

Youth Program

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Reference

TEGLs 8-15 and 21-16. 20 USC § 1232g; 34 CFR Part 99. 20 CFR § 683.220-680.230, 680.900-680.920, 681.320, and 681.400-681.600. Nebraska Department of Labor's Youth Program, Change 1 policy. WIOA Sec. 3.

Policy

Youth Program

Service Provider Selection and Procurement

Local boards have the option of directly providing some or all of the required youth employment and training activities, rather than entering into a grant or contract to provide the activities. If a local board chooses to award grants or contracts to youth service providers to carry out some or all of the youth employment and training activities, the following requirements apply.

1. The local board must ensure that grants and contracts are awarded on a competitive basis and must procure youth service providers in accordance with:
 - a. Local procurement policies and procedures and applicable state and local procurement laws; and
 - b. Principles of competitive procurement in 2 CFR Parts 200 and 2900 including 2 CFR Part 180.
2. If the local board determines there are an insufficient number of youth service providers in the local area, such as a rural area, the local board may award grants or contracts on a non-competitive basis. Non-competitive procurement must be conducted in accordance with:
 - a. Local procurement policies and procedures and applicable state and local procurement laws; and
 - b. Principles of competitive procurement in 2 CFR Parts 200 and 2900 including 2 CFR Part 180.
3. The local board may implement a pay-for-performance contract strategy for one or more of the required 14 program elements and may reserve and use not more than 10 percent of the total youth program funds allocated to the local area for pay-for-performance contract strategies.
4. When selecting youth service providers, the local board must take into consideration the ability of youth service providers to meet performance accountability measures based on the primary indicators of performance for youth programs, which are described in detail in the State's performance accountability policy.

5. If the local board has a standing youth committee, the local board may assign the function of selecting and recommending youth service providers to the committee.
6. Contracts for training services may be used instead of individual training accounts (ITA) only when the local board has fulfilled the applicable consumer choice requirements and at least one of the following conditions exist:
 - a. The training services are on-the-job-training (OJT), customized training, incumbent worker training, or transitional jobs.
 - b. The local board determines there are an insufficient number of eligible training providers (ETP) in the local area to accomplish the purpose of a system of ITAs. The local board's determination process must be described in its local plan, which must provide for a public comment period of at least 30 days for interested providers of training services. If the local board elects to contract with training providers for occupational skills training, the local board must ensure the providers are authorized or licensed to provide training services in Nebraska or to Nebraska residents by applicable accrediting or governing authorities, which may include the Nebraska Department of Education according to the requirements of the Nebraska Private Postsecondary Career School Act (Title 92, Nebraska Administrative Code, Chapter 41).
 - c. The local board determines there is a program of training services offered in the local area by a community-based organization (or other private organization) that has demonstrated effectiveness in serving individuals with barriers to employment, subject to the following requirements.
 - i. The local board must develop criteria to be used in determining demonstrated effectiveness, particularly as it applies to the individuals with barriers to employment to be served. The criteria may include:
 1. financial stability;
 2. demonstrated performance in the delivery of services to individuals with barriers to employment based on measures such as program completion rate; attainment of the skills, certificates, or degrees the program is designed to provide; placement after training in unsubsidized employment; and retention in employment; and
 3. how the specific program relates to the workforce investment needs identified in the board's local plan.
 - d. The local board determines that it would be most appropriate to contract with an institution of higher education (or other accredited, authorized, or licensed provider of training services) in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations, as long as the contract does not limit consumer choice. If the selected provider of training services is not an institution of higher education, the provider must be authorized or licensed to provide training services in Nebraska or to Nebraska residents by applicable

accrediting or governing authorities, which may include the Nebraska Department of Education according to the requirements of the Nebraska Private Postsecondary Career School Act (Title 92, Nebraska Administrative Code, Chapter 41).

- e. The local board is considering entering into a pay-for-performance contract and ensures that the contract is consistent with the requirements of 20 CFR § 683.510.

Youth Service Provider List

The Greater Nebraska Workforce Development Board (GNWDB) is required to submit a list of its youth service providers to Nebraska Department of Labor (NDOL) by July 1 of each program year. The list must be prepared utilizing the form provided by NDOL and emailed to ndol.wioa_policy@nebraska.gov. The list must include the provider's name, complete address, phone number, and the name of the provider's primary point of contact.

If the list of providers changes in any way at any point during the program year, the GNWDB must submit a revised list within 30 days of the change.

Program Design

Framework

The design framework of the local youth program must include the following components:

- an objective assessment for each participant that includes a review of the individual's academic and occupational skill levels, service needs, and strengths in order to identify appropriate services and career pathways;
- development and updating of an individual service strategy (ISS) for each participant, which must be directly linked to one or more indicators of performance and must:
 - identify career pathways that include education and employment goals;
 - consider career planning and the results of the objective assessment; and
 - prescribe achievement objectives and services for the participant.
- case management of participants, including follow-up services.

An objective assessment and ISS is required for all youth participants even if a recent one was completed under another education or training program.

Connections

The local youth program must be linked with entities that foster participation of eligible local area youth in the program, such as connections to local:

- justice and law enforcement officials;
- public housing authorities;
- education agencies;
- human service agencies;
- WIOA Title II adult education providers;

- Agencies and providers serving individuals with disabilities;
- Health and mental health providers;
- Job Corps representatives; and
- Representatives of youth initiatives, such as YouthBuild, those that serve homeless youth, and other public and private youth initiatives.

Referral Requirements

The local board must ensure that youth service providers meet referral requirements for all youth participants, including:

- providing participants with information about the full array of applicable or appropriate services available through the local board, eligible providers, or one-stop partners; and
- referring participants to appropriate training and educational programs that have the capacity to serve them either on a sequential or concurrent basis.

If an individual applies for enrollment in the local youth program and does not meet the enrollment requirements or cannot be served by the program, the youth service provider must ensure that the individual is referred:

- for further assessment, if necessary; or
- to appropriate programs to meet the skills and training needs of the individual.

Community Involvement

The local board must provide opportunities for involvement of community members in the design and implementation of the program, including parents, participants, and other members of the community that have experience working with youth. Involvement in the local youth program may occur in a number of ways, including (i) serving on the local youth standing committee, if one exists and the individual is appointed by the local board; (ii) providing input into the design and implementation of the program; and (iii) serving as youth mentors and tutors. In addition, each local board must make volunteer opportunities available for successful youth participants to help other youth participants as mentors or tutors or through other activities.

Co-enrollment

As required under the State's performance accountability policy:

- Youth participants must be co-enrolled in partner programs whenever eligibility permits and co-enrollment benefits the participants; and
- ISY ages 18 through 21 must be co-enrolled in an adult or dislocated worker program before ITA funds can be used for occupational skills training (OST) provided by an ETP.

Coordination of Services

Each local board must ensure that the local youth program identifies and tracks funding streams that pay the costs of services provided to co-enrolled youth participants to ensure no duplication

of services across programs and youth service providers, including supportive services and training services.

Non-WIOA Financial Benefits and Assistance

Prior to a participant's placement in work experience, the youth career planner must coordinate with other programs that are providing the participant with non-WIOA financial benefits and assistance (UI, TANF, SNAP, etc.) to determine if the payment of wages or stipends for work experience effects the participant's eligibility for assistance. Following coordination with other programs, the youth career planner must also discuss with the participant any effects that work experience may have on the individual's eligibility for assistance provided by the non-WIOA programs.

Duration of Services

Each local youth program must provide services to a youth participant as long as necessary to ensure successful preparation to enter postsecondary education and/or unsubsidized employment. There is no minimum or maximum time a participant is allowed to take part in a local youth program. Each local youth program must link program participation to the participant's individual service strategy (ISS), not the timing of contracts with youth service providers or program years.

In its coordination of local youth program services, the local one-stop operator must not establish practices that create disincentives to providing services to individuals with barriers to employment, including youth who may require longer-term services, such as intensive employment, training, and education services.

Expenditures

Prior to Participation

There are two limited instances where youth funds may be expended on costs related to individuals who are not yet participants in the program. Funds may be expended on (i) outreach and recruitment and (ii) assessments for eligibility determination prior to eligibility determination, such as assessing basic skill levels. Youth funds must not be spent on the provision of local youth program services (the 14 youth program elements) to individuals who are not participants.

OSY Expenditure Requirement

The GNWDB must ensure that the local youth program expends at least 75 percent of allocated youth funds on the provision of services to OSY. Local area administrative costs are not subject to this 75 percent minimum expenditure requirement.

Work Experience Priority

The GNWDB must ensure the local youth program expends at least 20 percent of allocated youth funds on paid and unpaid work experiences and track expenditures for paid and unpaid work experiences, including funds spend on:

- Wages, stipends, and incentives paid to youth in work experience;
- Costs of staff time spent identifying potential work experience opportunities;
- Staff time working with employers to develop work experience opportunities;
- Staff time spent working with employers to ensure successful work experience opportunities;
- Staff time spent evaluating work experience opportunities;
- Costs associated with participant and employer work experience orientation sessions; and
- Costs of classroom training or the required academic education component directly related to the work experience.

The percentage of funds spent on work experience is calculated based on the total amount of youth funds allocated to the local area and is not calculated separately for ISY and OSY. Local area administrative costs are not subject to this 20 percent minimum expenditure requirement. Supportive services and leveraged resources must not be used to fulfill any part of the 20 percent minimum expenditure requirement.

Participant Compensation

Effect on non-WIOA Financial Benefits and Assistance

When compensating youth participants with wages or stipends for work experience, youth service providers and employers of record are expected to adhere to Internal Revenue Service (IRS) guidelines. The classification of a participant, specifically the employer/employee relationship, is a key factor used by the IRS to determine whether withholding taxes is applicable. The classification of the participant may effect a participant's eligibility for non-WIOA financial benefits and assistance, as compensation for work experience may be counted as earnings when the participant is collecting UI or receiving financial benefits or assistance from other programs, such as TANF or SNAP.

Wages

A wage is generally a payment for services rendered where an employer/employee relationship exists. This form of compensation is usually paid through a payroll system and subject to the taxes applicable to the employer of record and participants. Paying a wage usually indicates that a local youth program views the youth as an employee or a trainee. Paid work experiences and internships may fall under the Fair Labor Standards Act (FLSA). FLSA requires that individuals be compensated under the law for the services they perform for an employer. To determine whether a paid work experience or internship falls under FLSA, contact USDOL's Wage and Hour Division located at 222 South 15th Street, Suite 504A, Omaha, NE 68102, phone 402.221.4682 or 866.487.9243.

Stipends

A stipend is an allowable payment for participation in activities such as work experience or classroom activities, including work readiness or employability skills training. The local youth program must establish written policies and procedures governing the payment of stipends, based on local program design and participant needs. Local policies on stipends must ensure that payments are:

- Tied to the goals of the programs;
- Outlines in writing before the commencement of the stipend program;
- Aligned with the program's organizational policies; and
- Made in compliance with the requirements of 2 CFR Part 200.

Greater Nebraska does not currently authorize stipend payments.

Incentive Payments

Incentive payments for youth participants are a way to encourage youth participant's involvement and to reward participants for achieving specific elements indicated in their employment plan. The incentive must be linked to an achievement and must be tied to a goal in their individual service strategy (ISS).

Incentive payments are not guaranteed, nor are participants entitled to receive them. Incentive payments are based on availability of local office funds and are issued on a case-by-case basis depending on the participant's ISS. Achievements must be documented in the participant's file.

Achievements completed prior to WIOA Youth program enrollment do not qualify for incentives.

Incentive payments may be awarded for the following goals accomplishments:

- **Credential Attainment**
 - \$200 will be paid for the attainment of a recognized secondary or post-secondary credential.
- **Grade Point Average (GPA)**
 - To be eligible to receive a GPA incentive, participants must participate in a training program on the Eligible Training Provider List and receive a GPA of 2.5 or higher.
 - Youth participating in a training program that does not award a GPA are not eligible for this incentive. This includes Pass-Fail or Satisfactory-Unsatisfactory type of programs.
 - The amount of this incentive corresponds to the cumulative GPA at the end of the training program, not quarterly or per semester.
- **Work Experience**
 - \$200 will be paid for successful completion of 500 work experience hours.

Youth can earn and receive multiple incentive for different activities completed. Youth cannot receive duplicate incentives for repeated achievements. Once an incentive type is obtained, they cannot receive it again, even if it is met multiple times.

Withholdings

The classification of a participant, specifically the employer/employee relationship, is a key factor used by the IRS to determine whether withholding taxes is applicable. When determining whether to pay taxes on wages, stipends, and incentives, youth service providers and employers of record are expected to adhere to IRS guidelines. IRS publication 525 provides

information on taxable and non-taxable income, which is accessible at <https://www.irs.gov/forms-pubs/about-publication-525>.

Program Elements

The 14 program elements described in this section must be made available to all youth participants. However, local youth programs are not required to provide every service to each youth participant and have the discretion to determine the services a youth participant receives based on the participant's objective assessment and ISS.

1. Tutoring, study skills training, instruction, and dropout prevention

Tutoring, study skills training, and instruction that lead to a high school diploma include services such as providing academic support, helping youth identify areas of academic concern, assisting with overcoming learning obstacles, or providing tools and resources to develop learning strategies. Tutoring, study skills training, and instruction can be provided one-on-one, in a group setting, or through developed resources and workshops.

Dropout prevention strategies intended to lead to a high school diploma include activities that keep youth in school and engaged in a formal learning or training setting. Strategies include, but are not limited to, tutoring, literacy development, active learning experiences, after-school opportunities, and individualized instruction.

2. Alternative secondary school and dropout recovery

Alternative secondary school services are services that assist youth who have struggled in traditional secondary education. Dropout recovery services are those that assist youth who have dropped out of school. Both types of services help youth to re-engage in education that leads to the completion of a recognized high school equivalent. Examples of activities under this program element include:

- Basic education skills training;
- Individualized academic instruction;
- English-as-a-second-language training;
- Credit recovery; and
- Counseling and educational plan development.

3. Paid and unpaid work experience

Work experience is a planned, structured learning experience that takes place in a workplace for a limited period. Work experiences may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector, non-profit sector, or public sector. Work experiences must include academic and occupational education components.

Types of work experiences include:

- Summer employment opportunities and other employment opportunities available throughout the year;
- Pre-apprenticeship programs;

- Internships and job shadowing; and
- On-the-job training.

Work experiences must include academic and occupational education, meaning learning in academic and occupational contexts, which:

- May occur concurrently or sequentially with the work experience;
- May occur inside or outside the work site;
- Includes information needed to understand and work in specific industries or occupations; and
- Is provided by the employer or separately in a classroom setting or through other means.

For example, if a youth is participant in a work experience at a hospital:

- academic education could involve learning information that individuals in those occupations need to know, such as why blood type matters, the name of a specific bone in the body, or the function of a specific ligament; and
- occupational education could involve learning about different types of hospital occupations, such as a phlebotomist, radiology tech, or physical therapist.

Local programs have the flexibility to determine the appropriate type of academic and occupational education necessary for a specific work experience.

4. Occupational Skills Training

Youth programs must give priority to programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupations in the local area.

Occupational skills training (OST) must:

- Be outcome-oriented and focused on an occupational goal specified in the participant's ISS;
- Be of sufficient duration to impart the skills needed to meet the occupational goal; and
- Lead to the attainment of a recognized postsecondary credential.

OSTs must be provided by competitively selected training providers or ETPs.

To enhance individual participant choice in the selection of education and training programs and provide flexibility to local youth programs, ITA funds may be used, when appropriate, for OST for OSY ages 16 through 24. Further guidance on ITAs can be found in Greater Nebraska's [Individual Training Accounts \(ITAs\)](#) policy.

5. Education offered concurrently with workforce preparation and training

Education offered concurrently with workforce preparation and training for a specific occupation refers to an integrated education and training model and describes how workforce preparation activities, basic academic skills, and hands-on occupational skills training are to be taught within the same period and connected to training in a specific occupation, occupational cluster, or career pathway.

6. Leadership development opportunities

Leadership development opportunities are opportunities that encourage responsibility, confidence, employability, self-determination, and other positive social behaviors. Leadership development includes activities such as:

- Exposure to postsecondary educational possibilities;
- Community and service learning projects;
- Peer-centered activities, including peer mentoring and tutoring;
- Organizational and teamwork training, including team leadership training;
- Training in decision making, including determining priorities and problem solving;
- Citizenship training, including life skills training such as parenting and work behavior training;
- Civic engagement activities that promote the quality of life in a community; and
- Other leadership activities that place youth in a leadership role, such as serving on youth leadership committees.

7. Supportive services

Supportive services are services that enable a youth participant to take part in local youth program activities. For further information regarding the provision of supportive services see Greater Nebraska's [Supportive Services](#) policy.

8. Adult mentoring

Adult mentoring is 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. Mentoring may include workplace mentoring where the local program matches a youth participant with an employer or employee of a company. Adult mentoring must last at least 12 months and may take place during program participation and following exit from the program.

While group mentoring activities and mentoring through electronic means are allowable as part of the mentoring activities, the local youth program must, at a minimum, match the youth with an individual mentor with whom the youth interacts on a face-to-face basis.

USDOL acknowledges that in some areas of the country finding mentors may present a burden to a program. While USDOL strongly prefers that case managers not serve as mentors, the final rule allows case managers to serve as mentors in areas where adult mentors are scarce.

Greater Nebraska only pairs youth participants with an adult mentor from an established mentoring program that completes adequate screening including background checks. Examples include Teammates and the National Mentoring Partnership.

9. Follow-up services

Follow-up services are critical services provided following a youth's exit from the program to help ensure that youth are successful in employment and/or postsecondary education and training. Follow-up services may include:

- Regular contact with a youth participant's employer, including assistance in addressing work-related problems that arise;
- Supportive services;
- Adult mentoring;
- Financial literacy education;
- Services that provide labor market and employment information and in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
- Activities that help youth prepare for and transition to postsecondary education and training.

Requirements for the provision of youth follow-up services include:

1. All participants must be offered an opportunity to receive follow-up services that align with their ISS. Types of follow-up services provided and the duration of follow-up services must be determined based on the needs of the individual and, therefore, the type and intensity of follow-up services may differ for each participant.
2. At the time of enrollment, youth must be informed that follow-up services will be provided for a minimum of 12 months following exit. If, at any point during participation in the program or during the 12 months following exit, the youth participant requests to opt out of follow-up services, they may do so. In this case, the participant's request to opt out or discontinue follow-up services must be documented in case notes.
3. Follow-up services must be provided to all participants for a minimum of 12 months after the last expected date of service in the local youth program, and any NDOL-administered programs in which the participant may be co-enrolled, unless the participant declines to receive follow-up services or the participant cannot be located or contacted. When a participant cannot be located or contacted during a follow-up quarter the career planner must complete the follow up service as "cannot locate" and include a case note in the participant's file.
4. Follow-up services may begin immediately following the last expected date of service. The exit date is determined when the participant has not received services through the local youth program, or any NDOL-administered programs in which the participant may be co-enrolled, for 90 days and no additional services are scheduled.
5. When the following program elements are provided as follow-up services, they must be recorded as follow-up services in NEworks, rather than program services, in order to (a) clearly differentiate follow-up services from program services provided prior to program exit and (b) prevent a change in the exit date and trigger re-enrollment in the program:
 - a. Supportive services;
 - b. Adult mentoring;
 - c. Financial literacy education;

- d. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
- e. Activities that help youth prepare for and transition to postsecondary education and training.

In addition, it must be documented in case notes that these program elements were provided as follow-up services after program exit.

6. Follow-up services must be more than just an attempt to contact the participant and must not be made just to secure documentation to support or report a performance outcome.

10. Comprehensive guidance and counseling

Comprehensive guidance and counseling involves the provision of individualized counseling to participants. This program element also includes substance and alcohol abuse counseling, mental health counseling, and referrals to qualified partner programs. 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 to which it refers the youth participant in order to ensure continuity of service. When resources exist within the local program or its service providers, it is allowable to provide counseling services directly to participants rather than referring youth to partner programs.

11. Financial literacy education

Financial literacy education refers to activities that provide youth with the knowledge and skills that they need to achieve long-term financial stability, including activities that:

- Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions;
- Supports participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards;
- Teach participants about the significance of credit reports and credit scores, what their rights are regarding their credit and financial information, how to determine the accuracy of a credit report and how to correct inaccuracies, and how to improve or maintain good credit;
- Support a participant's ability to understand, evaluate, and compare financial products, services, and opportunities and to make informed financial decisions;
- Educate participants about identity theft, ways to protect themselves from identify theft, how to resolve cases of identity theft, and understand their rights and protections related to personal identity and financial data;
- Support activities that address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials;
- Support activities that address the particular financial literacy needs of youth with disabilities, including connecting them to benefits planning and work incentives counseling;

- Provide financial education that is age appropriate, timely, and provides opportunities to put lessons into practice, such as providing access to safe and affordable financial products that enable money management and savings; and
- Implement other approaches to help participants gain the knowledge, skills, and confidence to make informed financial decisions that enable them to attain greater financial health and stability through the use of high quality, age-appropriate, and relevant strategies and channels, including, where possible, timely and customized information, guidance, tools, and instruction.

12. Entrepreneurial skills training

Entrepreneurial skills training provides training on the basics of starting and operating a small business and must develop the skills associated with entrepreneurship, such as the ability to:

- Take initiative;
- Creatively seek out and identify business opportunities;
- Develop budgets and forecast resource needs;
- Understand various options for acquiring capital and the trade-offs associated with each option; and
- Communicate effectively and market oneself and one's ideas.

Examples of approaches to teaching youth entrepreneurial skills include:

- Entrepreneurship education that provides an introduction to the values and basics of starting and running a business, such as developing a business plan and simulations of business start-up and operation;
- Enterprise development that provides supports and services that incubate and help youth develop their own businesses, such as helping youth access small loans or grants and providing more individualized attention to the development of viable business ideas; and
- Experiential programs that provide youth with experience in the day-to-day operation of a business.

13. Labor market information services

Labor market information (LMI) services refers to services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area and includes career awareness, career counseling, and career exploration services. LMI services also help youth identify employment opportunities and provide knowledge of job market expectations, including education and skill requirements and potential earnings.

14. Postsecondary preparation and transition activities

Postsecondary preparation and transition activities are activities that help youth prepare for and transition to postsecondary education and training. These activities include helping youth explore postsecondary education options, including technical training schools, community colleges, four-year colleges and universities, and Registered Apprenticeship programs.

Examples of other postsecondary preparation and transition activities include:

- assisting youth with preparation for SAT/ACT testing;
- assisting with college admission applications;
- searching and applying for scholarships and grants;
- filling out the proper financial aid applications and adhering to changing guidelines; and
- connecting youth to postsecondary education programs.

Privacy

Career planners must adhere to the confidentiality requirements of the Family Education Rights and Privacy Act, established under Section 444 of the General Education Provisions Act, including requirements regarding circumstances requiring written consent for disclosure of personally identifiable information from an education record.

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.