

Oklahoma Employment Security Commission



Jon Brock, Executive Director

Brad Henry, Governor

Representing Employers

Douglas R. Major, Ed. D., Commissioner
Gayle Harris, Commissioner

Representing the Public

Rev. W. B. Parker, Chairman

Representing Employees

Rev. Mike Wester, Commissioner
Susan Stoll, Commissioner

Oklahoma Employment and Training Issuance #06-2010 Interim Final State Policy

TO: Local Workforce Investment Boards

FROM: Richard J. Gilbertson, Director
Workforce Integrated Programs Division

DATE: May 13, 2010

SUBJECT: TANF Funded Summer Youth Employment Program

Portions of this policy have been updated effective May 19, 2010. Pay specific attention to the following:

- Section I – *Eligibility*, p. 1 (Local areas will NOT be able to use the 5% Exceptions window for youth enrolled in the TANF SYEP.)
- Section II – *Priority of Service*, p. 1
- Section V – *Allowable Activities*, p. 3 - 5
- Form 06-2010/02 – TANF SYEP MOE Category Documentation
- Form 06-2010/03 – TANF SYEP Participation Verification

PURPOSE: To provide guidance regarding implementation of the Temporary Assistance for Needy Families Funded Summer Youth Employment Program (TANF SYEP) during the period of May 1 through September 30, 2010. Additionally, this policy contains instructions for completing and submitting a local plan for the TANF SYEP.

MESSAGE: The Employment and Training Administration (ETA) and the US Department of Health and Human Services Administration for Children and Families (ACF) issued a joint letter in January 2010, encouraging the workforce and human services agencies to work together to explore all funds available for the creation and expansion of subsidized summer employment programs for low-income youth.

This letter explains that even before the recent recession the overall teen employment rate was appallingly low, reaching levels unheard of for 60 years. Each year, the 16 to 24 year old labor force increases sharply during the months of April through July, and the current recession has eliminated many employment opportunities for youth in this age group. July of 2009 marked the lowest employment rate for this month on record since 1948, with only 51.4 percent of this age range employed.

Subsidized employment provides valuable skills and work experience for young people, and serves as a stepping stone on the path to unsubsidized employment. For example, over 10,000 older youth in the Workforce Investment Act (WIA) subsidized summer youth employment this past summer transitioned into unsubsidized employment. By accessing resources made available by the Temporary Assistance for Needy Families (TANF) program and WIA employment and training programs, State and local TANF agencies and Workforce Investment Boards (WIBs) have the potential to bring additional subsidized job opportunities to youth across the nation this summer. (Training and Employment Notice No. 24-09)

It is as a result of this letter and the State of Oklahoma's concern for the plight of youth during these uncertain economic times that OESC and the Oklahoma Department of Human Services (OKDHS) TANF Division have decided to partner and create summer employment opportunities for youth.

ACTION: Workforce Investment Board Staff are required to widely distribute copies of this issuance to staff as appropriate for immediate implementation. Local TANF SYEP plans must be submitted to Kim Braddy, kim.braddy@oesc.state.ok.us, in electronic format no later than May 24, 2010.

RESCISSIONS: This policy rescinds OETI 06-2010.

REQUIRED FORMS:

- Form 06-2010/01 – TANF SYEP Worksite Agreement Affidavit
- Form 06-2010/02 – TANF SYEP MOE Category Documentation
- Form 06-2010/03 – TANF SYEP Participation Verification

ATTACHMENTS:

- Attachment A – Local TANF SYEP Strategic Plan

INQUIRIES: If you have any questions pertaining to this issuance, please contact Kim Braddy at (405) 557-5394, kim.braddy@oesc.state.ok.us, or Tami Decker at (405) 962-7595, tdecker@oesc.state.ok.us.

TANF SYEP Guidelines

I. Eligibility

For purposes of eligibility under the TANF SYEP, the term “eligible youth” means an individual who is not less than age 16 or more than age 21, is a low-income individual, and is an individual who is:

1. Deficient in basic literacy skills;
2. A school dropout;
3. Homeless, runaway or foster child;
4. Pregnant or parenting;
5. An offender; and/or
6. An individual who requires additional assistance to complete an educational program, or to secure and hold employment

II. Priority of Service

ACF requires that states make a 20 percent match on all TANF Emergency Contingency funding received. One method of meeting this required match is maintenance of effort (MOE). MOE is defined as the value of Worksite Supervisor contributions for supervision and training of TANF SYEP participants and is equal to a percentage of the youth’s wages.

In order for OKDHS to count this percentage of a youth’s wages under MOE, the youth must fall into one of the following categories and priority of service must be given in the order listed below:

- Receives TANF or is a member of a household that receives TANF,
- Living with a parent or relative caretaker,
- Pregnant,
- Non-custodial parent,
- Custodial parent, or
- Living in publicly supported foster care.

No more than 20 percent of TANF SYEP participants may be youth who do not fall into one of the above categories. Acceptable source documentation for MOE categories is listed in Form 06-2010/02, TANF SYEP MOE Category Documentation. Case managers are required to mark the MOE category verified and the source used. Documentation must be attached to this form, and this form must be kept in the participant’s paper case file.

In addition, case managers must contact local OKDHS representatives to verify participation in the TANF SYEP for all youth who are either a TANF payee or the child of a TANF payee. If the youth has been referred by OKDHS, the case manager must complete the second page of the OKDHS TW-3 form for the youth to return to the OKDHS representative. If the youth has not been referred by OKDHS, case managers must complete Form 06-2010/03, TANF SYEP Participation Verification, for the youth to take to the OKDHS representative. A copy of either the OKDHS TW-3 form or Form 06-2010/03 must be placed in the participant’s paper case file.

III. Oklahoma Service Link Requirements

Enrollment

All youth in the TANF SYEP must have a Youth Stimulus enrollment in the Workforce Investment Act Program Registration of Oklahoma Service Link (OSL). This ensures that these participants will be excluded from the Youth Common Measures and the only performance measure will be work readiness for the period May 1 through September 30, 2010. The Youth Stimulus enrollment must be flagged by having the funding category set as 2010 TANF and Formula Combination.

Needs and Barriers

Case managers are required to mark the one category used for eligibility determination in the Needs and Barriers section of OSL when enrolling youth in the TANF SYEP. No other category can be selected, even if applicable to the participant, for the duration of the TANF SYEP.

Tracking MOE Participants

Local areas are required to track whether TANF SYEP participants fall into one of the required MOE categories in OSL. At the time of enrollment, case managers must enter one of the corresponding codes into the Other Agency Client ID field of the Demographic Information section:

<u>MOE Category:</u>	<u>OSL Code</u>
TANF recipient	TANF10-01
Living with a parent or relative caretaker	TANF10-02
Pregnant	TANF10-03
Non-custodial parent	TANF10-04
Custodial parent	TANF10-05
Living in publicly supported foster care	TANF10-06
<u>Non-MOE Category:</u>	<u>OSL Code</u>
Living independently	TANF10-07
Living in non-publicly supported foster care	TANF10-08

Flagging Services

Every service in the participant's Service and Training Plan must be flagged with the appropriate funding stream:

- In School 2009 Stimulus Funding,
- In School 2010 TANF Funding,
- In School Formula,
- Out of School 2009 Stimulus Funding,
- Out of School 2010 TANF Funding, or
- Out of School Formula.

IV. Waivers

In cooperation with OKDHS, it has been decided that WIA funds will be utilized to make available all 10 elements as necessary with the exception that work experience wages and stipends for attendance in activities such work readiness training and academic enrichment will be paid with TANF funds. In addition, WIA funds will finance the case management aspect of the TANF SYEP.

As a result of the use of WIA formula funds concurrently with TANF funds, all WIA regulations and restrictions apply to the TANF SYEP. However, the State of Oklahoma has been granted the following waivers:

- Waive the requirement to provide follow-up services for not less than 12 months after the completion of program, and allow local areas flexibility to provide follow-up services as they deem appropriate.
 - Follow-up services are one of the 10 required youth program elements as indicated in 20 CFR 664.410(a)(9). A minimum of 12 months of follow-up services are generally required to be provided to participants. Given that summer employment programs usually run for six to eight weeks, LWIBs have the flexibility to determine if and when the 12-month follow-up requirement will be necessary for youth participating only in the TANF SYEP during the period of May 1 to September 30. LWIBs should provide follow-up services when deemed appropriate.
- Waive the requirement to provide an objective assessment, and grant local areas the flexibility to determine the type of assessment and individual service strategy that is appropriate for each youth participant.
 - LWIBs have the flexibility to determine the appropriate type of objective assessment for youth participating only in the TANF SYEP during the period of May 1 to September 30. A full objective assessment as mandated in the WIA regulations is not required for these youth during the summer months. The State has developed the TANF SYEP Work Readiness Individual Service Strategy (ISS) and a standardized work readiness assessment to be used by all local areas (refer to OETI 07-2010). Upon transition of summer employment only participants into any of the year round programs, basic and occupational skill levels must also be assessed and a comprehensive ISS/Individual Employment Plan (IEP) must be developed according to existing policies and procedures.
- Waive the requirement that summer employment opportunities be directly linked to academic and occupational learning.
 - Under WIA regulations at 20 CFR 644.600, LWIBs are required to offer summer youth employment opportunities that link academic and occupational learning. Rather than requiring a link to academic and occupational learning for all summer youth participants, LWIBs have the flexibility to determine for some youth participants whether academic learning must be directly linked to a summer employment opportunity. LWIBs may choose to have a direct link between summer employment and academic learning when deemed appropriate for individuals other than Out of School youth who do not have a high school diploma or GED. All Out of School youth who do not have a high school diploma or GED will be required by the State to participate in an academic enrichment activity.

V. Allowable Activities

Local areas may offer any of the 10 program elements so long as every TANF SYEP participant receives the following services:

- Objective Assessment,
- TANF Individual Service Strategy (ISS),
- Pre-Employment Skills/Job Readiness,

- TANF Academic Enrichment (only required if the youth is Out of School without a high school diploma or GED), and
- TANF Work Experience.

Objective Assessment

LWIBs have the flexibility to determine the level of objective assessment for youth participating only in the TANF SYEP during the period of May 1 to September 30. A full objective assessment as mandated in the WIA regulations is not required for these youth during the summer months. Upon transition of TANF SYEP participants into any of the year round programs, youth must receive a full objective assessment according to existing policies and procedures. Case managers must record this service as Objective Assessment in the participant's Service and Training Plan in OSL.

TANF ISS

The State has developed the TANF Individual Service Strategy (ISS) to be used by all local areas (refer to OETI 07-2010). Upon transition of TANF SYEP participants into any of the year round programs, a comprehensive ISS/Individual Employment Plan (IEP) must be developed according to existing policies and procedures. Case managers must record this service as TANF Individual Service Strategy (ISS) in the participant's Service and Training Plan in OSL.

Pre-Employment Skills/Job Readiness

All youth must participate in a pre-employment orientation prior to being placed in a work experience. Case managers must record this pre-employment orientation in the participant's Service and Training Plan in OSL as Pre-Employment Skills/Job Readiness. Local areas may utilize TANF funds to provide participants with stipends for time spent in this activity. The stipend must equal at least an average hourly rate of minimum wage. If a stipend is paid to the participant, the total amount must be recorded in Total Cost field of the Pre-Employment Skills/Job Readiness service in the Service and Training Plan no later than 5 days after the payment has been processed. A new Pre-Employment Skills/Job Readiness service must be entered each time a stipend is paid.

TANF Academic Enrichment

LWIBs may choose to have a direct link between summer employment and academic learning when deemed appropriate for individuals other than Out of School youth who do not have a high school diploma or GED. All Out of School youth who do not have a high school diploma or GED will be required by the State to participate in an academic enrichment activity. Academic enrichment activities may include but are not limited to soft skills instruction, work readiness, occupational skills, or traditional academic curriculum. Case managers must record academic enrichment activities in the participant's Service and Training Plan in OSL as TANF Academic Enrichment. Local areas may utilize TANF funds to provide participants with stipends for time spent in this activity. The stipend must equal at least an average hourly rate of minimum wage. If a stipend is paid to the participant, the total amount must be recorded in Total Cost field of the TANF Academic Enrichment service in the Service and Training Plan no later than 5 days after the payment has been processed. A new TANF Academic Enrichment service must be entered each time a stipend is paid.

TANF Work Experience

Work experiences are planned, structured learning experiences that take place in a workplace for a limited period of time. Work experiences are designed to enable youth to gain exposure to the working world and its requirements, and worksites may be in the private, for-profit sector; the non-profit sector; or the public sector. Case managers must record this service in the participant's Service and Training Plan in OSL as TANF Work Experience in correspondence with each pay period. The gross wages paid to the participant for the pay period must be recorded in Total Cost field of the TANF Work Experience

service in the Service and Training Plan no later than 5 days after the payment has been processed. Gross wages does not include the employer's portion of FICA or the cost of Worker's Compensation insurance. These items will be reported in the LWIBs monthly expenditure report. The Worksite must be recorded in the Provider Name field and the Worksite address must be recorded in associated Provider fields.

Worksite Restrictions

Based on OESC's agreement with OKDHS, participants in the TANF SYEP are not allowed to be placed at Worksites where the Worksite Supervisor's salary and/or benefits are paid either fully or in part with federal funds. TANF SYEP participants may be placed at worksites that receive federal funds as long as the worksite supervisor's salary is not paid either fully or in part by federal funds.

To ensure that TANF SYEP participants are not placed at Worksites where Worksite Supervisor's salary and/or benefits are paid either fully or in part with federal funds, all TANF SYEP Worksites must sign Form 06-2010/01 TANF SYEP Worksite Agreement Affidavit. This Affidavit must be maintained with the corresponding WIA Worksite Agreement.

Attention should be given to ensure that work experience arrangements do not unfavorably impact current employees and do not impair existing contracts for services or collective bargaining agreements. In addition, youth enrolled in a summer work experience must not replace the work of employees who have experienced layoffs (see WIA sec. 181(b)(2) and 20 CFR 667.270 for non-displacement requirements).

VI. Performance

As a result of the use of WIA formula funds concurrently with TANF funds, all WIA regulations and restrictions apply to the TANF SYEP. However, the State of Oklahoma has been granted a waiver of the Youth Common Measures for those participating only in the TANF SYEP. The work readiness portion of the skill attainment rate will be the only performance indicator used for youth that participate in summer employment only. The Oklahoma Work Readiness Skills Assessment in OETI 07-2010 must be used to determine attainment of work readiness for TANF SYEP participants.

The basic and occupational skills portions of the skill attainment rate and the literacy/numeracy gains measure will not be required for youth that participate in summer employment only. In addition, no other WIA or common measure indicator is required for youth participating only in the TANF SYEP.

VII. Monitoring

OESC's Workforce Quality Division will monitor TANF SYEP activities as part of their regular year-round monitoring procedures. During the TANF SYEP, Workforce Integrated Programs Division staff will conduct on-site technical assistance and program reviews for each local area. These reviews will include but are not limited to the following issues:

- Eligibility determination and documentation;
- Worksite Agreements (to include WIA Trainee Work Plans and WIA Trainee Time Sheets);
- TANF SYEP Worksite Agreement Affidavits;
- Reporting and tracking of MOE categories;
- TANF SYEP target populations;

- Services in OSL (entered timely, correct duration, etc.); and
- OSL Case Notes.

In addition, local areas are required to perform 30 day eligibility determination and documentation reviews on all TANF SYEP participants.

VIII. Local Plan for the TANF SYEP

LWIBs must electronically submit a Local TANF SYEP Strategic Plan to Kim Braddy, kim.braddy@oesc.state.ok.us, no later than May 24, 2010, and must document by e-mail or letter that the Local TANF SYEP Strategic Plan has been approved by the Local Youth Council prior to submission. LWIBs are required to utilize Attachment A, which addresses the following items:

1. Describe the anticipated program design for the TANF SYEP.
2. Provide the anticipated number of youth to be served during the TANF SYEP.
3. Describe the LWIB's strategy for recruiting the identified TANF SYEP target populations (youth receiving DHS benefits such as TANF, SNAP, foster care, etc.).
4. Describe the LWIB's process for conducting 30 day eligibility determination and documentation reviews of all TANF SYEP participants.
5. Oklahoma was granted a program design waiver giving LWIBs the flexibility to determine the level of objective assessment for youth participating only in the TANF SYEP. Describe the LWIB's assessment process for these youth.
6. Oklahoma was granted a program design waiver giving LWIBs the flexibility to determine when to link academic enrichment to summer employment opportunities with the exception that all Out of School youth who do not have a high school diploma or GED will be required by the State to participate in an academic activity. Describe the LWIB's plan for linking academic enrichment to summer employment opportunities for these youth.
7. Describe the types of worksites that will be developed for the TANF SYEP, to include a mix of public and private sector work experiences, and how the LWIB will ensure that youth are not placed at worksites where the supervisor's salary is paid fully or in part with federal funds.
8. Describe the method for placing youth at worksites.
9. Describe the LWIB's pre-employment orientation that must be provided to each youth prior to their placement in a work experience.
10. LWIBs may utilize TANF funds to provide stipends to youth in a pre-employment skills/job readiness activity or an academic enrichment activity. Describe the LWIB's policy regarding the payment of stipends for these activities.
11. Describe the LWIB's strategy for determining if youth participants in the TANF SYEP will be exited at the end of the program or will continue to receive WIA services through the year-round program with WIA formula funds.

12. Oklahoma was granted a program design waiver giving LWIBS the flexibility to determine if and when the 12-month follow-up requirement will be necessary for youth participating only in the TANF SYEP during the period of May 1 to September 30. Describe the LWIB's policy for providing follow-up services to youth that only participate in the TANF SYEP.

TANF SYEP Worksite Agreement Affidavit

A. Authorized Worksite Representative

I hereby affirm that:

I, [name] _____, am the [title] _____

and the duly authorized representative of [name of business] _____ and

that I possess the legal authority to make this Affidavit on behalf of myself and the business for which I am acting.

B. Certification that Worksite Supervisor’s Salary is not paid with Federal Funds

I further affirm that:

The salaries and benefits of the following Worksite Supervisors and Alternate Supervisors for the TANF Summer Youth Employment Program are not paid either fully or in part with federal funds:

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

C. Signature

I certify that, to the best of my knowledge and belief, the information contained in this Affidavit is accurate and complete. I understand that knowingly making any false or fraudulent statement or representation in this Affidavit may result in the above mentioned business being financially responsible for costs deemed unallowable by auditors or monitors.

Signature of Authorized Worksite Representative

Date

TANF SYEP MOE Category Documentation

Instructions: Mark only ONE applicable MOE category and the corresponding source documentation used to verify the participant's status. Attach the source documentation to this form and place in the participant's paper case file. Using the codes listed in OETI 06-2010, enter this category into the Other Agency Client ID field of the Demographic Information section in OSL when enrolling the participant.

MOE Category	Source Documentation Used	
<input type="checkbox"/> Receives TANF or is a member of a household that receives TANF	<input type="checkbox"/> Copy of authorization to receive TANF benefits <input type="checkbox"/> Telephone Verification Form from OETI 22-2009 (Form 22-2009/03)	<input type="checkbox"/> Public Assistance or Social Service Agency record/printout/letter (including OKDHS TW-3 form)
<input type="checkbox"/> Living with parent or relative caretaker	<input type="checkbox"/> Public Assistance or Social Service Agency record/printout/letter <input type="checkbox"/> Public Housing Authority records	<input type="checkbox"/> Statement from parent or relative caretaker
<input type="checkbox"/> Pregnant	<input type="checkbox"/> Medical records <input type="checkbox"/> Observable condition recorded in participant's notes (attach printout of case note)	<input type="checkbox"/> Benefit letter stating participant receives Medicaid (SoonerCare) pregnancy services
<input type="checkbox"/> Non-Custodial Parent	<input type="checkbox"/> Child's birth certificate <input type="checkbox"/> Copy of custody agreement <input type="checkbox"/> Divorce decree or similar court documentation	<input type="checkbox"/> Court order establishing paternity <input type="checkbox"/> Child support order
<input type="checkbox"/> Custodial Parent	<input type="checkbox"/> Child's birth certificate <input type="checkbox"/> Copy of custody agreement <input type="checkbox"/> Divorce decree or similar court documentation <input type="checkbox"/> Public Assistance or Social Service Agency record/printout/letter	<input type="checkbox"/> Court order establishing paternity <input type="checkbox"/> Child support order <input type="checkbox"/> Copy of most recent tax return showing child is claimed as dependent <input type="checkbox"/> School or daycare records
<input type="checkbox"/> Living in publicly supported foster care	<input type="checkbox"/> Public Assistance or Social Service Agency record/printout/letter <input type="checkbox"/> Telephone Verification Form from OETI 22-2009 (Form 22-2009/03)	<input type="checkbox"/> Verification of payments made on behalf of participant

Certification

WIA Representative Signature: _____

Date: _____

TANF SYEP Participation Verification

To: _____

Date: _____

From: _____

Phone: _____

Participant Information

Participant: _____ Participant ID: _____

Address: _____ City: _____ Zip Code: _____

The individual identified (check all that apply):

Was enrolled in the WIA Youth Program on: _____

Was placed in a work experience at: _____

Estimated Start Date: _____

Estimated End Date: _____

Schedule: _____

Position: _____

Wage: _____

Has received or will receive the following additional services:

Pre-employment skills/job readiness training

Academic enrichment

Other: _____

Comments/Additional Information:

Certification

WIA Representative Signature: _____

Date: _____

objective assessment for youth participating only in the TANF SYEP. Describe the LWIB's assessment process for these youth.

6. Oklahoma was granted a program design waiver giving LWIBs the flexibility to determine when to link academic enrichment to summer employment opportunities with the exception that all Out of School youth who do not have a high school diploma or GED will be required by the State to participate in an academic activity. Describe the LWIB's plan for linking academic enrichment to summer employment opportunities for these youth.

7. Describe the types of worksites that will be developed for the TANF SYEP, to include a mix of public and private sector work experiences, and how the LWIB will ensure that youth are not placed at worksites where the supervisor's salary is paid fully or in part with federal funds.

8. Describe the method for placing youth at worksites.

9. Describe the LWIB's pre-employment orientation that must be provided to each youth prior to their placement in a work experience.

