

# Oklahoma Employment Security Commission

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## **OKLAHOMA EMPLOYMENT AND TRAINING ISSUANCE #30-2000**

**TO:** WIA Board Staff

**FROM:** Eddie Foreman, Director

**DATE:** May 24, 2000

**SUBJECT:** Oklahoma's Interim Final Policy on WIA Title I Youth Services

**MESSAGE:** Comments must be submitted by June 19, 2000. Please send comments to me electronically via my e-mail address. These rules provide for the implementation of Title I regarding Youth Services of the Workforce Investment Act (WIA).

### **I. Youth Councils — Duties and Membership.**

The duties and membership requirements of the youth council are described in WIA Section 117(h) and 20 CFR Parts 661.335 and 661.340. The Workforce Investment Act requires that a Youth Council (YC) be established as a subgroup within each WIA Board. The Act specifies the membership of the Youth Council.

#### **A. Membership — The membership of each youth council shall include**

1. members of the WIA Board such as educators, employers, and representatives of human services agencies who have a special interest or expertise in youth policy;
2. members who represent youth service agencies — including juvenile justice and local law enforcement agencies;
3. members who represent local public housing authorities;
4. parents of eligible youth seeking WIA youth services;
5. individuals (including former participants) and members who represent organizations that have experience relating to youth activities;
6. members who represent Job Corps — if a Job Corps Center is located within the area represented by the youth council; and
7. may include such other individuals as the chairman of the WIA Board, in cooperation with the chief elected official, determines to be appropriate.

## **B. Duties/Roles and Responsibilities of the Youth Council**

The Act requires that the Youth Council be established and provide “advice” to the WIA Board on youth related issues. This does not mean that the role cannot be expanded. There are a number of specific duties spelled out for the YC in the Act. The duties of the youth council include

1. developing the portion of the local plan related to eligible youth as determined by the chairperson of the local board;
2. subject to approval of the local board and consistent with WIA section 123
  - a. recommending eligible providers of youth activities to be awarded grants or contracts on a competitive basis by the local board to carry out the youth activities; and
  - b. conducting oversight with respect to the eligible providers of youth activities in the local area;
3. coordinating youth activities authorized under WIA Section 129 in the local area; and,
4. other duties determined to be appropriate by the chairperson of the local board. Other duties could include reallocating and tapping new resources, monitoring outcomes to assure vulnerable youth a better chance at a productive life, and laying the groundwork for the collaborative infrastructure to support a viable system of connections to the mainstream.

## **C. Purpose** — The purpose of the youth council is to provide expertise in youth policy and to assist the Workforce Investment Area Board (WIA Board) in

1. developing and recommending local youth employment and training policy and practice;
2. broadening the youth employment and training focus in the community to incorporate a youth development perspective;
3. establishing linkages with other organizations serving youth in the local area; and
4. taking into account a range of issues that can have an impact on the success of youth in the labor market. WIA Sec. 117(h).

## **D. Responsibility for Oversight**

The WIA Board, working with the youth council, is responsible for conducting oversight of local youth programs operated under the Act to ensure both fiscal and programmatic accountability. Local program oversight is conducted in consultation with the local area's chief elected official. The WIA Board may delegate its responsibility for oversight of eligible youth providers, as well as other oversight responsibilities, to the youth council recognizing the advantage of delegating such responsibilities to the youth council whose members have expertise in youth issues. WIA Sec. 117(h)(4).

## II. Eligibility

**A. Who is eligible** — an eligible youth for a WIA YP in Oklahoma is defined under WIA Section 101(13) as an individual who

1. is age 14 through 21;
2. is a low income individual, as defined in the WIA Section 101(25); and
3. is within one or more of the following categories:
  - a. Deficient in basic literacy skills;
  - b. School dropout;
  - c. Homeless, runaway, or foster child;
  - d. Pregnant or parenting;
  - e. Offender; or
  - f. Is an individual (including a youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment. WIA Sec. 101(13). \*\* See Definitions

### **B. Five percent youth who are not low income**

Up to five percent of youth participants served by a WIA youth program in a local area may be individuals who do not meet the income criterion for eligible youth — provided that they are within one or more of the following categories:

1. School dropout;
2. Basic skills deficient, as defined in WIA Section 101(4);
3. Are one or more grade levels below the grade level appropriate to the individual's age;
4. Pregnant or parenting;
5. Possess one or more disabilities, including learning disabilities;
6. Homeless or runaway;
7. Offender; or
8. Face serious barriers to employment as identified by the Local Board. WIA Sec. 129(c)(5).

The barriers for the five- percent youth participants who do not meet income eligibility requirements and those that do meet requirements are not the same. Both lists of eligibility barriers include school dropout, homeless or runaway, pregnant or parenting, and offender — but each list contains barriers not included on the other list.

**The criterion for income eligibility under the National School Lunch Program is not the same as the Act's income eligibility criteria. Therefore, the school lunch list may not be used as a substitute for income eligibility to determine who is eligible for services under the Act.**

If the family of a disabled youth does not meet the income eligibility criteria — the disabled youth is to be considered a low-income individual if the youth's own income:

- Meets the income criteria established in WIA Section 101(25)(B); or

- Meets the income eligibility criteria for cash payments under any Federal, State, or local public assistance program. WIA Sec. 101(25)(F).

### C. Definitions

Deficient in Basic Literacy Skills — This definition and the required documentation to establish eligibility **shall be established** at the local level by the Youth Council **to be approved** by the WIA Board and **must be included** in local policy. This **definition** may establish such criteria as is needed to address local concerns, but **must include** a determination that an individual:

1. Computes or solves problems, reads, writes, or speaks English at or below grade level 8.9; 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.
- WIA Sec. 101(13)(C)(i) and 101(19).

Requires Additional Assistance to Complete an Educational Program, or to Secure and Hold Employment — **Criterion** for this definition and the **documentation** to prove need **shall be established** at the local level by the Youth Council and **approved** by the WIA Board, **based on local area need**, and **must be included** in local policy.

**D. Registration** — All youth participants must be registered.

1. Registration is the process of collecting information to support a determination of eligibility.
2. EEO data must be collected on individuals during the registration process.

**III. Out-of School Youth** — An “out-of-school youth” is an individual who:

- A. Is an eligible youth who is a school dropout; or
- B. Is an eligible youth that has either graduated from high school or holds a GED but is basic skills deficient, unemployed, or underemployed. WIA Sec. 101(33).

### IV. Program Design

- A. Design Framework of Local Youth Programs — the design framework of local youth programs must:
  1. Provide an objective assessment of each youth participant that meets the requirements of WIA Section 129(c)(1)(A) and includes a review of the academic and occupational skill levels, as well as the service needs, of each youth participant;
  2. Develop an individual service strategy for each youth participant that meets the requirements of WIA Section 129(c)(1)(B) including identifying a career goal and consideration of the assessment results for each youth participant; and,
  3. Provide preparation for postsecondary educational opportunities; provide linkages between academic and occupational learning; provide preparation for employment; and, provide effective connections to intermediary organizations that provide strong links to the job market and employers.

- B. The local plan must describe the design framework for youth program design in the local area and how the ten program elements required in paragraph V.B. of this policy are provided within that framework.
- C. Local Boards must ensure appropriate links to entities that will foster the participation of eligible local youth. Such links may include but are not limited to connections to:
  - 1. Local area justice and law enforcement officials;
  - 2. Local public housing authorities;
  - 3. Local education agencies;
  - 4. Job Corps representatives; and,
  - 5. Representatives of other area youth initiatives including those that serve homeless youth and other public and private youth initiatives.
- D. Local Boards must ensure that the referral requirements in WIA Section 129(c)(3) for youth that meet the income eligibility criteria are met, including:
  - 1. Providing these youth with information regarding the full array of applicable or appropriate services available through the Local Board, providers found eligible by the board, or One-Stop partners; and
  - 2. Referring these youth to appropriate training and educational programs that have the capacity to serve them either on a sequential or concurrent basis.
- E. In order to meet the basic skills and training needs of eligible applicants who do not meet the enrollment requirements of a particular program or who cannot be served by the program, each eligible youth provider must ensure that these youth are referred:
  - 1. For further assessment, as necessary, and
  - 2. To appropriate programs, in accordance with paragraph IV.D.2. of this policy.
- F. Local Boards must ensure that parents, youth participants, and other members of the community with experience relating to youth programs are involved in both the design and implementation of its youth programs.
- G. The objective assessment required under paragraph IV.A.1. of this policy or the individual service strategy required under paragraph IV.A.2. of this policy are not required if the program provider determines that it is appropriate to use a recent objective assessment or individual service strategy that was developed under another education or training program. WIA Section 129(c)(1).

If the program provider determines that it is appropriate to use a recent objective assessment or individual service strategy that was developed under another education or training program, **local policy needs to be developed** to determine conditions under which this will occur and how it will be documented.

- V. Local Program** — Local programs must make the following 10 services available to youth participants:
- A. Tutoring, study skills training, and instruction leading to secondary school completion, including dropout prevention strategies;
  - B. Alternative secondary school offerings;
  - C. Summer employment opportunities directly linked to academic and occupational learning;
  - D. Paid and unpaid work experience including internships and job shadowing as provided in Paragraph X of this policy;
  - E. Occupational skill training;
  - F. Leadership development opportunities which may include such activities as positive social behavior and soft skills, decision-making, teamwork and other activities as provided in Paragraph VI and Paragraph VII of this policy.
  - G. Supportive services which may include the services listed in Paragraph VIII of this policy;
  - H. Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
  - I. Follow-up services, as provided in paragraph XI of this policy; and,
  - J. Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral, as appropriate.
- VI. Leadership Development** — Leadership development opportunities for youth may include the following:
- A. Exposure to postsecondary educational opportunities;
  - B. Community and service learning projects;
  - C. Peer-centered activities, including peer mentoring and tutoring;
  - D. Organizational and team work training, including team leadership training;
  - E. Training in decision-making, including determining priorities;
  - F. Citizenship training, including life skills training such as parenting, work behavior training, and budgeting of resources;
  - G. Employability; and
  - H. Positive social behaviors. WIA Sec. 129(c)(2)(F).
- VII. Positive Social Behaviors** — Positive social behaviors, often referred to as soft skills, are incorporated by many local programs as part of their menu of services which focus on areas that may include, but are not limited to, the following:
- A. Positive attitudinal development;
  - B. Self esteem building;
  - C. Cultural diversity training; and
  - D. Work simulation activities. WIA Sec. 129(c)(2)(F).
- VIII. Supportive services** — Supportive services for youth, as defined in WIA Section 101(46), may include the following:
- A. Linkages to community services;
  - B. Assistance with transportation costs;
  - C. Assistance with child care and dependent care costs

- D. Assistance with housing costs;
- E. Referrals to medical services; and
- F. Assistance with uniforms or other appropriate work attire and work-related tool costs, including such items as eyeglasses and protective eye gear. WIA Sec. 129(c)(2)(G).

**XI. Follow-up services for youth may include:**

- A. The leadership development and supportive service activities listed in Paragraphs VI and VIII of this policy;
- B. Regular contact with a youth participant's employer including assistance in addressing work-related problems that arise;
- C. Assistance in securing better paying jobs, career development, and further education;
- D. Work-related peer support groups;
- E. Adult mentoring; and
- F. Tracking the progress of youth in employment after training.

All youth participants must receive some form of follow-up services for a minimum duration of 12 months. Follow-up services may be provided beyond twelve (12) months at the State or Local Board's discretion. The types of services provided and the duration of services must be determined based on the needs of the individual. The scope of these follow-up services may be less intensive for youth that have only participated in summer youth employment opportunities. WIA Sec. 129(c)(2)(I).

**X. Work Experience**

- A. Work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. As stated in Paragraph V of this policy, work experience may be paid or unpaid.
- B. Workplaces may be in the private for-profit sector; the non-profit sector; or, the public sector.
- C. Work experience is designed to enable youth to gain exposure to the working world and its requirements. Work experience should help youth acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. The purpose is to provide the youth participant with the opportunity for career exploration and skill development and is not to benefit the employer, although the employer may, in fact, benefit from the activities performed by the youth participant. Work experience may be subsidized or unsubsidized and may include the following elements:
  - 1. Instruction in employability skills or generic workplace skills such as those identified by the Secretary's Commission on Achieving Necessary Skills (SCANS);
  - 2. Exposure to various aspects of an industry;
  - 3. Progressively more complex tasks;
  - 4. Internships and job shadowing;
  - 5. The integration of basic academic skills into work activities;
  - 6. Supported work, work adjustment, and other transition activities;

7. Entrepreneurship; and
  8. Other elements designed to achieve the goals of work experience.
- D. In most cases, on-the-job training is not an appropriate work experience activity for youth participants under age 18. Local program operators may choose, however, to use this service strategy for eligible youth when it is appropriate based on the needs identified by the objective assessment of an individual youth participant. WIA Sec. 129(c)(2)(D).
- E. Funds under the Act may be used to pay wages and related benefits for work experience in the public, private for-profit, and the non-profit sectors where the objective assessment and individual service strategy indicate that work experience is appropriate. WIA Sec. 29(c)(2)(D).

All wages paid in work experience must be at least minimum wage.

#### **XI. Concurrent Enrollment**

- A. Under the Act, eligible youth are 14 through 21 years of age. Adults are defined in the Act as individuals age 18 and older. Thus, an individual ages 18 through 21 may be eligible for both adult and youth programs.
- B. Eligible individuals who are 18 through 21 years old may participate in adult and youth programs concurrently. Such individuals must be eligible under the youth or adult eligibility criteria applicable to the services received. Local program operators may determine, for individuals in this age group, the appropriate level and balance of youth and/or adult services.
- C. Local program operators must identify and track the funding streams which pay the costs of services provided to individuals who are in youth and adult programs concurrently, and ensure that services are not duplicated.

Individuals age 18 and above, who are eligible for training services under the adult and dislocated worker program, may receive Individual Training Accounts through that program. To the extent possible, in order to enhance youth participant choice, youth participants should be involved in the selection of educational and training activities.

#### **XII. Summer Employment**

- A. Local Boards are required to offer summer youth employment opportunities that link academic and occupational learning as part of the menu of services required in Paragraph V of this policy.
- B. Summer youth employment must provide direct linkages to academic and occupational learning, and may provide other elements and strategies as appropriate to serve the needs and goals of the participants.
- C. Local Boards may determine how much of available youth funds will be used for summer and for year-round youth activities.
- D. The summer youth employment opportunities element is not intended to be a stand-alone program. Local programs should integrate a youth's participation in

that element into a comprehensive strategy for addressing the youth's employment and training needs. Youths who participate in summer employment opportunities must be provided with a minimum of twelve months of follow-up services, as required in 20 CFR Part 664.450 and WIA Sec. 129(c)(2)(C).

Chief elected officials and Local Boards are responsible for ensuring that the local youth program provides summer employment opportunities to youth. The chief elected officials are the grant entity for local youth funds, unless another entity is chosen to be grant recipient or fiscal agent under WIA Section 117(d)(3)(B). If, in the administration of the summer employment opportunities element of the local youth program, providers other than the grant recipient/fiscal agent are used to provide summer youth employment opportunities, these providers must be selected by awarding a grant or contract on a competitive basis, based on the recommendation of the youth council and on criteria contained in the State Plan. WIA Sec. 129(c)(2)(C).

The summer employment opportunity element is one of a number of activities authorized by the WIA youth program. The law provides specific core indicators of performance for youth and requires that all participating youth be included in the determination of whether the local levels of performance are met. Program operators can help ensure positive outcomes for youth participants by providing them with continuity of services.

### **XIII. One-Stop Services**

- A. The chief elected official, or designee under WIA section 117(d)(3)(B)), as the local grant recipient for the youth program is a required One-Stop partner and is subject to the requirements that apply to such partners, described in 20 CFR Part 662.
- B. In addition to the provisions of 20 CFR Part 662, connections between the youth program and the One-Stop system may include those that facilitate:
  - 1. The coordination and provision of youth activities;
  - 2. Linkages to the job market and employers;
  - 3. Access for eligible youth to the information and services required in Paragraphs IV and V of this policy.
  - 4. Other activities designed to achieve the purposes of the youth program and youth activities as described in WIA Section 129(a) and WIA Sec. 121(b)(1)(B)(i).

Programs that are authorized to provide services to such youth must fund One-Stop services for non-eligible youth. For example, basic labor exchange services under the Wagner-Peyser Act may be provided to any youth.

### **XIV. Eligible Providers**

The WIA Board shall identify eligible providers of youth activities by awarding grants or contracts on a competitive basis on the recommendation of the youth council and on the criteria contained in the state plan. WIA Sec. 129(c)(2)(C).

The list of providers shall be kept on a computer in the offices for the Workforce Investment Area and in the one-stops and posted for public review. A copy shall be provided to the State Oklahoma Employment Security Commission, Employment and Training Division and updated on a monthly basis.

**ACTION:** Please distribute this issuance to appropriate staff and include it as part of your permanent records.

**INQUIRIES:** Questions may be directed to your Planning Coordinator or Mike Clark at 405/557-5339.

RA/jyg