

Preliminary Policy on Youth Program Design

Reference:

Workforce Innovation and Opportunity Act (WIOA) sections 116, and 129.

Background:

The Workforce Innovation and Opportunity Act (WIOA) places an emphasis on serving youth within a comprehensive youth development approach that focuses on long-term services that provide the education, skills, work experience, and support that youth need to successfully transition to careers and productive adulthood. The program design framework is an essential ingredient in helping local areas develop comprehensive service strategies based on individual needs. WIOA encourages local decision making in the area of youth policy, youth program design, the allocation of funds for each program element, and the determination of appropriate program offerings for each individual youth. It is essential that established policies help to achieve program quality and successful outcomes for youth. This policy defines criteria for the design, elements and parameters of youth programs in the local areas as prescribed by WIOA.

Action:

This policy becomes effective on April 1, 2015.

Policy:

Local Program Elements and Requirements

There are 14 required youth program elements which local youth programs must make **available** to all eligible youth participants, throughout the entire age range of 14-24. The 14 required youth program elements are:

- 1) Tutoring, study skills training, and instruction, and evidence-based dropout preventions and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;
- 2) Alternative secondary school services, or dropout recovery services, as appropriate;
- 3) Paid and unpaid work experiences that have as a component academic and occupational education, which may include
 - a) Summer employment opportunities and other employment opportunities available throughout the school year;
 - b) Pre-apprenticeship programs;
 - c) Internships and job shadowing; and
 - d) On-the-job training opportunities;

20% Spending Requirement. At least 20% of the total youth funds must be spent on paid and unpaid work experiences that have as an academic and occupational education component.
- 4) Occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry

sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria established by the Governor in the State plan;

- 5) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- 6) Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
- 7) Supportive services. Supportive services for youth, as defined in WIOA section 101(59), means services that are necessary to enable an individual to participate in WIOA programs and may include the following:
 - a) assistance with transportation costs;
 - b) assistance with child care and dependent care costs;
 - c) assistance with housing costs; and
 - d) assistance with needs-related payments;
- 8) Adult mentoring for a minimum duration of 12 months that may occur both during and after program participation;
- 9) Follow-up services. All youth participants **must** receive some form of follow-up services for a *minimum* duration of 12 months after the completion of participation, and **may** be provided *beyond* 12 months at the Local Board's discretion.¹
- 10) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
- 11) Financial literacy education;
- 12) Entrepreneurial skills training;
- 13) Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as
 - a) career awareness;
 - b) career counseling;
 - c) career exploration services; and
- 14) Activities that help youth prepare for and transition to postsecondary education and training.²

Rule of Construction

This policy does **not** require that *each* provider of youth services must provide all 14 required elements. Rather, the local program must provide access to all the required elements.³

Program Design

Objective Assessment

Pursuant to WIOA section 129(c)(1)(A), the program should provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment must include a review of:

- 1) Basic skills;
- 2) Occupational skills;
- 3) Prior work experience;

¹ WIOA section 129(c)(2)(I)

² WIOA section 129(c)(2)

³ WIOA section 129(c)(5)

- 4) Employability;
- 5) Interests;
- 6) Aptitudes (including interests and aptitudes for nontraditional jobs);
- 7) Supportive service needs; and
- 8) Developmental needs.

The review of these factors are made for the purpose of identifying appropriate services and career pathways for participants.

A new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conduct pursuant to another education or training program.⁴

Individual Service Strategy

The program should also develop individual service strategies (**ISS**) for each participant that are directly linked to one or more indicators of performance described in WIOA section 116(b)(2)(A)(ii), and that identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant, taking into account the objective assessment.

A new ISS is not required if the provider carrying out the program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program.⁵

The individual service strategy plan must also provide:

- 1) Activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;
- 2) Preparation for postsecondary educational and training opportunities;
- 3) Strong linkages between academic instruction and occupational education that lead to the attainment of recognized postsecondary credentials;
- 4) Preparation for unsubsidized employment opportunities, in appropriate cases; and
- 5) Effective connections to employers, including small employers, in in-demand industry sectors and occupations of local and regional labor markets.⁶

Information and Referrals

Under WIOA section 129(c)(3)(A), local board must ensure that each participant shall be provided:

- Information regarding the full array of applicable or appropriate services available through the local board, providers found eligible by the board, or American Job Center partners
- Referral to appropriate training and educational programs that have the capacity to serve the participant either on a sequential or concurrent basis.⁷

⁴ WIOA 129(c)(1)(A)

⁵ WIOA 129(c)(1)(B)

⁶ WIOA 129(c)(1)(C)

⁷ WIOA section 129(c)(3)(A)

Linkages

Local boards must establish linkages with local educational agencies responsible for services to participants as appropriate.⁸

Applicants Not Meeting Enrollment Requirements

In order to meet the basic skills and training needs of eligible applicants who do not meet the enrollment requirements of a particular program or who cannot be served by the program, each eligible youth provider must ensure these youth are referred:

- for further assessment, as necessary and
- to appropriate programs that have the capacity to serve them⁹

All referrals must be documented in NEworks.

Involvement in Design and Implementation

Local boards must ensure that parents, youth participants, and other members of the community with experience relating to youth programs are involved in both the design and implementation of its youth programs.¹⁰ Evidence of this involvement in the design and implementation of the youth program shall be outlined in the local area plan.

Volunteers

Local boards must ensure that successful youth program participants have opportunities to volunteer to help other youth participants through mentoring, tutoring, and other activities.¹¹ Local area plans shall describe how volunteer opportunities are afforded to successful youth program participants.

Prohibitions

Prohibition against Federal Control of Education

WIOA does *not* grant any department, agency, officer, or employee of the United States authority to exercise any direction, supervision, or control over any educational institution, school, or school system; its curriculum, program of instruction, administration, or personnel; or the selection of library resources, textbooks, or other printed or published instructional materials.¹²

⁸ WIOA section 129(c)(7)

⁹ WIOA section 129(c)(3)(B)

¹⁰ WIOA section 129(c)(3)(C)

¹¹ WIOA section 129(c)(8)

¹² WIOA section 129(c)(6)(A)

Noninterference and Non-Replacement of Regular Academic Requirements

WIOA funds may not be used to provide an activity for eligible youth who are not school dropouts if participation in the activity would interfere with or replace the regular academic requirements of the youth.¹³

Disclaimer:

This policy is based on NDOL's initial reading of the statute without any interpretive guidance from USDOL. This policy may be subject to change as additional federal regulations and TEGLs are released that are contrary to or otherwise different from NDOL's interpretation of WIOA. This policy is not intended to be permanent and should be viewed as a placeholder until final federal regulations and guidelines are established.

¹³ WIOA section 129(c)(6)(B)