|  |  |  |
| --- | --- | --- |
| **Youth Eligibility Policy**  | Policy No.  | 23 |
| **Greater Nebraska Workforce Development Area** 550 South 16th Street Lincoln, NE 68508402.471.9878ndol.greaternebraska@nebraska.gov  | Effective Date | 7/1/2017 |
| Supersedes  |  |
| Revision Date |  |
| Revision No.  |  |
| Approval  | GNWDB  |

### Reference

Workforce Innovation and Opportunity Act (WIOA) Sections 3, 129, 181, 188, 189, 203, 225

20 CFR §§ 680.110, 681.210, 681.220, 681.230, 681.260, 681.300, 681.550; 29 CFR § 37.4; 42 USC §§ 14043e-2(6) and 11434a(2)

TEGLs 8-15 and 23-14

Neb. Rev. Stats. §§ 79-201, 79-202, 79-319, and 79-1601

Nebraska Department of Labor (NDOL) Youth Program Eligibility

### Purpose

This policy establishes criteria for youth program eligibility in the local area.

### Background

Eligibility criteria for the WIOA Title IB Youth program are defined under the provisions of WIOA and its implementing rules and regulations.

### Action

Effective 7/1/2017, regional managers, workforce coordinators, and other service provider staff must implement this policy.

### Policy

This policy defines the requirements for eligibility in the WIOA Youth program and is organized in three (3) sections and has two (2) appendices.

#### Section 1. Eligibility Criteria

The local program operator must collect and document information to support an eligibility determination for an individual as an ISY or OSY. Both ISY and OSY are eligible for services through the WIOA Youth program.

##### ISY eligibility criteria

For an individual to qualify as an ISY, two (2) levels of criteria must be met.

1. Level 1: An individual must meet all of the criteria listed in Table 1.

###### *Table 1. ISY Level 1 Eligibility Criteria[[1]](#footnote-1)*

| ISY Level 1 Eligibility Criteria |
| --- |
| 1. The individual must provide equal opportunity (EO) data: race, ethnicity, age, sex, and disability.
 |
| 1. If male, the individual must have registered with the Selective Service.
 |
| 1. The individual must be a U.S. citizen or a qualified alien.
 |
| 1. The individual is not younger than age 14 or older than age 21 (see [subsection (1)](#_Age-based_eligibility) below for information on age-based eligibility for ISY).
 |
| 1. The individual is attending school, including secondary or postsecondary school.
 |
| 1. The individual is a low-income individual.[[2]](#footnote-2)
 |

1. Level 2: An individual must meet at least one (1) of the eight (8) criteria listed in Table 2.

###### *Table 2. ISY Level 2 Eligibility Criteria[[3]](#footnote-3)*

| ISY Level 2 Eligibility Criteria |
| --- |
| 1. The individual is basic skills deficient.
 |
| 1. The individual is an English language learner.
 |
| 1. The individual is an offender.
 |
| 1. The individual is a homeless individual who:[[4]](#footnote-4)
 |
| * 1. lacks a fixed, regular, and adequate nighttime residence; and is
 |
| * + 1. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 |
| * + 1. lives in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
 |
| * + 1. lives in an emergency or transitional shelter; or
 |
| * + 1. is awaiting foster care placement;
 |
| * 1. has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 |
| * 1. is a migratory youth who is living under circumstances described in Sections **3.a.** and **3.b.** of this Table 2;
 |
| * 1. lives in cars, parks, public spaces, abandoned buildings, substandard housing, bus or training stations, similar settings; or
 |
| * 1. is a runaway.
 |
| 1. The individual:
 |
| * 1. is in foster care;
 |
| * 1. has aged out of the foster care system;
 |
| * 1. has attained age 16 and left foster care for kinship guardianship or adoption;
 |
| * 1. is eligible for assistance under the John H. Chafee Foster Care Independence Program; or
 |
| * 1. is in an out-of-home placement.
 |
| 1. The individual is pregnant or parenting.
 |
| 1. The individual is a person with a disability.
 |
| 1. The individual requires additional assistance to complete an educational program or to secure or hold employment. (See [subsection (2)](#_Low-income_limitation) below for information on the low-income eligibility *limitation* for ISY and [subsection (3)](#_Low-income_eligibility_exception) for information on the low-income *exception*)
 |

##### Age-based eligibility for ISY[[5]](#footnote-5)

As stated above, the individual must not be younger than age fourteen (14) or older than age twenty-one (21) to be considered eligible as an ISY, unless the individual is a person with a disability who is attending school under state law.

An individual’s age eligibility is determined at the time of program enrollment. Once enrolled, an ISY may continue to receive services beyond the age of twenty-one (21).

###### *Low-income eligibility limitation for ISY*

In each local area, not more than five (5) percent of the ISY assisted may be eligible based solely on the need for additional assistance to complete an educational program or to secure or hold employment (see criterion 8 in Table 2 above).[[6]](#footnote-6) This requirement applies only to ISY.

Example: For example, if a local area enrolls 100 ISY during PY 2015, only 5 of those 100 youth can be determined eligible using the “additional assistance” criterion. Participants that were enrolled under WIA and carried into WIOA are not factored into the 5 percent “additional assistance” limitation.

###### *Low-income eligibility exception*

For the avoidance of doubt, the “requires additional assistance” criterion referred to above in Table 2 and in subsection (2) is different from the five (5) percent low-income eligibility exception.

Up to five (5) percent of all youth (ISY and OSY) enrolled during a given program year do not need to meet the low-income requirement for eligibility.[[7]](#footnote-7)

Example: A local area enrolled 200 youth and 100 of those youth were OSY who were not required to meet the low-income criteria, 50 were OSY who were required to meet the low-income criteria, and 50 were ISY.

In this example, the 50 OSY required to be low income and the 50 ISY are the only youth factored into the 5 percent low-income exception calculation.

Therefore, in this example 5 of the 100 youth who ordinarily would be required to be low-income do not have to meet the low-income criteria based on the low-income exception.

##### OSY eligibility criteria

For an individual to qualify as an OSY, two (2) levels of criteria must be met.

1. Level 1: An individual must meet all of the criteria listed in Table 3.

*Table 3. OSY Level 1 Eligibility Criteria*[[8]](#footnote-8)

| OSY Level 1 Eligibility Criteria |
| --- |
| 1. The individual must provide EO data: race, ethnicity, age, sex, and disability.
 |
| 1. If male, the individual must have registered with the Selective Service.
 |
| 1. The individual is a U.S. citizen or a qualified alien.
 |
| 1. The individual is not younger than age 16 or older than age 24 (see [subsection (1)](#_Age-based_eligibility_1) below for information on age-based eligibility for OSY).
 |
| 1. The individual is not attending school, including secondary or postsecondary school.
 |

1. Level 2: An individual must meet at least one (1) of the nine (9) criteria listed in Table 4.

*Table 4. OSY Level 1 Eligibility Criteria*[[9]](#footnote-9)

| OSY Level 2 Eligibility Criteria |
| --- |
| 1. The individual is a school dropout.
 |
| 1. The individual is subject to compulsory school attendance under state law *but* has not attended for at least the most recent complete school-year quarter or calendar-year quarter.
 |
| 1. The individual is recipient of a secondary school diploma or its recognized equivalent and a low-income individual[[10]](#footnote-10) and either:
 |
| * 1. basic skills deficient; or
 |
| * 1. an English language learner.
 |
| 1. The individual is an offender.
 |
| 1. The individual is a homeless individual who:
 |
| * 1. lacks a fixed, regular, and adequate nighttime residence; and is
 |
| * + 1. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 |
| * + 1. living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
 |
| * + 1. living in an emergency or transitional shelter;
 |
| * + 1. is abandoned in a hospital; or
 |
| * + 1. is awaiting foster care placement;
 |
| * 1. has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 |
| * 1. is a migratory youth who is living under circumstances described in Sections **3.a.** and **3.b.** of this Table 4;
 |
| * 1. lives in cars, parks, public spaces, abandoned buildings, substandard housing, bus or training stations, or similar settings; or
 |
| * 1. is a runaway.
 |
| 1. The individual:
 |
| 1. is in foster care;
 |
| 1. has aged out of the foster care system;
 |
| 1. has attained age 16 and left foster care for kinship guardianship or adoption;
 |
| 1. is eligible for assistance under the John H. Chafee Foster Care Independence Program; or
 |
| 1. is in an out-of-home placement.
 |
| 1. The individual is pregnant or parenting.
 |
| 1. The individual is an person with a disability.
 |
| 1. The individual requires additional assistance to enter or complete an educational program or secure or hold employment and is a low-income individual. (See [subsection (3)](#_Low-income_eligibility_exception_1) for information on the low-income *exception*)
 |

###### Age-based eligibility for OSY[[11]](#footnote-11)

An individual’s age eligibility is determined at the time of program enrollment. Once enrolled, OSY may continue to receive services beyond the age of twenty-four (24).

###### Low-income *requirement* for OSY

If either criterion 3 or 9 in Table 4 is used to determine an individual’s eligibility as an OSY, the individual must also be a low-income individual.

###### Low-income eligibility *exception*

Up to five (5) percent of all youth (ISY and OSY) enrolled during a given program year do not need to meet the low-income requirement for eligibility.[[12]](#footnote-12) Refer to [Section I(a)(3)](#_Low-income_eligibility_exception) for an example of this scenario.

#### Section 2. Eligibility of Former WIA Participants

All Workforce Investment Act (WIA) Youth program participants who were enrolled in the WIA Youth program as of July 1, 2015 are automatically enrolled into the WIOA Youth program, even if the participant would not otherwise be eligible for the WIOA Youth program. In other words, local WIOA Youth program operators are not required to complete an eligibility redetermination if the participant has been determined eligible and enrolled under WIA.

WIA Youth program participants must be allowed to complete the WIA Youth program services specified in their individual service strategy.[[13]](#footnote-13)

#### Section 3. Nondiscrimination[[14]](#footnote-14)

All programs and activities funded or financially assisted in whole or in part under WIOA must comply with all laws on the prohibition against discrimination on the basis of age, disability, or sex, or on the basis of race, color, national origin, or political affiliation or belief.

Participation in programs and activities funded under WIOA must be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

### Disclaimer

This policy is based on Greater Nebraska’s reading of the applicable statutes, regulations, rules and guidance released by the U.S. Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.

### Appendix 1. Nebraska Census Tracts meeting “High Poverty” Definition

(30% or more of households in the census tract are at or below the poverty line)

*Table 5. Greater Nebraska Workforce Development Area high poverty census tracts. For the most up to date information visit http://factfinder.census.gov.*

| Census Tract | Estimated Number | Estimated Number Below Poverty | Percent Below Poverty |
| --- | --- | --- | --- |
| Census Tract 101, Dakota County, Nebraska | 2,238 | 863 | 38.56% |
| Census Tract 9696, Buffalo County, Nebraska | 1,644 | 517 | 31.45% |

### Appendix 2.

#### attending postsecondary school

Nebraska State Law does not include postsecondary institutions in its definition of *attending school*.

For purposes of this policy, *attending postsecondary school* means enrollment in any program of study offered by any of the following providers:

* postsecondary institutions that are accredited according to the requirements of the U.S. Department of Education;
* postsecondary institutions that are listed on Nebraska’s or other states’ Eligible Training Provider List (ETPL);
* private postsecondary career schools that are licensed or authorized by the Nebraska Department of Education to operate in Nebraska; and
* private postsecondary career schools that are licensed or authorized to operate in other states according to the requirements of the states in which they operate.

For purposes of this policy, *program of study* means one (1) or more courses or classes.

*Attending postsecondary school* does not mean the individual has physically attended or is attending a class or classes at the time of the determination of eligibility. If the individual is enrolled or has the intent to enroll (i.e., completed a pre-application or application to institution, registered for classes, *etc.*) with any provider described above:

* for any program of study at the time WIOA eligibility is determined, then the individual’s status is ISY; or
* attending any program of study *but* is between regularly scheduled training periods (a break between quarters, semesters, etc.), then the individual’s status is ISY.

#### attending school (e.g., secondary school)

Under WIOA, the phrase *attending school* is defined by state law.[[15]](#footnote-15) Nebraska State Law defines *attending school* as:

* enrollment in a school approved by the Nebraska State Board of Education,[[16]](#footnote-16) including:
	+ accredited public and private schools;
	+ accredited denominational and parochial schools; and
	+ schools that elect not to meet accreditation requirements, including home schools;
* regular attendance each day the school is open unless:
	+ the individual is excused from attendance by school authorities;
	+ illness makes attendance impossible; or
	+ severe weather makes attendance impossible.

In Nebraska, individuals ages six (6) to eighteen (18) are required to attend school,[[17]](#footnote-17) with three (3) exceptions:[[18]](#footnote-18)

* the individual has obtained a high school diploma;
* the individual has completed a program of instruction offered by an unaccredited school that is approved by the Nebraska State Board of Education; or
* has reached sixteen (16) years of age and has been legally withdrawn from school.

#### basic skills deficient

An individual who is *basic skills deficient* is an individual that:[[19]](#footnote-19)

* has English reading or writing skills or computing skills at or below the 8th grade level on a generally accepted standardized test; or
* 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.

#### English language learner

*English language learner* means an individual:[[20]](#footnote-20)

* who has limited ability in reading, writing, speaking, or comprehending the English language; and
	+ whose 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.

#### high-poverty area

*High-poverty area* means a census tract where thirty (30) percent or more of the households in the census tract fall below the current Federally-established poverty level.

High-poverty areas are determined by the U.S. Census Bureau’s most recent American Community Survey.[[21]](#footnote-21) [APPENDIX I](#_Nebraska_Census_Tracts) provides the current list of Nebraska’s census tracts meeting this definition.[[22]](#footnote-22)

To determine the census tract in which an individual resides, use this address search tool: http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?ref=addr&refresh=t.

#### individual with a disability[[23]](#footnote-23)

An *individual with a disability* is an individual who:

* has a *physical or mental impairment* that substantially limits one (1) or more *major life activities*;
* *has a record of such an impairment*; or
* is *regarded as having such an impairment*.

Definitions for the phrases *has a record of such an impairment*, *physical or mental impairment*, and *regarded as having such an impairment* are provided below in subsections a., c., and d., along with definitions for related terms and phrases.

##### has a record of such an impairment

The phrase *has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one (1) or more major life activities.

##### major life activities

The phrase *major life activities* means functions such as:

* caring for oneself;
* performing manual tasks;
* walking;
* seeing;
* hearing;
* speaking;
* breathing;
* learning; and
* working.

##### physical or mental impairment

The phrase *physical or mental impairment* means:

* any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one (1) or more of the following body systems:
	+ neurological;
	+ musculoskeletal;
	+ special sense organs;
	+ respiratory (including speech organs);
	+ cardiovascular;
	+ reproductive;
	+ digestive;
	+ genitourinary;
	+ hemic and lymphatic;
	+ skin; and
	+ endocrine; or
* any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

*Physical or mental impairment* includes contagious and noncontagious diseases and conditions such as

* orthopedic;
* visual;
* speech and hearing impairments;
* cerebral palsy;
* epilepsy;
* muscular dystrophy;
* multiple sclerosis;
* cancer;
* heart disease;
* diabetes;
* mental retardation;
* emotional illness;
* specific learning disabilities;
* HIV disease (whether symptomatic or asymptomatic);
* Tuberculosis;
* drug addiction; and
* alcoholism.

*Physical or mental impairment* does not include homosexuality or bisexuality.[[24]](#footnote-24)

##### regarded as having an impairment

The phrase *is regarded as having an impairment* means;

* has a physical or mental impairment that does not substantially limit major life activities but that is treated by the *recipient* as being such a limitation;
* has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
* has none of the physical or mental impairments defined above but is treated by the *recipient* as having such an impairment.

#### low-income individual

A *low-income individual* is an individual who meets one (1) or more of the eight (8) criteria described in Table 8.

*Table 8. Low-income eligibility criteria[[25]](#footnote-25)*

| Low-income Eligibility Criteria |
| --- |
| 1. The individual currently receives or is a member of a family currently receiving assistance through:
 |
| * 1. Supplemental Nutrition Assistance Program;
 |
| * 1. Temporary Assistance for Needy Families Program;
 |
| * 1. Supplemental Security Income through the Social Security Administration; or
 |
| * 1. state or local income-based public assistance.
 |
| 1. In the past six (6) months, the individual has received or is a member of a family that has received assistance through:
 |
| * 1. Supplemental Nutrition Assistance Program;
 |
| * 1. Temporary Assistance for Needy Families Program;
 |
| * 1. Supplemental Security Income through the Social Security Administration; or
 |
| * 1. state or local income-based public assistance.
 |
| 1. The individual is in a family whose total family income does not exceed the higher of:[[26]](#footnote-26)
 |
| * 1. the current Federally-established poverty line; or
 |
| * 1. seventy (70) percent of the Federally-established lower living standard income level (LLSIL).
 |
| 1. The individual is a homeless individual who: [[27]](#footnote-27)
 |
| * 1. lacks a fixed, regular, and adequate nighttime residence; and is
 |
| * + 1. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 |
| * + 1. living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
 |
| * + 1. living in an emergency or transitional shelter; or
 |
| * + 1. awaiting foster care placement;
 |
| * 1. has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 |
| * 1. is a migratory youth who is living in circumstances described in subsections **4.a.** and **4.b.** above;
 |
| * 1. lives in cars, parks, public spaces, abandoned buildings, substandard housing, bus or training stations, or similar settings; or
 |
| * 1. is a runaway.
 |
| 1. The individual receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act, unless the individual is a recipient of a secondary school diploma or its recognized equivalent.
 |
| 1. The individual is a foster child on behalf of whom state or local government payments are made.
 |
| 1. The individual is an person with a disability whose income meets the income requirement of Sections **3.a.** or **3.b.** of this Table 8.
 |
| 1. The individual lives in a high-poverty area. (see [APPENDIX I](#_Nebraska_Census_Tracts))
 |

##### income considered when determining low-income status*[[28]](#footnote-28)*

The following types of payments made or in-kind aid to individuals are not considered income when determining low-income eligibility for the WIOA Youth program:

* TANF payments;
* reduced price lunches under the Richard B. Russell National School Lunch Act;
* payments made on behalf of a foster child by state or local government payments; or
* payments made to individuals participating programs authorized under WIOA Title I.

There are no other income exclusions.

For the avoidance of doubt, all other types of payments made to individuals are considered income when determining low-income eligibility for the WIOA Youth program, including:

* unemployment insurance benefits;
* child support payments; and
* payments made by state-administered plans for old-age assistance.

When determining low-income status of an individual with a disability, the income of the individual’s family must not be considered.

#### offender

*Offender* means an adult or juvenile:[[29]](#footnote-29)

* who is or has been subject to any stage of the criminal justice process, and for whom services under this WIOA may be beneficial; or
* who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

#### pregnant or parenting

An individual who is *pregnant* *or* *parenting* includes a custodial or noncustodial parent, such as a father.[[30]](#footnote-30)

#### Recipient

The term *recipient*, as used in Section 6.d. of this APPENDIX I, refers to:

* state-level agencies that administer or are financed in whole or in part with WIOA Title I funds;
* state employment security agencies;
* state and local workforce development boards;
* one-stop operators;
* service providers, including eligible training providers;
* on-the-job training (OJT) employers;
* Job Corps contractors and center operators, excluding the operators of Federally-operated Job Corps centers;
* Job Corps national training contractors;
* outreach and admissions agencies, including Job Corps contractors that perform outreach and admissions functions;
* placement agencies, including Job Corps contractors, that perform placement functions; and
* other national program recipients.

#### requires additional assistance

The phrase *requires additional assistance* must be defined in policy at the local level by the local board and must be included in the local area plan.[[31]](#footnote-31) Local area policies on *requires additional assistance* must be reasonable, quantifiable, and based on evidence that the characteristic of the youth identified in the policy objectively requires additional assistance.[[32]](#footnote-32)

EXAMPLE: “Reading below grade level" is an example of an evidence-based, quantifiable characteristic. On the other hand, "low GPA" is a vague characteristic. Using an individual’s GPA as the basis for *requires additional assistance* would be specific and quantifiable if a specific threshold for the GPA identified such as a “GPA lower than 1.5 on a 4.0 scale.”

#### school

Under WIOA, the term *school* is defined by state law.[[33]](#footnote-33) Nebraska State Law defines *school* as a school approved by the Nebraska State Board of Education,[[34]](#footnote-34) including:

* accredited public and private secondary schools;
* accredited denominational and parochial secondary schools; and
* schools that elect not to meet accreditation requirements, including home schools.

Nebraska State Law does not include postsecondary institutions in its definition of school. For purposes of this policy, the following providers or programs are considered schools:

* all postsecondary institutions that are accredited according to the requirements of the U.S. Department of Education;
* all private postsecondary career schools that are licensed or authorized to operate by the Nebraska Department of Education; and
* all private postsecondary career schools that are licensed or authorized to operate in other states according to the requirements of the states in which they operate.

The following providers or programs are not considered schools under WIOA:[[35]](#footnote-35)

* providers of Adult Education programs under Title II of WIOA;
* YouthBuild programs;
* Job Corps programs;
* high school equivalency programs; and
* dropout-reengagement programs.
1. WIOA Secs. 188(a)(5) and 189(h); 20 CFR §§ 680.110(c) and 681.220 [↑](#footnote-ref-1)
2. See [APPENDIX II](#_low-income_individual) for the definition of *low-income individual* [↑](#footnote-ref-2)
3. WIOA Secs. 188(a)(5) and 189(h); 20 CFR §§ 680.110(c) and 681.220 [↑](#footnote-ref-3)
4. 42 USC §§ 14043e-2(6) and 11434a(2) [↑](#footnote-ref-4)
5. 20 CFR § 681.220(b) [↑](#footnote-ref-5)
6. WIOA Sec. 129(a)(3)(B); TEGL 8-15 [↑](#footnote-ref-6)
7. TEGL 8-15 [↑](#footnote-ref-7)
8. WIOA Secs. 188(a)(5) and 189(h); 20 CFR §§ 680.110(c) and 681.210 [↑](#footnote-ref-8)
9. WIOA Secs. 188(a)(5) and 189(h); 20 CFR §§ 680.110(c) and 681.210 [↑](#footnote-ref-9)
10. See [APPENDIX II](#_low-income_individual) for the definition of *low-income individual* [↑](#footnote-ref-10)
11. 20 CFR § 681.210(b) [↑](#footnote-ref-11)
12. TEGL 8-15 [↑](#footnote-ref-12)
13. TEGL 23-14 [↑](#footnote-ref-13)
14. WIOA Sec. *188 et seq.;* see also NDOL’s policy on Accessibility [↑](#footnote-ref-14)
15. 20 CFR § 681.550(a) [↑](#footnote-ref-15)
16. Neb. Rev. Stat. §§ 79-201, 79-202, 79-319, and 79-1601 [↑](#footnote-ref-16)
17. Neb. Rev. Stat. 79-201 [↑](#footnote-ref-17)
18. Neb. Rev. Stat. 79-202 [↑](#footnote-ref-18)
19. WIOA Sec. 3(5) [↑](#footnote-ref-19)
20. WIOA Secs. 3(20) and 203(7) [↑](#footnote-ref-20)
21. 20 CFR § 681.260 [↑](#footnote-ref-21)
22. Taken from the 2014 American Community Survey, Table number B17017, as provided by NDOL’s Office of Labor Market Information. The boundaries of census tracts may change with each ten-year census. The most recent census tracts were designated in 2010. [↑](#footnote-ref-22)
23. 29 CFR § 37.4 [↑](#footnote-ref-23)
24. 29 CFR § 37.4 [↑](#footnote-ref-24)
25. WIOA Sec. 3(36) [↑](#footnote-ref-25)
26. The term ‘‘lower living standard income level’’ means the income level determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary. Refer to NDOL’s current issuance(s) for the current Federally-established poverty line or LLSIL. [↑](#footnote-ref-26)
27. 42 USC §§ 14043e-2(6) and 11434a(2) [↑](#footnote-ref-27)
28. WIOA Secs. 3(36) and 181(a)(2) [↑](#footnote-ref-28)
29. WIOA Sec. 3(38) [↑](#footnote-ref-29)
30. U.S. Department of Labor response to comments on 20 CFR § 681.220 in the WIOA Final Rule [↑](#footnote-ref-30)
31. 20 CFR § 681.300 [↑](#footnote-ref-31)
32. TEGL 8-15 [↑](#footnote-ref-32)
33. 20 CFR § 681.230 [↑](#footnote-ref-33)
34. Neb. Rev. Stats. §§ 79-201, 79-202, 79-319, and 79-1601 [↑](#footnote-ref-34)
35. 20 CFR § 681.230 [↑](#footnote-ref-35)