



PUBLIC POLICY No.: WIOA-03-2020

DATE: APRIL 23, 2020

**SUBJECT: PUBLIC POLICY YOUTH PROGRAM ELIGIBILITY CRITERIA:
ADDITIONAL ASSISTANCE REQUIRED BY A LOW-INCOME YOUTH TO
COMPLETE AN ACADEMIC PROGRAM OR TO MAINTAIN AND RETAIN
EMPLOYMENT**

**REFERENCE: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA P.L.
113-128)**

I. INTRODUCTION

In the particular case of youth (ages 14 to 24), the Workforce Innovation and Opportunity Act (WIOA) outlines a broader vision that supports an integrated service delivery system.

WIOA states that quality services will be provided to youth in and out of school, beginning with career exploration and guidance, ongoing support for educational upgrading, targeted opportunities for skills development in in-demand industries and/or occupations, and culminating in successful employment, enrollment in postsecondary education or an apprenticeship program.

One of the changes in WIOA was that the eligibility criteria were redefined. In the particular case of out-of-school youth the eligibility criteria are as follows:

1. Not attending any school, as defined in state law;
2. Not younger than 16 nor older than 24 years of age at the time of eligibility determination;
3. One or more of the following:
 - a) School dropout.
 - b) Is of compulsory school age but has not attended school for at least the last school semester. This is defined on the basis of the educational system.
 - c) Has a high school diploma or its equivalent, has **limited economic resources**, and is deficient in basic skills or English language learning.
 - d) Is in the justice system (juvenile or prosecuted as an adult).
 - e) A homeless youth in foster care.
 - f) Is pregnant or parenting.

- g) A youth with a disability
- h) A **low-income** youth who requires additional assistance to enroll in or complete an academic program or to obtain or maintain employment, as set forth in Section 129(a)(1)(B)(iii)(VIII) of WIOA.

In relation to in-school youth the eligibility criteria are as follows:

1. Attends school;
2. Not younger than 14 nor older than 21 at the time of eligibility determination;
3. Economically disadvantaged;
4. One or more of the following:
 - a) Basic skills deficient
 - b) In the process of learning English
 - c) Offender
 - d) Homeless youth ("homeless"), foster home
 - e) Pregnant or parenting
 - f) A youth with a disability - income level is determined based on the youth's income
 - g) A youth who requires additional assistance to enroll in or complete an academic program or to obtain or maintain employment. *No more than five (5) percent, of the total number of youth in the school, may be qualified by this barrier.* As provided in Section 129(a)(3)(B) of WIOA.

II. PURPOSE

Section 681.300 of the WIOA Interpretive Regulations provides that if the State Board does not promulgate public policy regarding the criterion: additional assistance to enroll in or complete an academic program or to obtain or maintain employment, it shall be the responsibility of the Local Board to establish public policy regarding the same. In the case of in-school youth no more than five (5) percent, of the total number of in-school youth, may be qualified by this barrier, as set forth in Section 129 (a) (3) (B) of WIOA.

Since the State Board has not established public policy, the Manatí-Dorado Local Workforce Development Board (Local Board) promulgates the following public policy regarding the additional assistance criterion.

III. LEGAL BASIS

- Workforce Innovation and Opportunity Act (WIOA) LP 113-128 of July 22, 2014 - Section 129 (a) (1) (B) (VIII), (a) (1) (B) (C) (VII) and (a) (3) (B).
- WIOA Interpretive Regulations Subpart A - Sections 681.210, 681.220, 681.300, and 681.310.

IV. PUBLIC POLICY

For purposes of the barrier, youth who require additional assistance to enroll in or complete an academic program or to obtain and maintain employment shall be considered to have any of the following deficiencies:

1. They require an internship, with supervision, to complete the academic requirements.
2. Present negative attitudes that adversely affect their family, social and educational environment;
3. Problems with authority;
4. Low self-esteem; how he/she perceives and evaluates him/herself;
5. Absence of leadership;
6. Lack of skills, adapted to the needs of the work world;
7. Use and abuse of substances such as alcohol, tobacco, non-prescribed pills, and illicit drugs;
8. Psychiatric disorders such as attention deficit disorder, hyperactivity disorder, and others; or
9. Behavioral problems, lack of structure, lack of boundaries.
10. Has repeated at least one grade (at the secondary level) or is one year over age for the grade;
11. Has a history of in-school suspensions, has been suspended five (5) or more times or was expelled;
12. Is considered at risk of dropping out of school. Must be certified by the Social Worker, School Principal or other authorized school official;
13. Has experienced traumatic events, been a victim of abuse, or resides in an abusive environment. Must be certified by the Social Worker, School Principal or other authorized school official by a qualified professional;
14. In addition, in the particular case of out-of-school youth:
 - a) Who has never been employed;
 - b) Who has been laid off from a job within twelve (12) months prior to application;
 - c) Who has never been employed full-time for more than thirteen (13) consecutive weeks.

V. DOCUMENTATION

The following shall be considered for documenting the above deficiencies:

- a) Results of the administration of tests, questionnaires or other standardized measurement instruments. The same may be administered by officials of the System or have been administered by personnel of other organizations or agencies in which the youth has received services;
- b) School Certifications;

- c) Reports from other organizations, in which the youth has received services, prepared by Social Workers, Occupational Counselors, Psychologists or other helping professionals;
- d) Newspaper reports, reports or other evidence that the youth's place of residence adversely affects his or her opportunities for training or employment;
- e) Certifications from an employer or past employer.

Following an evaluation process, the designated official may certify that the youth has one or more of the deficiencies listed below.

VI. AMENDMENTS TO PUBLIC POLICY

When policies promulgated by the Workforce Development Program or directly from the Federal Government represent a need to amend part or all of the content of this public policy, the Executive and Planning Committee of the Local Workforce Development Board may amend it to conform to the promulgated policies.

VII. REQUIRED ACTION

The Executive Officer of the Local Board shall be responsible for informing the appropriate governing bodies of the approval of the policy so that the latter may orient the personnel under their supervision and execute the policy as established.

VIII. EFFECTIVE DATE

This Public Policy shall be effective upon approval by the members of the Local Workforce Development Board and the Board of Directors of Mayors of the Manatí-Dorado Local Workforce Development Area.

Any Public Policy, Procedure and/or Statement, in whole or in part, relating to the criteria for additional assistance to enroll in or complete an academic program or to obtain or maintain employment, existing at the time of approval of this Public Policy is hereby repealed upon approval of this Public Policy.

IX. APPROVAL

Signed and approved on Thursday, April 23, 2020, in Barceloneta, Puerto Rico.

SIGNED

Mr. Erasmo Rafael Lamberty-Sánchez
 President
 Local Workforce Development Board

FIRMADO

Hon. Wanda Judith Soler-Rosario
 President
 Board of Directors of Mayors

Note: In this document the masculine gender will be used to refer to both genders in order to facilitate the reading of the document. This style of writing is not intended to imply the supremacy of one gender over the other.