



Workforce Issuance

100 DCS 19.101.4

Policy Information

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
MassHire Career Center Directors
MassHire Fiscal Officers
MassHire DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
MassHire Department of Career Services

Date: May 14, 2020

Subject: **WIOA Title I Youth Eligibility**

Purpose: To notify MassHire Workforce Boards, MassHire Career Center Operators, youth practitioners, and other workforce partners of **updated guidance** regarding the eligibility requirements for youth served under Title I of the Workforce Innovation and Opportunity Act (WIOA).

Updates: New guidance on sending eligibility documents via secure email. (Page 4)

Attachment B: - Eligibility Source Documentation

- Updated to allow verification of eligibility documentation through livestream (video sharing) such as Zoom, WebEX, or Adobe Connects or other virtual media platform.
- Updated to allow the use of electronic signatures on eligibility documentation.

Attachment F: Documentation Inspection Form

- Updated Instructions for use of the form to include verification of eligibility documents presented through livestream.

Attachment G: Secure Email Setup Instructions

Provides instruction for the Commonwealth of Massachusetts Secure Email Delivery Instructions

Background: WIOA presents an extraordinary opportunity to improve job and career options for our nation’s workers and jobseekers through an integrated, job driven public workforce system that links diverse talent to businesses. It supports the development of strong, vibrant regional economies where businesses thrive and people want to live and work.

WIOA places a priority on serving out-of-school youth, providing work-based experiences, and improving services to youth with disabilities. WIOA promotes career pathways, increased attainment of recognized credentials and post-secondary certificates or degrees.

Youth must meet eligibility requirements to participate in the WIOA Title I Youth Program. Eligible youth are those who are 14-24 years of age and face specific barriers to school completion or employment.

Policy: MassHire Workforce Boards, in consultation with local chief elected officials, must establish WIOA Title I eligibility policies and procedures consistent with the guidance provided herein. In formulating local policies and procedures, local Boards must specifically address the following WIOA Title I Youth eligibility issues:

- Local parameters for the definition of *Requires Additional Assistance*
- Local parameters for the definition of *Self-sufficiency*

This policy guidance is subject to revision as additional guidance is issued from the U.S. Department of Labor.

WIOA Title I Youth Participant Eligibility

WIOA establishes separate criteria for Out-Of-School Youth (OSY) and In-School Youth (ISY).

An Out-Of-School Youth is defined as an individual who is:

- (a) Not attending any school (see definition in Attachment A);
- (b) Not younger than 16 or older than 24 at the time of enrollment (participants may continue to receive services beyond the age of 24 once they are enrolled in the program § 681.210); **and**
- (c) Meets one or more of the following conditions:

- (1) School Dropout;
- (2) 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 is based on how a local school district defines its school year quarters;
- (3) Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
- (4) An offender (subject to the juvenile or adult justice system);
- (5) A homeless individual, aged 16 to-24 who meets the criteria defined in sec. 41403(6) of the Violence Against Women Act of 1994, a homeless child or youth aged 16 to 24 who meets the criteria defined in sec. 725(2) of the McKinney Vento Homeless Assistance Act, or a runaway;
- (6) An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care of kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 USC 677), or in an out-of-home placement.
- (7) Pregnant or parenting;
- (8) An individual with a disability;
- (9) Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (WIOA sections 3(46) and 129(a)(1)(B))

An In-School Youth is defined as an individual who is:

- (a) Attending school (see definition in Attachment A);
- (b) Not younger than 14 or (unless an individual with a disability who is attending school under State law) older than 21 at the time of enrollment;
- (c) Low-income; **and**
- (d) Meets one or more of the following conditions:
 - (1) Basic Skills Deficient;
 - (2) An English Language Learner;
 - (3) An Offender;
 - (4) A homeless individual, aged 14-21 who meets the criteria defined in sec. 41403(6) of the Violence Against Women Act of 1994, a homeless child or youth aged 14 to 21 who meets the criteria defined in sec. 725(2) of the McKinney Vento Homeless Assistance Act, or a runaway;
 - (5) An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care of kinship guardianship or adoption, a child eligible for assistance under 477 of the Social Security Act (42 USC 677) or in an out-of-home placement;
 - (6) Pregnant or parenting;
 - (7) An individual with a disability;
 - (8) Requires additional assistance to complete an educational program or to secure or hold employment.

Documentation

Documentation is necessary to support WIOA Title I Youth Eligibility. Local areas must verify and confirm that youth are eligible to participate in WIOA youth services through an examination of documents. Documentation may be stored electronically, however documentation must be available to program, fiscal monitors and auditors for monitoring purposes. Local workforce areas must retain records for a period of at least three (3) years after the submittal of the final closeout expenditure report for that funding period.

Staff must ensure measures are taken to maintain appropriate information security and privacy of documents sent electronically for purposes related to Title I eligibility. Senders of electronic documents must use secure methods when emailing eligibility documents. Instruction for the Commonwealth of Massachusetts Secure Email Delivery Instructions are provided in Attachment G.

Documentation sent via email must be included in the customer file along with the completed Attachment F – Documentation Inspection Form.

A list of documentation that demonstrates participant eligibility can be found in Attachment B.

Low-Income

A low-income individual is one who:

- Receives, or in the past 6 months received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program (SNAP), or the supplemental security income program established under Title XVI of the Social Security Act, or State or local income-based public assistance;
- Is in a family with total income that does not exceed the higher of –
 - (I) The poverty line; or;
 - (II) 70 percent of the lower living standard income level;
- A homeless individual;
- Receives or is eligible to receive free or reduced-price lunch;
- A foster child on behalf of whom State or local government payments are made;
- An individual with a disability whose own income meets the low-income level for eligibility purposes;
- Youth who reside in a High Poverty Area (defined as at least 25% poverty rate).

Non- Low-Income Exception

In accordance with § 681.250 (c) of WIOA, a low-income exception may be applied to 5 percent of the newly enrolled youth participants in a program year that ordinarily would be required to be low-income for eligibility purposes and who meet all other eligibility criteria for WIOA youth except the low-income criteria.

The 5 percent non- low-income exception is applicable to:

1. An in-school youth who is not low-income.
2. An out-of-school youth who meet one of the following conditions:
 - Recipient of a secondary school diploma or its recognized equivalent who is basic skills deficient or an English language learner who is not low-income.
 - Individual who requires additional assistance to enter or complete an educational program or to secure or hold employment who is not low-income.

The low-income calculation is based on youth who are in enrolled in the current program year (from July on), and does not include participants who are “carried in from the previous fiscal year.

Requires Additional Assistance Limitation for In-School Youth

In accordance with WIOA Sec. 129 (a)(3)(B), not more than 5 percent of ISY newly enrolled in a program year may be eligible based on this barrier.

US Citizenship or Authorization to Work in the United States if a Non-US Citizen

Eligible youth must also be a citizen or national of the United States, lawfully admitted permanent resident alien, refugee, asylee, and parolee, and other immigrant authorized by the Attorney General to work in the United States (§188(a)(5)).

Selective Service Registration Requirements for Males Under 26

Before being enrolled in WIOA Title I – funded services, all males who are not registered with the Selective Services and have not reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a male turns 18 while participating in any applicable services, registration with Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA Title I funded services. If a man under the age of 26 refuses to register with Selective Service, WIOA Title I funded programs must be suspended until he registers.

For transgender customers, compliance with selective service is predicated on the individual’s gender as assigned at birth/as recorded on a birth certificate.

FOR FEMALE TO MALE (FTM) INDIVIDUALS

People who were assigned female at birth are not required to register with the Selective Service regardless of their current gender or transition status. A male who was assigned female at birth may provide an exemption from registering with Selective Service when applying to a WIOA funded program. A Status Information Letter (SIL) to prove exemption from registering with Selective Service can be requested through the Selective Service website <https://www.sss.gov/Portals/0/PDFs/Status.pdf>. A request can also be made by telephone at 1-888-655-1825.

FOR MALE TO FEMALE (MTF) INDIVIDUALS

People who were assigned male at birth are required to register with the Selective Service within thirty days of their eighteenth birthday. This includes those who may have transitioned before or since then. Individuals can register on-line for Selective Service by visiting the Selective Service by visiting:

<https://www.sss.gov/Home/registration>.

Pursuant to the USDOL policy that final decisions for disbursing federally financed domestic benefits, services, rights, or training, rests solely with the provider agencies that disburse them, the local Title I operator is responsible for determining if an individual seeking services under Title I meets Selective Service requirements. As such, the Title I operator must determine for any Title I applicant who was required to register with Selective Service and failed to do so, whether that failure was knowing or willful. It is the responsibility of the individual to demonstrate that such failure to register was not knowing or willful. All such determinations must be documented in the participant's case file. DOL [TEGL 11-11 Change 2](#), issued 05/16/2012.

Action

Required: MassHire Workforce Boards must ensure compliance with this guidance and develop local policies and standard operating procedures for the determination of eligibility for youth participation in the WIOA program.

Effective: Immediately


References: [Workforce Innovation and Opportunity Act Overview, July 22, 2014](#)
[Workforce Innovation and Opportunity Act Training and Employment Guidance Letter WIOA No. 23-14 "Workforce Innovation and Opportunity Act" \(WIOA\) Youth Program Transition](#)
[Training and Employment Guidance Letter WIOA No. 8-15: Operating Guidance for the Workforce Innovation and Opportunity Act \(WIOA\)](#)
[WIOA Notice of Proposed Rules](#)
WIOA Final Regulations 20 CFR Parts 603, 651, 652, et al.
[National Center for Transgender Equality](#)

Attachments: A - Definitions
B - Eligibility Source Documentation (*updated 5/14/2020*)
C - Alternative Forms of Documentation
D - Applicant Statement Form
E - Telephone Verification Form
F – Document Inspection Form (*updated 5/14/2020*)
G - Secure Email Setup Instructions (*new 5/14/2020*)

Non-Commonwealth Employee User Pre-Registration

Go to <https://ppsecuremail.state.ma.us/encrypt>

- 1.) Enter your email address



Initiate Secure Email

Please provide your email address to proceed.


Welcome to Commonwealth of Massachusetts Secure Email Delivery System This system may only be used to send/receive secure emails to/from Commonwealth of Massachusetts Email Domains.

First time here? *You'll be asked to register.*

Attention: By signing in you acknowledge that you have read and agree to the Terms of Use governing your Secure EMail Account [here](#)

✕

2.) Click continue – you will see the following screen



Registration

Create your account to read secure email.

Email Address: secure.ma.email@gmail.com

First Name:

Last Name:


Password:

Confirm Password:

You must accept the following terms and conditions before continuing:
 [I agree to the linked terms and conditions.](#)

Continue

3.) Enter required information and accept terms and conditions


Registration

Password Policy ×

- ✔ Passwords must be 7-20 characters long.
- ✔ At least one digit (0-9) is required.
- ✔ At least one symbol character is required.
- ✔ Your username may not appear in the password.

Create your account to read secure email.

Email Address: secure.ma.email@gmail.com

First Name:

Last Name:

Password:

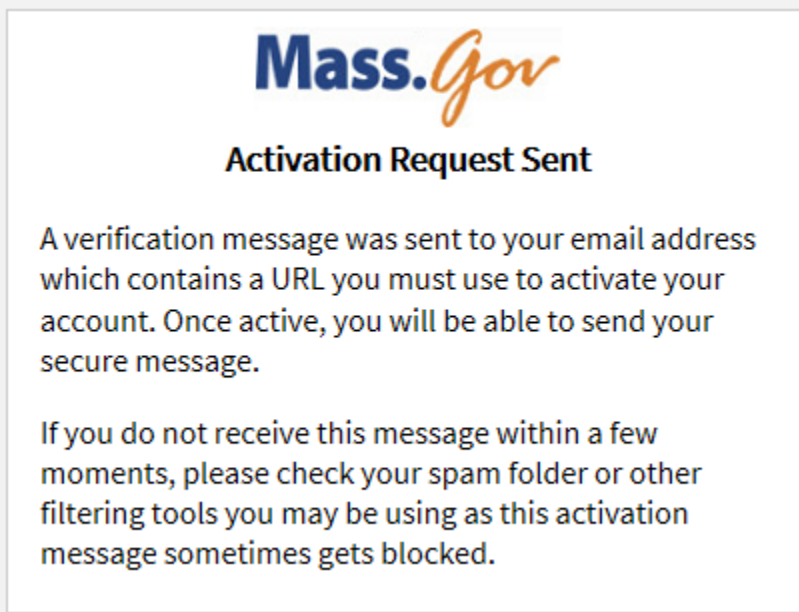
Confirm Password:

You must accept the following terms and conditions before continuing:
 [I agree to the linked terms and conditions.](#)

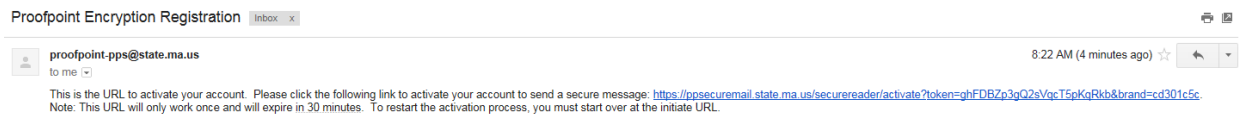
Continue

Click Continue

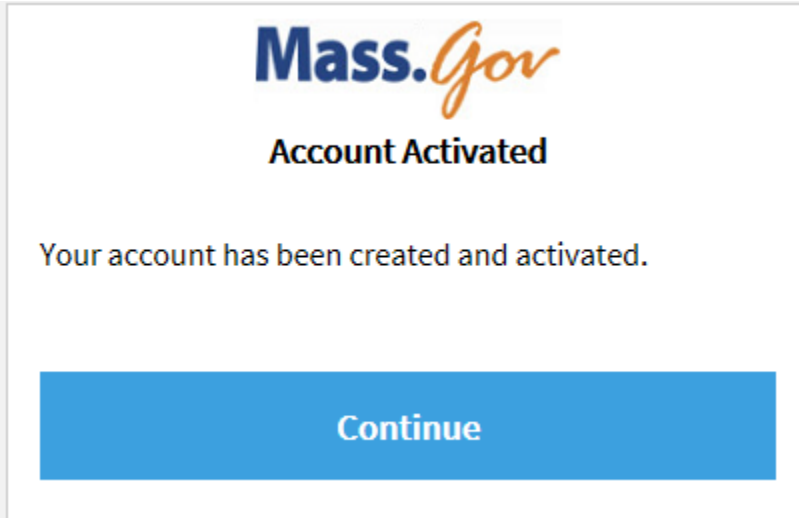
4.) You will receive the following notification that an email was sent to your account



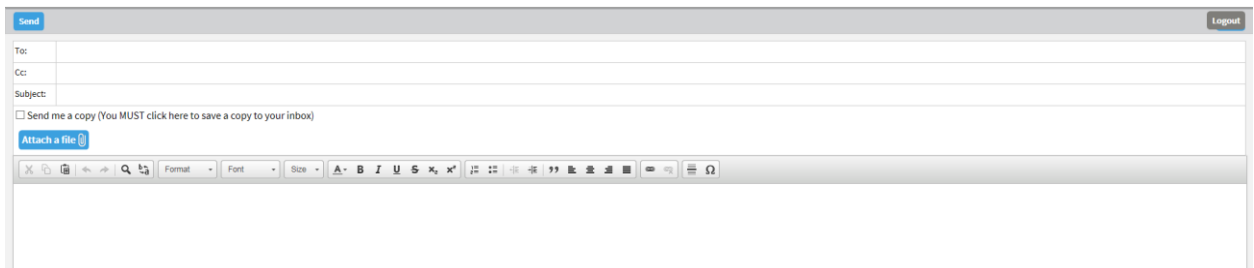
5.) Click on the link in the email



6.) It will bring you to the Account Activated Screen – click Continue



7.) It will bring you to the Compose Message Screen -



If you are completing this for the first time after 6/27/2017 and would like to send a Secure Message via the new Proofpoint Encryption please do.

Please note when composing a new message if you would like a copy sent to your inbox you MUST click on the box.

Reading a Secure Message

The user will receive a message that looks similar to the following.



Potter, Harry (MASSIT) <harry.potter@mass.gov>

to me ▾

Mass.Gov



This is a secure, encrypted message.

You have received a message containing protected information sent through the Commonwealth of Massachusetts' Secure Email Delivery System. Please note that this message has been sent through the Secure Email Delivery System because it is confidential information, improper use or disclosure of which may subject you to civil or criminal fines or imprisonment.

Please Note: The Commonwealth of Massachusetts implemented a new Secure Email System on **06/27/2017**. If this is the first EMail you have received via this new system, you will be required to register before reading your message.

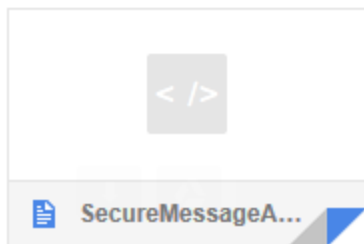
Open the attachment to read your message.

[On Mobile? Click here](#) before 2017-06-21 07:07 EDT to read your message.

[Help?](#)

Disclaimer: This email and its content are confidential and intended solely for the use of the addressee. Please notify the sender if you have received this email in error or simply delete it.

Secured by Proofpoint Encryption, Copyright © 2009-2016 Proofpoint, Inc. All rights reserved.



The user should open the attachment to read the message it will bring them to the following screen.



Click to read message

[Help?](#)

Disclaimer: This email and its content are confidential and intended solely for the use of the addressee. Please notify the sender if you have received this email in error or simply delete it.

Secured by Proofpoint Encryption, Copyright © 2009-2016 Proofpoint, Inc. All rights reserved.

Click to read message – you will be required to login



Login

Welcome to Commonwealth of Massachusetts Secure Email Delivery System. Log in to read your secure message.

secure.ma.email@gmail.com

Password

[Forgot Password](#)

Continue

Once you have entered the proper credentials – you can read the message



Logout

Reply Reply All

Help

[ppencrypt] Demo for documentation

From: Potter, Harry (MASSIT-TEST)
To: secure.ma.email@gmail.com
Cc:
Sent: 6/7/2017 7:07:08 AM

Digital Signature is VALID ✓

test message

To reply/reply all click either button

Send Cancel

Help

To: harry.potter@MassMail.State.MA.US
Subject: RE: Secure: Demo for documentation

Send me a copy (You MUST click here to save a copy to your inbox)

Attach a file

✂ 📄 📁 ⬅ ➡ 🔍 🗑️ Format Font Size A B I U S x₂ xᵖ ☰ ☷ ☹ ☺ ☻ ☼ ☽ ☾ ☿ ♁ ♃ ♅ ♇ ♈ ♉ ♊ ♋ ♌ ♍ ♎ ♏ ♐ ♑ ♒ ♓ ☰ ☷ ☹ ☺ ☻ ☼ ☽ ☾ ☿ ♁ ♃ ♅ ♇ ♈ ♉ ♊ ♋ ♌ ♍ ♎ ♏ ♐ ♑ ♒ ♓

From: Potter, Harry (MASSIT-TEST)
Sent: Wed, 7 Jun 2017 11:07:08 +0000
To: secure.ma.email@gmail.com
Cc:
Subject: [ppencrypt] Demo for documentation


test message


You can just type in your reply and click send or you may add an attachment as well.

To add an attachment click Attach a file, click add, chose your attachment

To: secure.ma.email@gmail.com
Subject: RE: [ppencrypt] Demo for documentation

Send me a copy (You MUST click here to save a copy to your inbox)

Cancel  SecureMailTermsofUse.docx [X]

 Add...

When you're done with the message click send. Note: on replies you will automatically be sent a copy of the message unless you uncheck the box.



Message Sent

Your secure message was sent successfully.

To exit click Logout or close this browser window.

[Return To Message](#)

[Logout](#)

ATTACHMENT F

WIOA TITLE I DOCUMENT INSPECTION VERIFICATION FORM

The Document Inspection Verification form may be used to verify the validity of documents used to determine program eligibility in circumstances when documents may not be photocopied or when an applicant requests a document used for eligibility purposes not be photocopied.

The Documentation Verification form must be used to verify an applicant's Social Security Card when the Social Security Card and a Government issued photo I.D. is used to document Work Authorization. Social Security Cards may not be kept in the applicant's file.

This form may also be used to verify eligibility documents when presented through livestream (video sharing).

In all circumstances staff must complete the Documentation Inspection Verification form in its entirety and include the form in the applicant's file.

 Applicant name and other identifying information

Organization conducting document verification: _____

Telephone number: _____

Name of person verifying eligibility document: _____

Date of document verification: _____

Primary eligibility document viewed: _____

Additional eligibility document viewed: _____

Additional eligibility document viewed: _____

Pertinent eligibility information verified: _____

I attest that, under penalty of perjury the information recorded by me on this document was obtained on the above date through viewing and verification of an eligibility document for which it is unlawful to make a photocopy.

Signature of eligibility document reviewer: _____
Date: _____

ATTACHMENT E

TELEPHONE VERIFICATION FORM

WIOA Title I Eligibility Verification by Telephone

Applicant's name and other identifying information

Organization providing verification _____

Organization area code & telephone number _____

Organization representative verifying eligibility item _____

Date of verification _____

Primary eligibility items verified _____

Additional eligibility items verified _____

Additional eligibility items verified _____

Additional eligibility items verified _____

Additional eligibility items verified _____

Additional eligibility items verified _____

Verification

I attest that the information recorded by me on this document was obtained through telephone contact on the above date from data previously determined and recorded in the applicant's records at the organization providing the eligibility verification.

Eligibility\intake worker name (print) _____

Eligibility\intake worker signature _____

Date _____

ATTACHMENT D

APPLICANT STATEMENT FORM

The applicant statement may be used to document eligibility for family income, residence, and proof of family size when all other attempts to secure documentation have been exhausted.

I certify, under penalty of perjury that I _____

(If applicant cannot obtain a satisfactory witness or provide a telephone contact, explain above.)

Applicant's Signature _____ Date _____

Applicant's Address, City, State, Zip _____

Corroborating Witness Signature _____ Date _____

Witness' Relationship to Applicant _____

Office Use Only

The above applicant statement is being utilized for documentation of the following eligibility criteria:

Signature of eligibility/intake worker _____

Date _____

ATTACHMENT C

ALTERNATE FORMS OF DOCUMENTATION

APPLICANT STATEMENTS

Applicant statements may be used, in a limited way, to document those items that, in some cases, are not verifiable or may cause undue hardship for individuals to obtain. Consistent with requirements described in USDOL Technical Assistance Guide (TAG) JTPA Title II Eligibility Documentation Guide (published in 1993 and adopted by USDOL for use in determining eligibility under Title I of the Workforce Investment Act, and now under the Workforce Innovation and Opportunity Act), an applicant statement may be used *as the sole source document only* for determining family income, residence and family size or in determining whether a customer is to be considered “hard to serve” because of barriers of pregnancy/parenting or his/her status as “homeless”, an “offender” or a school “dropout”, and *may not be used as the sole source document* for any other eligibility criteria. Local Boards must develop policies that describe how applicant statements are used in conjunction with practicable attempts to secure recommended documentation. Applicant statements should be supported by a documented corroborative contact or reliable witness attesting to the accuracy of the statement. The corroboration may be via witness signature on the applicant statement form or supporting telephone verification form.

Example: Use of the sample APPLICANT STATEMENT FORM (Attachment D) is as follows: If an applicant states that he/she is unable to provide evidence that no income was received during the past six months, and that he/she was unemployed for that period, the blank spaces following the words "*I certify, under penalty of perjury, that I*" may be completed, for example, as follows: "*have received no income from any source during the past six months, that I have been unemployed during that time, and have been supported by donations/contributions from relatives and friends.*" This should be corroborated by the person(s) providing the support.

TELEPHONE VERIFICATION

WIOA Title I eligibility criteria may be verified by telephone contacts with cognizant governmental or social service agencies. Telephone verification should, however, only be conducted when no other methods of information verification are available. The information obtained (whether obtained by career center staff or other local partner staff) must be documented by recording the information on a standardized form such as the sample TELEPHONE VERIFICATION FORM (Attachment E) included with this issuance. Information recorded must be adequate to enable a monitor or auditor to trace back to the cognizant agency or the document used. Telephone verification must include the name of the agency representative providing the verification information. In some cases, the information provided by the agency through telephone contact may be sufficient to satisfy multiple WIOA eligibility criteria.

Since personal information must normally be kept confidential by governmental agencies, state and local partners will need to make prior arrangements to obtain such information. Agencies which may assist in verifying eligibility via telephone contact are: local schools; Social Security Administration; Veterans Administration; medical and health facilities; Vocational

Rehabilitation facilities; drug and alcohol rehabilitation facilities; housing authorities; homeless shelters; judicial agencies and institutions; and other State or local government agencies.

Attachment B

WIOA TITLE I YOUTH ELIGIBILITY SOURCE DOCUMENTATION

ELIGIBILITY CRITERIA	<p style="text-align: center;">SOURCES OF DOCUMENTATION</p> <p>Staff may verify eligibility documentation through livestream (video sharing) such as Zoom, WebEX, or Adobe Connects or other virtual media platform. Eligibility documentation may also be verified via secure email. When documents are verified through live stream or via email staff must include the verified documentation in the customer file along with a completed Documentation Inspection Form (Attachment F).</p> <p>The use of electronic signatures on eligibility documentation is permissible.</p> <p>(Only one of the following is required for each criterion. See also alternate forms.) This document listing may not be exhaustive. Should you encounter a document that is not listed here, please contact your MDCS Field Management and Oversight representative for assistance in discerning the document’s validity for the purpose of WIOA Title I eligibility.</p>
YOUTH ELIGIBILITY REQUIREMENTS	
In-School Youth	<ol style="list-style-type: none"> 1. School Records/Identification Card 2. Letter from School Official 3. Report Card/ Transcript
Out-of-School Youth	<ol style="list-style-type: none"> 1. Copy of HS Diploma/ HiSET/ GED 2. Verification of Enrollment in High School Equivalency Program (not funded by the public K-12 school system) 3. Verification of Enrollment in Dropout Re-Engagement Program 4. Verification of Enrollment in the YouthBuild Program 5. Verification of Enrollment in the Job Corps Program 6. Verification of Enrollment in Adult Education Programs funded by Title II 7. Certificate of Attainment (Received by students that do not pass the grade 10 MCAS and satisfactory complete all other school requirements.)
Birth Date/Age	<ol style="list-style-type: none"> 1. Baptismal Record 2. Birth Certificate 3. DD-214, Report of Transfer or Discharge Paper 4. Driver’s License (with Photo and Date of Birth) 5. Federal, State or Local Government Identification Card that includes a birth date 6. Selective Service Card 7. Hospital Record of Birth 8. Passport (as long as the passport includes the date of birth) 9. Public Assistance\Social Service Records

	<ul style="list-style-type: none"> 10. School Records\Identification Card 11. Letter from Commonwealth of Massachusetts EOHHS Agency (for Foster Child and State Custody Youth, only) 12. Unexpired Alien Registration Card/Documents indicating authorization to work in the United States I-179, I-197, I-551, I-688, I-688A, I-688B, I-766, Certificate of Naturalization (Form N-550 or N-570), I-94 Arrival/Departure Form
U.S. Citizenship or Authorization to Work in the United States if a non-U.S. Citizen	<ul style="list-style-type: none"> 1. U.S. Baptismal Certificate (if place of birth is shown) 2. U.S. Birth Certificate 3. U.S. Hospital Record of Birth 4. U.S. Passport (either current or expired) 5. U.S. Passport Card (either current or expired) 6. Non-Restricted Social Security Card AND Government Issued Identification containing a photograph or information such as name, date of birth, gender, height, eye color, and address. 7. Certificate of Naturalization (Form N-550 or N-570) 8. Unexpired Alien Registration Card/Documents indicating authorization to work in the United States (INS Forms I-179, I-197, I-327, I-551, I-571, I-688, I-688A, I-688B, I-766, an unexpired I-94 Arrival/Departure form that includes an endorsement (stamped) of the individual's status as authorized to work in the United States when accompanied with an unexpired temporary foreign passport that has the same name as the I-94, an unexpired temporary foreign passport stamped with an I-155 Work Authorization stamp 9. Native American Tribal Document 10. Printout from the Systematic Alien Verification for Entitlements Program (SAVE) AND a Government Issued Identification containing a photograph or information such as name, date of birth, gender, height, eye color, and address.
Selective Service Registrant*	<ul style="list-style-type: none"> 1. DD-214, Report of Transfer or Discharge 2. Selective Service Online Verification at http://www.sss.gov (printout) 3. Selective Service Registration Acknowledgement Card 4. Selective Service Status Information Letter 5. Selective Service Registration Record (Form 3A) 6. Stamped Post Office Receipt of Registration 7. Certificate of Naturalization (Form N-565 or N-570; indicates compliance with all Selective Service requirements) 8. U.S. Passport (for non-U.S. born customers, only)
YOUTH ECONOMIC ELIGIBILITY	
ELIGIBILITY CRITERIA	ACCEPTABLE DOCUMENTATION
Individual/Family Income (Individual/Family Income must be documented within 6	<ul style="list-style-type: none"> 1. Alimony Agreement 2. Award letter from Veterans Administration 3. Bank Statements (Direct Deposits) 4. Compensation Award Letter 5. Court Award Letter 6. Employer Statement/Contact

months prior to enrollment)	<ol style="list-style-type: none"> 7. Business Financial Records 8. Housing Authority Verification 9. Pay Stubs 10. Pension Statement 11. Quarterly Estimated Tax for Self-Employed Persons 12. Social Security Benefits 13. Unemployment Insurance Documents 14. Written statement from other Federal, State or Local agency 15. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 16. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 17. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Individual Status/Family Size	<ol style="list-style-type: none"> 1. Birth Certificate 2. Decree of Court 3. Disabled (See “Individuals with Disabilities” below) 4. Divorce Decree 5. Lease or Landlord Statement 6. Marriage Certificate 7. Medical Card 8. Public Assistance/Social Service/Public Housing Agency Records 9. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 10. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 11. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Income–Based Public Assistance	<ol style="list-style-type: none"> 1. Copy of Authorization to Receive Cash Public Assistance 2. Medical Card showing Cash Grant Status 3. Public Assistance Identification Card showing Cash Grant Status 4. Public Assistance Records/Printout/Master File 5. Verification of Enrollment in MassHealth 6. Verification of Fuel Assistance
Supplemental Nutrition Assistance Program (SNAP)	<ol style="list-style-type: none"> 1 Current authorization to obtain SNAP 2. SNAP Card with current date 3. Public Assistance Records/Printout
Free or Reduced School Lunch	<ol style="list-style-type: none"> 1. Verification from School
High Poverty Area	<ol style="list-style-type: none"> 1. Poverty Threshold Census Tract Database Print Out
Homeless	<ol style="list-style-type: none"> 1. Written Statement from an Individual Providing Temporary Residence

(Income verification not required)	<ol style="list-style-type: none"> 2. Written Statement from Shelter/Social Service Agency 3. McKinney Vento Homeless Act Authorization Form 4. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 5. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 6. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Foster Child – Department of Children and Family Services (Income verification not required)	<ol style="list-style-type: none"> 1. Documentation of Court Contact 2. Court Documentation 3. Medical Card 4. Verification of Payments made on Behalf of the Child 5. Written Statement from State\Local Agency 6. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 7. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
YOUTH BARRIERS for ELIGIBILITY	
ELIGIBILITY BARRIERS	ACCEPTABLE DOCUMENTATION (Only one of the following is required for each criterion)
Basic Skills Deficient	<ol style="list-style-type: none"> 1. Assessed by a Generally Accepted Standardized Test 2. School Records
School Dropout	<ol style="list-style-type: none"> 1. Attendance Letter from school 2. Dropout Letter from school 3. Eligibility Verification Letter from a recognized community or youth organization (if other documents are not available) 4. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 5. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 6. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Within Compulsory School Age and has Not Attended School in the Most Recent Complete School Year Calendar Quarter	<p>*Compulsory school age in Massachusetts is 6-16 years of age.</p> <ol style="list-style-type: none"> 1. Attendance letter from school 2. Letter from school official stating youth school status 3. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 4. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction)

	5. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Recipient of Secondary School Diploma or its Recognized Equivalent who is Low-Income and Basic Skills Deficient or an English Language Learner	1. Copy of Secondary School Diploma or equivalent and provide proof of either; <ul style="list-style-type: none"> a. Basic Skills Deficiency or; b. English Language Learner
Department of Youth Services/Subject to the Juvenile or Adult Justice System (In-School Youth's Own Income Must be Considered)	1. Documentation of Court Contact 2. Court Documentation 3. Verification of Payments made on Behalf of the Child 4. Written Statement from State\Local Agency 5. Agency Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 6. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Homeless or Run-away	See "Homeless" in Economic Eligibility above
Foster Child	See "Foster Child" in Economic Eligibility above
Pregnant or Parenting	1. Birth Certificate 2. Hospital Record of Birth 3. Medical Card 4. Physician's Note 5. Referrals from Official Agencies 6. School Program for Pregnant Teens 7. School Records 8. Statement from Social Services Agency 9. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 10. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 11. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Individual with Disabilities (In-School Youth's Own Income Must be Considered)	1. Letter from Drug or Alcohol Rehabilitation Agency 2. Letter from Child Study Team Stating Specific Eligibility 3. Medical Records 4. Observable Condition 5. Physician Statement 6. Psychiatrist's/Psychologist's Diagnosis 7. Rehabilitation Evaluation

	<ol style="list-style-type: none"> 8. School Records 9. Sheltered Workshop Certification 10. Social Service Records\Referral 11. Social Security Administration Disability or Veterans Admin. Records 12. Vocational Rehabilitation Letter 13. Workers Compensation Record 14. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 15. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 16. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Offender (In-School Youth’s Own Income Must be Considered)	<ol style="list-style-type: none"> 1. Court Documents 2. Halfway House Resident 3. Letter of Parole 4. Letter from Probation Officer 5. Police Records 6. Applicant Statement if no other forms of documentation are available – must be supported with a corroborative contact or reliable witness (see Attachment C instruction) 7. Telephone verification if other forms of documentation are not readily available (see Attachment C instruction) 8. Document Inspection if provided document cannot be legally photocopied (see Attachment C instruction)
Low-Income Individual who Requires Additional Assistance	<ol style="list-style-type: none"> 1. Proof of low-income status and meets the local definition of Requires Additional Assistance.
English Language Learner	<ol style="list-style-type: none"> 1. Letter from school official 2. Statement from recognized community youth organization. 3. School Assessment
<p>5% Exception – for youth who do not meet the minimum income criteria. Not more than 5% of “Covered Individuals” in each local area may be individuals who do not meet the income criteria.</p>	
Covered Individuals	<ol style="list-style-type: none"> 1. In-School Youth who is not low-income. 2. Out-of-School Youth who meet one of the following conditions: <ul style="list-style-type: none"> • Recipient of a secondary school diploma or its recognized equivalent who is basic skills deficient or an English language learner who is not low-income. • Individual who requires additional assistance to enter or complete an educational program or to secure or hold employment who is not low-income.

ATTACHMENT A

DEFINITIONS

Adult Education; Adult Education and Literacy Activities: The terms “adult education” and “adult education and literacy activities” have the meanings activities and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English language literacy and civics education, workforce preparation activities, or integrated education and training.

Alternative Education: According to the Massachusetts Department of Elementary and Secondary Education, an Alternative School is defined as an initiative within a public school district, charter school, or educational collaborative established to serve at-risk students whose needs are not being met in the traditional school setting. For the purposes of this definition, Alternative Education does not include private schools, home schooling, high school equivalency services, or gifted and talented programs. Alternative Education may serve some students with disabilities but is not designed exclusively for students with disabilities.

Alternative Education may operate as a program or as a self-contained school:

- a. Alternative Educations Programs may function within a single school or be a program affiliated with one or more schools or districts. Alternative Education programs must be affiliated with at least one school that has a school code assigned by the Department.
- b. Alternative Education schools that operate as self-contained public schools must comply with Massachusetts laws and regulations that guide the operation of schools in the Commonwealth and must be assigned a school code by the Department.

Students enrolled in Alternative Education programs or schools shall be taught to the same academic standards established for all students in the Commonwealth. Alternative Education programs or schools shall employ highly qualified teachers as defined by the federal No Child Left Behind Act of 2001. At the secondary level, Alternative Education programs or schools shall not limit student access to the opportunity to earn a high school diploma. All students enrolled in an Alternative Education program or school must be reported in the Student Information Management System (SIMS) as an enrolled student and assigned the designated Alternative Education code.

Students who may benefit from an Alternative Education include those who are pregnant/parenting, truant, suspended or expelled, returned dropouts, delinquent, or students who are not meeting local promotional requirements.

- Youth who attend an alternative school and have a 504 plan or an IEP are considered in-school.

Adult Mentoring: Adult mentoring for a youth must;

- (1) Last for 12 months and may take place during the program and following exit from the program;
- (2) Be a formal relationship between a youth participant and an adult mentor that includes structured activities where the mentor offers guidance, support and encouragement to develop the competence and character of the mentee;
- (3) While group mentoring activities and mentoring through electronic means are allowable, at a minimum, the local youth program must match the youth with an individual mentor with whom the youth interacts on a face-to-face basis.
- (4) Mentoring may include workplace mentoring where the local program matches a youth participant with an employer or employee of a company. §681.490

Attending School: An individual who is enrolled and attending a secondary or post-secondary educational program is considered in-school. Youth attending a high school equivalency program funded by the public K-

12 school system who are classified by the school system as still enrolled in-school are considered in school youth.

Basic Skills Deficient: The term “basic skills deficient” means, with respect to an individual-

- (A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- (B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Career and Technical Education: According to section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302, the term “career and technical education” means -

- (A) a specialized public secondary school used exclusively or principally for the provision of career and technical education to individuals who are available for study in preparation for entering the labor market;
- (B) the department of a public secondary school exclusively or principally used for providing career and technical education in not fewer than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;
- (C) a public or nonprofit technical institution or career and technical education school used exclusively or principally for the provision of career and technical education to individuals who have completed or left secondary school and who are available for study in preparation for entering the labor market, if the institution or school admits, as regular students, individuals who have completed secondary school and individuals who have left secondary school; or
- (D) the department or division of an institution of higher education, that operates under the policies of the eligible agency and that provides career and technical education in not fewer than 5 different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if the department or division admits, as regular students, both individuals who have completed secondary school and individuals who have left secondary school.

Career Pathway: The term “career pathway” means a combination of rigorous and high-quality education, training, and other services that—

- (A) aligns with the skill needs of industries in the economy of the State or regional economy involved;
- (B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an “apprenticeship” ‘except in section 171);
- (C) includes counseling to support an individual in achieving the individual's education and career goals;
- (D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- (E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
- (F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and
- (G) helps an individual enter or advance within a specific occupation or occupational cluster.

Career Planning: The term “career planning” means the provision of a client-centered approach in the delivery of services, designed:

- (A) to prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and
- (B) to provide job, education, and career counseling, as appropriate during program participation and after job placement.

Community-Based Organization: The term “community-based organization” means a private nonprofit organization (which may include a faith-based organization), that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce development.

Competitive Integrated Employment: The term “competitive integrated employment” means work that is performed on a full-time or part-time basis (including self-employment)--

- (A) for which an individual is compensated at a rate that--
 - (I) shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State or local minimum wage law; and
 - is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or
 - (II) in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and is eligible for the level of benefits provided to other employees;
- (B) that is at a location where the employees interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and
- (C) that as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

Comprehensive Guidance and Counseling: Comprehensive guidance and counseling provides individualized counseling to participants. This includes drug and alcohol counseling, mental health counseling, and referral to partner programs as appropriate. When referring participants to necessary counseling that cannot be provided by the local youth program or its service providers, the local youth program must coordinate with the organization it refers to in order to ensure continuity of service.

Compulsory School Age: A child who is between the age of 6 and 16.

Covered Individual: An eligible in-school youth, or an eligible out-of-school youth who is low income and meets one of the following criteria:

- a. Has a secondary school diploma or its recognized equivalent and is basic skills deficient or an English language learner; or
- b. Requires additional assistance to enter or complete an educational program or to secure or hold employment.

Credential: The purposed of WIOA performance indicators, a credential is either a recognized postsecondary credential, or a secondary credential and it’s recognized equivalent. A recognized postsecondary credential is defined as a credential consisting of an industry-recognized certificate or certification, a certification of completion of an apprenticeship, a license recognized by the State involved or Federal government, or an associate or baccalaureate degree, as well as graduate degree for purposes of the VR program as required by section 103(a)(5) of the Rehabilitation Act of 1973, as amended by that IV of WIOA.

A recognized postsecondary credential is awarded in recognition of a an individual’s attainment of measureable technical or industry/occupational skills necessary to obtain employment or advance within an industry/occupation. These technical or industry/occupational skills generally are based on the standards

developed or endorsed by employers or industry associations. Neither certificates awarded by workforce development boards (WDBs), nor work readiness certificates are included in this definition because neither type or certificate documents the measureable technical or industry/occupation skills necessary to gain employment or advance within an occupation. Likewise, such certificates must recognize technology or industry occupational skills for the specific industry /occupation rather than general skills related to safety, hygiene, etc., even if such general skills certificate are broadly required to qualify for entry-level employment or advancement in employment.

Customized Training: The term “customized training” means training:

- (A) that is designed to meet the specific requirements of an employer (including a group of employers);
- (B) that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and
- (C) for which the employer pays--
 - (i) a significant portion of the cost of training, as determined by the local board involved, taking into account the size of the employer and such other factors as the local board determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and
 - (ii) in the case of customized training (as defined in subparagraphs (A) and (B)) involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate.

Enrollment: To participate in WIOA youth programs a participant must be enrolled. All of the following must occur to enroll a youth participant into the WIOA youth program:

- (1) An eligibility determination
- (2) The provision of an objective assessment
- (3) Development of an individual service strategy; and
- (4) Participation in any of the 14 WIOA youth program elements.

Eligible Youth: The term “eligible youth” means an in-school youth or out-of- school youth.

English Language Learner: An individual who has limited ability in reading, writing, speaking, or comprehending the English language, and who native language is a language other than English or who lives in a family or community environment where a language other than English is the dominant language.

Family: Two or more persons related by blood. Marriage or degree of court, who are living in a single residence and are included in one or more of the following categories:

- (A) Husband, wife, and dependent children
- (B) Parent or guardian and dependent children
- (C) Husband and wife

Please Note:

- Consistent with the policy of the Department of Labor, ETA’s policy is to recognize all marriages (including same-sex marriages) that are lawfully entered in the state of celebration.(ETA TEGL 26-13)
- Interpreting “husband” and “wife” should be applied in a gender neutral manner in the definition of “family”. (ETA TEGL 26-13)
- Interpretation of “family” includes same sex spouses.(ETA TEGL 26-13)

Foster Child: Any youth under the age of eighteen (18) who is placed into substitute care under the legal responsibility of the Massachusetts Department of Children & Families (DCF). The term “substitute care” means the provision of planned, temporary twenty-four hour a day care when the parent or principal caretaker is unable or unavailable to provide care on a daily basis. “Substitute care” encompasses the provision of foster care, community residential care and supervised independent living (110CMR 2.00(49)). This definition of foster child may include children who are:

- (A) receiving services from the Massachusetts DCF pursuant to a voluntary placement agreement; or
- (B) placed in the custody of the Massachusetts DCF through a court order (including a court order arising and of a Child in Need of Services (CHINS) petition) or through an adoption surrender

High Poverty Area: A high-poverty area is a Census tract, a set of contiguous Census tracts, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the U.S. Census Bureau), Alaska Native Village Statistical Area or Alaska Native Regional Corporation Area, Native Hawaiian Homeland Area, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5 –Year data. §681.260

Homeless: Pursuant to the Stewart B. McKinney Homeless Act, an individual who lacks a fixed, regular, and adequate nighttime residence. It also includes persons whose primary nighttime residence is either:

- (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill),
- (B) an institution that provides a temporary residence for individuals intended to be institutionalized, or
- (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodations for human beings.

Homeless Individual: An individual age 16 to 24 who meets the defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 16 to 24 who meets the criteria defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42. U.S.C. 11434a (2)) or a runaway.

In-demand Industry Sector or Occupation:

(A) In general. --The term “in-demand industry sector or occupation” means:

- (i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or
- (ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

(B) Determination.--The determination of whether an industry sector or occupation is in-demand under this paragraph shall be made by the State board or local board, as appropriate, using State and regional business and labor market projections, including the use of labor market information.

Individual With a Barrier to Employment: The term “individual with a barrier to employment” means a member of 1 or more of the following populations:

- (A) Displaced homemakers.
- (B) Low-income individuals.
- (C) Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.
- (D) Individuals with disabilities, including youth who are individuals with disabilities.
- (E) Older individuals.
- (F) Ex-offenders.

- (G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2))).
- (H) Youth who are in or have aged out of the foster care system.
- (I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.
- (J) Eligible migrant and seasonal farmworkers, as defined in section 167(i).
- (K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act(42 U.S.C. 601 et seq.).
- (L) Single parents (including single pregnant women).
- (M) Long-term unemployed individuals.
- (N) Such other groups as the Governor involved determines to have barriers to employment.

Individual: A person not meeting the definition of a member of a family is considered to be an individual (often referred to as a family of one). The definition of individual may cover a person with a disability or a state custody youth.

Individual in Foster Care: An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

Individual with a Disability:

- (A) In general.--The term “individual with a disability”, means with respect to an individual -
 - a physical or mental impairment that substantially limits one or more major life activities of such individual;
 - a record of such an impairment; or
 - being regarded as having such an impairment (as described in paragraph (3) of section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).
- (B) Individuals with disabilities.--The term “individuals with disabilities” means more than 1 individual with a disability..

Industry or Sector Partnership: The term “industry or sector partnership” means a workforce collaborative, convened by or acting in partnership with a State board or local board, that--

- (A) organizes key stakeholders in an industry cluster into a working group that focuses on the shared goals and human resources needs of the industry cluster and that includes, at the appropriate stage of development of the partnership--
 - (i) representatives of multiple businesses or other employers in the industry cluster, including small and medium-sized employers when practicable;
 - (ii) 1 or more representatives of a recognized State labor organization or central labor council, or another labor representative, as appropriate; and
 - (iii) 1 or more representatives of an institution of higher education with, or another provider of, education or training programs that support the industry cluster; and
- (B) may include representatives of--
 - (i) State or local government;
 - (ii) State or local economic development agencies;
 - (iii) State boards or local boards, as appropriate;
 - (iv) a State workforce agency or other entity providing employment services;
 - (v) other State or local agencies;
 - (vi) business or trade associations;

- (vii) economic development organizations;
- (viii) nonprofit organizations, community-based organizations, or intermediaries;
- (ix) philanthropic organizations;
- (x) industry associations; and
- (xi) other organizations, as determined to be necessary by the members comprising the industry or sector partnership.

In-School Youth: The term “in-school youth” means an individual who is--

- (a) Attending school (as defined by State law), including secondary and postsecondary school
- (b) Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21. Because eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program;
- (c) a low-income individual; and
- (d) Meet one or more of the following criteria:
 - (1) Basic skills deficient;
 - (2) An English language learner;
 - (3) An offender;
 - (4) A homeless individual aged 16 to 24 who meets the criteria defined in in sec. 41403(6) of the Violence Against Women Act of 1994 (42U.S.C. 14043e– 2(6)), a homeless child or youth aged 16 -24 who meets the criteria defined in sec. 725(2) of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), or a runaway;
 - (5) An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
 - (6) Pregnant or parenting.
 - (7) An individual with a disability.
 - (8) An individual who requires additional assistance to complete an educational program or to secure or hold employment. (WIOA secs. 3(46)) and §681.210)

Institution of Higher Education: According to section 101, and subparagraphs (A) and (B) of section 102(a)(1), of the Higher Education Act of 1965 (20 U.S.C. 1001, 1002(a)(1)), the term “institution of higher education” means:

- (a) an educational institution in any State that –
 - (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who meet the requirements of section [1091 \(d\)](#) of this title;
 - (2) is legally authorized within such State to provide a program of education beyond secondary education;
 - (3) provides an educational program for which the institution awards a bachelor’s degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree, or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to review and approval by the Secretary;
 - (4) is a public or other nonprofit institution; and
 - (5) is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status by such an agency or association that has been recognized by the Secretary for the granting of pre-accreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.
- (b) the term “institution of higher education” also includes—

- (1) any school that provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a) of this section; and
- (2) a public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1), admits as regular students individuals—
 - (A) who are beyond the age of compulsory school attendance in the State in which the institution is located; or
 - (B) who will be dually or concurrently enrolled in the institution and a secondary school.

Literacy: An individual’s ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual and in society.

Local Educational Agency: The term “local educational agency” means:

- A) IN GENERAL- The term local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.
- (B) ADMINISTRATIVE CONTROL AND DIRECTION- The term includes any other public institution or agency having administrative control and direction of a public elementary school or secondary school.
- (C) BIA SCHOOLS- The term includes an elementary school or secondary school funded by the Bureau of Indian Affairs but only to the extent that including the school makes the school eligible for programs for which specific eligibility is not provided to the school in another provision of law and the school does not have a student population that is smaller than the student population of the local educational agency receiving assistance under this Act with the smallest student population, except that the school shall not be subject to the jurisdiction of any State educational agency other than the Bureau of Indian Affairs.
- (D) EDUCATIONAL SERVICE AGENCIES- The term includes educational service agencies and consortia of those agencies.
- (E) STATE EDUCATIONAL AGENCY- The term includes the State educational agency in a State in which the State educational agency is the sole educational agency for all public schools.
(Section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))

Lower Living Standard Income Level: The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

Low-Income Individual:

- (A) In general.--The term “low-income individual” means an individual who--
 - (i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;
 - (ii) is in a family with total family income that does not exceed the higher of -- (I) the poverty line; or (II) 70 percent of the lower living standard income level;(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42U.S.C. 14043e 2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
 - (iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
 - (v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(B) Lower living standard income level.--The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

Not Attending School: An individual who is not enrolled in and attending a secondary or post-secondary educational program. An individual who attends a high school equivalency program, or a dropout re-engagement programs is considered not attending school and is an out-of-school youth for WIOA eligibility purposed.

According the Department of Labor, providers of Adult Education under Title II of WIOA, YouthBuild Programs, and Job Corps programs are not considered schools. WIOA youth programs may consider a youth to be out-of-school for the purposes of WIOA youth program eligibility if they are attending Adult Education provided under Title II of WIOA, YouthBuild, or Jobs Corps. §681.230

Offender: The term “offender” means an adult or juvenile who:

- (1) Is or has been subject to any stage of the criminal justice process, and who may benefit from WIOA services; or
- (2) Requires assistance in overcoming artificial barriers to employment resulting from a record arrest or conviction.

On-The-Job Training: The term “on-the-job training” means training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- (A) provides knowledge or skills essential to the full and adequate performance of the job;
- (B) is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H), for the extraordinary costs of providing the training and additional supervision related to the training; and
- (C) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

Out-of-School Youth: The term “out-of-school youth” means an individual who is:

- (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) Meet one or more of the following criteria:
 - (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. In cases where schools do not use quarters, local programs must use calendar 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 offender
 - (5) A homeless individual aged 16 to 24 who meets the criteria defined in in sec. 41403(6) of the Violence Against Women Act of 1994 (42U.S.C. 14043e– 2(6)), a homeless child or youth aged 16 -24 who meets the criteria defined in sec. 725(2) of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), or a runaway;

- (6) An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- (7) An individual who is pregnant or parenting;
- (8) An individual with a disability; or
- (9) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA secs. 3(46)) and §681.210)

Poverty Line: The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

Pregnant/Parenting Youth: A youth who is pregnant or providing custodial care for one or more dependents under age 18.

Public Assistance: The term “public assistance” means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

Recognized Postsecondary Credential: The term “recognized postsecondary credential” means a credential consisting of an industry- recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.

Registration: In regard to Title I, registration means the process of collecting information necessary to make a determination of eligibility for Title I. All youth participants must be registered for Title I and determined eligible.

Run-Away Youth: Pursuant to the Runaway and Homeless Youth Act, an individual under 18 years of age who absents himself or herself from home or place of legal residence without permission of the parent(s) or legal guardian.

School Dropout: The term “school dropout” means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

Secondary School: According to section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801, the term “secondary school” means a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that the term does not include any education beyond grade 12.

Self-Sufficiency: The local board must set the criteria for determining whether employment leads to self-sufficiency. At a minimum, such criteria must provide that self-sufficiency means employment that pays at least the lower living standard income level.

State Custody Youth: For the purpose of WIOA eligibility, this definition applies to an individual between the ages of fourteen and twenty-one (14 and 21) who is court-ordered into substitute care under the legal responsibility of the Commonwealth of Massachusetts through it’s Executive Office of Health and Human Services agencies, including the Departments of Children & Families (DCF), and Department of Youth Services (DYS). It includes “children in need of protection” and “delinquent children” as prescribed by the General Court of Massachusetts and codified in Massachusetts General Law Chapters 119 and 120 and by extension the Code of Massachusetts Regulations parts 109 & 110.

The term “substitute care” means the provision of planned, temporary twenty-four hour a day care when the parent or principal caretaker is unable or unavailable to provide care on a daily basis. “Substitute care” encompasses the provision of foster care, community residential care and supervised independent living (MGL 119, section 23 & 110 CMR 2.00(49)). It also includes detention, secure facility and shelter care (MGL 119 section 68B; & 109 CMR 2.00). The definition of state custody youth includes children who are:

- (A) placed in the custody of the Commonwealth of Massachusetts through a court order; and
- (B) state custody youth whose service plan includes the provisions of a liberty under supervision agreement Grant of Conditional Liberty--(MGL 120 Section 6, 109 CMR 08).

Supportive Services: The term “supportive services” means services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under this Act.

Unemployed Individual: The term “unemployed individual” means an individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job, for purposes of this paragraph, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

Veteran; related definition:

(A) Veteran.--The term “veteran” means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable according to 101 of title 38, United States Code.

(B) Recently separated veteran. -- The term “recently separated veteran” means any veteran who applies for participation under this Act within 48 months after the discharge or release from active military, naval, or air service.

Work Experiences: Work experiences are a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experiences may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law exists.

(A) Work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience. Further academic and occupational education may occur inside or outside the work site.

The types of work experiences include the following:

- (1) Summer employment opportunities and other employment opportunities throughout the school year;
- (2) Pre-apprenticeship programs;
- (3) Internship and job shadowing; and
- (4) On-the-job-training (OJT) opportunities

Youth: The term youth means an individual who is 14 through 24 years of age.