

WIOA YOUTH POLICY Calcasieu Parish Consortium <b>Workforce Development Board LWDA #51</b> Allen, Beauregard, Calcasieu, Cameron, Jeff Davis & Vernon Parishes	<b>Workforce Innovation &amp; Opportunity Act</b>  <b>Policy Addressing</b> <b>Five Percent Window for Youth</b>
YP 7	Youth Policy
Approved by WDB 1/28/2016	

**Purpose:** To give guidance and clarity on who is eligible for the five percent (5%) window under the youth program and how it must be calculated and tracked.

The 5% window exception shall be calculated for each Service Provider within LWDA 51, based upon newly enrolled participants during a program year. Service Providers that choose to enroll under this category without the total number of enrollments required for compliance with this exception run the risk of disallowed costs as the youth would not technically be eligible for the WIOA youth program.

In some instances, LWDA 51 Board Director may grant permission to enroll a youth under this exception, based upon the total number of enrollments throughout the consortium. This permission must be obtained in writing/e-mail prior to the enrollment of the youth and placed in the participant file with other eligibility documentation. (Ref. TEGL, 21-16)

**Exception:** In each local area, not more than 5 percent of the individuals assisted under this section may be persons who would be covered individuals except that the persons are not low-income individuals. (Ref. WIOA Sec 129 (a) (3)(A)(ii))

**Limitation:** In each local area, not more than 5 percent of the in-school youth assisted under this section may be eligible under paragraph (1) because the youth are in-school youth described in paragraph (1)( C)(iv)(VII). (This is regarding the youth who requires needs additional assistance.) (Ref. WIOA Sec 129 (a)(3)(B))

**Low-income eligibility requirement applicability:** (Ref 20 CFR § 681.250)

- (a) **For Out of School Youth(OSY)**, only those youth who are the **recipient of a secondary school diploma or its recognized equivalent** and are either **basic skills deficient** or an **English language learner** and youth who **require additional assistance** to enter or complete an educational program or to secure or hold employment must be low-income. All other OSY meeting OSY eligibility are not required to be low-income. (Ref. 20 CFR § 681.210(c)(1), (2), (4) through (7))
- (b) All In School Youth(ISY) must be low-income to meet the ISY eligibility criteria, except those that fall under the low-income exception.
- (c) WIOA allows a low-income exception where five percent of all WIOA youth participants may be participants who ordinarily would be required to be low-income for eligibility purposes and who meet all other eligibility criteria for WIOA youth except the low-income criteria. A program must calculate the five percent based on the percent of all youth served by the program in the local area's WIOA youth program in a given program year who would ordinarily be required to meet the low-income criteria.
- (d) In addition to the criteria in the definition of "low-income individual" in WIOA sec. 3(36), a youth is low-income if he or she receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751et seq.) or if he or she lives in a high poverty area.

**In-School Youth** (Ref. WIOA Sec 129 (C))

Individuals eligible for the WIOA in school youth program include those who are:

- (i) Attending either **secondary or post-secondary** school;
- (ii) not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;
- (iii) a low-income individual; and
- (iv) one or more of the following:
  - (I) **Basic skills deficient**
  - (II) An **English language learner**
  - (III) An **offender**
  - (IV) A **homeless** individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(5))), a homeless child or youth (as defined in section 725 (2) of the McKinney-Vento homeless Assistance Act (42 U. S. C. 11434a (2))), or in an **out-of-home placement**
  - (V) **Pregnant or parenting**
  - (VI) A youth who is an **individual with a disability**
  - (VII) An individual who **requires additional assistance** to complete an Educational Program or to secure or hold employment.

