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**Date:** August 9, 2019

**To:** Program Managers, SETA-Funded Youth Services,  
and SETA Workforce Development Staff

**From:** Kathy Kossick, SETA Executive Director

**RE:** Policy on Eligibility and Enrollment for WIOA Out-of-School Youth  
Programs/CalJOBS Registration and Youth Addendum

### **WIOA Directive WDD 19-6**

#### **Purpose:**

The directive provides guidance on the eligibility and enrollment process for the Workforce Innovation and Opportunity Act (WIOA) Out-of-School Youth.

#### **WIOA ELIGIBILITY FOR YOUTH SERVICES:**

Before youth can receive individualized services, youth must be registered/ enrolled in the Workforce Innovation and Opportunity Act and must meet the following criteria:

- A. Not attending any school (as defined under State law);
- B. Not younger than 16 or older than age 24 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program; and,
- C. 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. School year calendar quarter is based on how a local school district defines its school year quarters;
  3. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
  4. An individual who is subject to the juvenile or adult justice system;
  5. A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act, or an individual who is in an out-of-home placement;

6. An individual who is pregnant or parenting;
7. An individual with a disability;
8. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (Title 20 CFR Section 681.210)

As outlined in California's Unified Strategic Workforce Development Plan 2016-2020 (State Plan), examples of an individual who receives additional assistance could include, but are not limited to, the following:

- A. Have repeated at least one secondary grade level or are one year over age for grade.
- B. Have a core grade point average of less than 1.5.
- C. For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school.
- D. Are emancipated youth.
- E. Have aged out of foster care.
- F. Are previous dropouts or have been suspended five or more times or have been expelled.
- G. Have received court/agency referrals mandating school attendance.
- H. Are deemed at risk of dropping out of school by a school official.
- I. Have been referred to or are being treated by an agency for a substance abuse related problem.
- J. Have experienced recent traumatic events, are victims of abuse, or reside in an abusive environment as documented by a school official or other qualified professional.
- K. Have serious emotional, medical or psychological problems as documented by a qualified professional.
- L. Have never held a job.
- M. Have been fired from a job within the 12 months prior to application.
- N. Have never held a full-time job for more than 13 consecutive weeks.

On an individual basis, and with approval from the SETA Youth Workforce Development Manager, a small percentage (not more than 5 percent) of youth that do not meet the income criteria may be served by WIOA. WIOA Youth providers need to track all 5% approved youth in the CalJOBS system. The youth must meet one or more of the following criteria:

1. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
2. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.
3. A Youth who lives in a high poverty area as defined by Department of Labor. Department of Labor sets the poverty rate at 25%.

### **Eligibility Process:**

Subgrantees are responsible for the following:

1. Determining eligibility/suitability of a WIOA Youth Participant based on the criteria listed above. Subgrantee must review the CalJOBS system prior to enrolling youth into the program to ensure Participant has not participated in another program.

2. Registering youth into the CalJOBS system.
3. Gathering all appropriate documents proving youth is eligible for the program
4. Submitting eligibility packet to SETA Support Staff for approval (Subgrantee makes all corrections in the CalJOBS system)
5. Subgrantee MUST provide a service before entering in the WIOA Application and activity codes 412 – Objective Assessment, 413 – Develop Service Strategies and 433 Career Awareness. Once subgrantee receives approval from SETA, the application and activity codes must be entered into the CalJOBS system within seven business days.

**Case Management:**

1. Subgrantee MUST conduct an objective assessment of the youth participant academic levels, skill levels, and services needs on an Individual Service Strategy (ISS)(Please see attachment).
2. All youth must receive the required activities that include the following: Secondary School Completion Services, Leadership Development Services, Paid or unpaid Work Experience, and Follow-up Services. Youth who are enrolled as a drop-out, must be enrolled in an educational program in the current program year.
3. A minimum of 20% expenditure requirement for work experience must be spent in the program year.
4. Subgrantee must provide services to the youth on a minimum of a monthly basis and document all services in the CalJOBS Case Management system.

**BASIC SKILLS DEFICIENCY DETERMINATION FOR ELIGIBILITY CERTIFICATION**

The Federal Register states that “the basic skills deficient requirement criterion may be established at the local level”. The Federal Register states that Basic Skills deficient means that an individual reads, writes or has computing skills at or below the 8th grade level on a generally accepted standardized test. This directive is to determine a local definition of basic skills deficient” for Sacramento County.

The following has been approved by the Sacramento Works Youth Committee and the Sacramento Works Inc. Board:

A youth can be considered deficient in basic literacy or numeracy skills if the youth:

- Computes or solves problems, reads, writes, or speaks English at or below the 8<sup>th</sup> grade level on a generally accepted standardized test OR
- 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

The following requirements must be adhered to in determining basic skills deficiency:

Traditional Out-of-School youth programs must receive a pre-test to determine if youth is basic skills deficient in Math or Reading using the Standardized assessment tool currently used at time of eligibility.

Youth who are determined basic skills deficient in Math or Reading MUST receive a minimum of 20 hours of remediation. The scores of the pre-test determine if youth is given remediation in math or reading. The lowest score of Math or Reading is used for remediation and to post-test the youth. Youth must be post-tested within 6 months of the pre-test and go up one Educational Functioning Level in order to be a

positive outcome.

## **CalJOBS APPLICATION and YOUTH ADDENDUM**

In order to enroll in WIOA Youth Services, a CalJOBS Application and Youth Addendum must be completed and signed by the customer. Should you have any questions, contact WIOA Youth Supervisor, Becky Hansen at (916) 263-3859 or [Becky.Hansen@seta.net](mailto:Becky.Hansen@seta.net)

Attachments:

Attachment A - Sacramento Works Registration – Youth Addendum

Attachment B - Individual Service Strategy (ISS)

## **REFERENCES**

- WIOA (Public Law 113-128)
- Title 2 Code of Federal Regulations (CFR) Part 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance)
- Title 2 CFR Part 2900: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Department of Labor [DOL] Exceptions)
- Title 20 CFR Part 681: “Youth Activities under Title I of the WIOA”
- Title 20 United States Code (U.S.C.) Section 1401: “Definitions”
- Training and Employment Guidance Letter (TEGL) 21-16, Third WIOA Title I Youth Formula Program Guidance (March 2, 2017)
- TEGL 8-15, Subject: Second Title I WIOA Youth Program Transition Guidance (November 17, 2015)
- TEGL 23-14, Subject: WIOA Youth Program Transition (March 26, 2015)
- TEGL 19-14, Subject: Vision for the Workforce System and Initial Implementation of the WIOA (February 19, 2015)
- TEGL 12-14, Subject: Allowable Uses and Funding Limits of Workforce Investment Act (WIA) Program Year (PY) 2014 funds for WIOA Transitional Activities (October 28, 2014)
- TEGL 13-09, Subject: Contracting Strategies That Facilitate Serving the Youth Most in Need (February 16, 2010)
- California Education Code (EC) Sections 47612.1, 58500, and 66010
- California Unemployment Insurance Code Section 14209
- Workforce Services Directive