

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 enrollment³; And
- ☐ 3. **Low-income**¹ ; 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.

¹ **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

³ **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 category²:
 - ☐ 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**¹ 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**¹ individual who meets the additional assistance criteria²:
 - ☐ 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

² **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