determining youth eligibility to participate in programs funded using WIA Youth funds. Eligibility determinations must be made prior to enrollment in WIA and must include a determination of need for services to ensure that youth employment and training activities are being provided to those who can benefit from such activities.

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In order to be determined eligible for WIA Youth services, a participant must meet the following requirements:

1. **Right to Work** – Participation shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States as required in WIA section 188(a)(5). If the participant does not possess one of the forms of ID listed and does not provide the requested information, application to the program must be denied. (**Exception:** Per TEGL 19-01, Change 1, Victims of Trafficking and Violence Protection Act of 2000; Trafficking Victims Protection Reauthorization Acts of 2003 and 2005; and the Role of the Workforce Investment System in the Delivery of Services for Victims of Trafficking, operators may not deny WIA-funded services to victims of severe forms of human trafficking based on their immigration status. See TEGL 19-01, Change 1 for further information.)
2. **Selective Service/Military Status** – All male participants aged 18 and above must be in compliance with the Selective Service Act requirements as required by WIA section 189(h).
3. **Age** at application must be between the ages of 14 and 21.
4. **A low-income individual**, as defined in section M in the “Definitions” section of this policy.
5. **Be a Resident** of the District of Columbia.
6. **Have one or more of the following barriers** - an individual who is one or more of the following:
 - a. deficient in basic literacy skills;
 - b. a school dropout;
 - c. homeless, a runaway, or a foster child;
 - d. pregnant or a parent;
 - e. an offender; or
 - f. an individual (including youth with a disability) who requires additional assistance to complete an education program or to secure and hold employment, which may include individuals who:
 - i. Have one or more disabilities
 - ii. Have a personal or family history of substance abuse
 - iii. Are or have been gang-involved or affiliated
 - iv. Are a victim of domestic violence or other abuse
 - v. lack a significant or positive work history
 - vi. Are at risk of dropping out of secondary school
 - vii. Are enrolled in a special education program
 - viii. Have limited English proficiency
 - ix. Are receiving no financial support from a parent or guardian

CO-ENROLLMENT:

Individuals ages 18 through 21 may be eligible for both Adult and Youth programs if they meet the respective eligibility requirements for both programs.

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ELIGIBILITY DOCUMENTATION REQUIREMENTS:

- A. **Documentation.** The WIA administrative entity must document basic eligibility requirements prior to WIA program enrollment. Physical evidence is required, which is obtained during the verification process and is maintained in participant files. Such evidence includes copies of documents, completed telephone verification/document inspection forms, and signed self-attestation forms. Documents may be stored in hard copy case files or electronic document management systems. The One-Stop Operator 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.
- B. **Case Notes.** Case notes refer to either paper or electronic statements by the case manager that identifies, at a minimum, the following: a participant's status for a specific data element, the date on which the information was obtained, and the case manager who obtained the information.
- C. **Self-Attestation:** Self-attestation occurs when a participant states his or her status for a particular data element and then signs and dates a form acknowledging this status. Documenting eligibility with self-attestation is a method of last resort when no other source of documentation can be found or accessed. The key elements for self-attestation are:
1. the participant identifying his or her status for permitted elements; and
 2. signing and dating a form attesting to this self-identification.

Self-attestation cannot be used to document age, right to work, selective service compliance, or income status. The WIA administrative entity must establish a procedure that ensures that self-attestation is used only where all available sources of documentation are exhausted. The WIC shall monitor the use of self-attestation as provided in WIC Policy No. 2013-016, WIA Youth Monitoring.

Eligibility	Required Documentation
<p>Right to Work in the US (1 is required)</p> <p>A Document Inspection Form may be used for any of these required documents for this eligibility element.</p>	<p>___ Social Security Card AND Driver's License or other government issued picture ID containing a photograph or information such as name, date of birth, gender, height, eye color and address. (If under 18 years old and does not have a Driver's License; may use school record or doctor/hospital record with signed Social Security Card.)</p> <p>___ U.S. Passport (unexpired or expired)</p> <p>___ Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</p> <p>___ An unexpired foreign passport with a temporary I-551 stamp</p> <p>___ An unexpired Employment Authorization Document that contains a Photograph (Form I-766)</p> <p>___ An unexpired foreign passport with Form I-94 or I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form</p> <p>___ Original or certified copy of a Birth Certificate issued by a state, county, municipal authority or territory of the US bearing an official seal (Document Inspection Form is allowed.)</p> <p>___ Certification of Birth Abroad (Form FS-545) or Report of Birth (Form DS-1350) issued by the Department of State</p>

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	<input type="checkbox"/> US Citizen ID card (Form I-197) <input type="checkbox"/> Native American Tribal Document <input type="checkbox"/> I-9 complete including signature by authorized employer or designee
Selective Service (1 is required for those required to register)	<input type="checkbox"/> Screen printout of the On-line verification at www.sss.gov <input type="checkbox"/> Acknowledgement Letter from Selective Service <input type="checkbox"/> Selective Service Verification Form (For 3A) <input type="checkbox"/> Selective Service Registration Card <input type="checkbox"/> Stamped Post Office Receipt of Registration <input type="checkbox"/> DD-214 "Report of Separation"
Social Security Number (Not required for eligibility, but must be requested and validated. A Document Inspection Form may be used for any of these required documents for this eligibility element.)	<input type="checkbox"/> DD-214, Report of Transfer or Discharge <input type="checkbox"/> IRS Form Letter 1722 <input type="checkbox"/> Letter from Social Security Agency <input type="checkbox"/> Pay Stub with Social Security number <input type="checkbox"/> Social Security Benefits <input type="checkbox"/> Social Security Card <input type="checkbox"/> W-2 Form <input type="checkbox"/> Declined; pseudo-SSN created
Age (1 is required)	<input type="checkbox"/> Baptismal Record <input type="checkbox"/> Birth Certificate (Document Inspection Form is not allowed) <input type="checkbox"/> Driver's License <input type="checkbox"/> Federal, State, or Local photo ID <input type="checkbox"/> DD-214 <input type="checkbox"/> Passport <input type="checkbox"/> Hospital record of birth <input type="checkbox"/> Public assistance/social service record <input type="checkbox"/> School records or ID card <input type="checkbox"/> Work permit <input type="checkbox"/> Tribal records
Low Income Status – as defined by WIC policy.	<input type="checkbox"/> Pay stubs <input type="checkbox"/> Employer statement: written or telephone verification <input type="checkbox"/> Alimony agreement <input type="checkbox"/> Award letter from Veteran's Administration <input type="checkbox"/> Bank statements <input type="checkbox"/> Compensation award letter <input type="checkbox"/> Court award letter <input type="checkbox"/> Pension statement <input type="checkbox"/> Housing authority verification <input type="checkbox"/> Social Security benefits statement <input type="checkbox"/> Public assistance records <input type="checkbox"/> UI documents <input type="checkbox"/> Quarterly estimated tax (self-employed persons)
Barriers to Employment or Education	<input type="checkbox"/> Basic Skills Deficient – documented score on CASAS exam <input type="checkbox"/> Dropout – School letter or school record; self-attestation <input type="checkbox"/> Homeless/Runaway/Foster – letter from Housing Authority, letter from DC-based shelter, letter from foster agency or foster parent; self-

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	<p>attestation</p> <p><input type="checkbox"/> Pregnant or parenting – birth certificate for child, doctor’s note, public assistance records (WIC, TANF, etc.); self-attestation</p> <p><input type="checkbox"/> Offender and/or involved in juvenile justice system – Judicial or court order; self-attestation</p> <p><input type="checkbox"/> Require additional assistance to complete an education program or to secure and hold employment:</p> <p><input type="checkbox"/> Have one or more disabilities – doctor’s note, letter from government agency</p> <p><input type="checkbox"/> Have a personal or family history of substance abuse – doctor’s note, letter from treatment facility</p> <p><input type="checkbox"/> Are or have been gang-involved or affiliated – self-attestation</p> <p><input type="checkbox"/> Are a victim of domestic violence or other abuse – self-attestation</p> <p><input type="checkbox"/> Lack a significant or positive work history – self-attestation</p> <p><input type="checkbox"/> Are at risk of dropping out of secondary school – School letter</p> <p><input type="checkbox"/> Are enrolled in a special education program – School letter</p> <p><input type="checkbox"/> Have limited English proficiency – documented score on CASAS exam</p> <p><input type="checkbox"/> Are receiving no financial support from a parent or guardian – public assistance records, letter from government agency, self-attestation</p>
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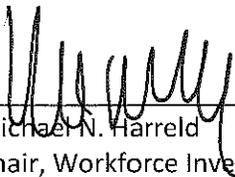
RESCISSIONS:

None.

CONTACT ENTITY:

Inquiries regarding this rule should be directed to the Executive Director for the Workforce Investment Council.

APPROVAL:



Michael N. Harreld
Chair, Workforce Investment Council
Regional President, PNC Financial Services Group