

To: Indiana's Workforce System

From: Indiana Department of Workforce Development (DWD)

Date: September 12, 2023

Subject: DWD Policy 2018-01, Change 2
Guidance on WIOA Title I Youth Program Elements

Purpose

The purpose of this policy is to provide guidance to local Workforce Development Boards (WDBs), their operators, and their service providers regarding the definition and requirements of the provision of youth program elements and services under the Workforce Innovation and Opportunity Act (WIOA).

Change 2 Summary

This policy has been updated to reflect TEGL 9-22's coverage of allowable supportive services including the following changes:

- Supportive services that enable WIOA Youth participants to participate in a work experience are now an allowable work experience expenditure.
- Mental health services have been added to the "Referral to Health Care" supportive service.
- Food, at a reasonable cost, may be provided to WIOA Youth participants as a supportive service.

Rescission

DWD Policy 2018-01, Change 1 *Guidance on WIOA Title I Youth Program Elements*

References

- WIOA Section 3(59), 123 and 129
- 2 CFR part 200
- 20 CFR 651.10
- 20 CFR 680.400, 680.410, and 680.840
- 20 CFR Part 681
- TEGL 9-22 *Workforce Innovation and Opportunity Act Title I Youth Formula Program Guidance*
- TEGL 21-16 *Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance*
- TEGL 8-15 *Second Title 1 WIOA Youth Program Transition Guidance*
- DWD Policy 2017-10, Change 1 *Guidance on WIOA Title I Youth Work Experience*

Content

Background

WIOA includes fourteen (14) program elements, which include the original ten (10) program elements under the Workforce Investment Act (which have been consolidated to nine (9) as the summer employment opportunities program element is now a sub-element under paid and unpaid work experiences) and five (5) new program elements. The five (5) new program elements are: financial literacy education; entrepreneurial skills training; services that provide labor market and employment information about in-demand industry sectors or occupations available in the local areas; activities that help youth prepare for and transition to post-secondary education and training; and education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

Youth Program Elements

The purpose of WIOA youth services is to assist young people (ages 14-21 if in-school youth (ISY); ages 16-24 if out-of-school youth (OSY)) who face significant barriers to education and/or employment by providing resources and support to overcome those barriers and successfully transition to self-sufficiency. This is accomplished by assessing a participant's skills, interests, needs, and goals; creating customized service plans in collaboration with the participant; and expanding the participant's connection to the local economy, educational opportunities, and community resources.

WIOA requires local workforce development areas make available all of the required fourteen (14) program elements to youth participants. Local programs are not required to use WIOA youth funds for each of the program's elements but may leverage partner resources to provide some of the readily available program elements.¹ However, the local area must ensure that if a program element is not funded with WIOA Title I Youth funds, the local program has an agreement in place with a partner organization to ensure that the program element will be offered. The local WDB must ensure that the program element is closely connected and coordinated with the WIOA Youth program.

Determination of which program elements are provided to the youth participant must be made upon review of the youth's eligibility, barriers, needs, and goals through the use of an objective assessment. The program elements that will be utilized to address the participant's barriers must be documented in the Individual Service Strategy (ISS)/ Individual Employment Plan (IEP). The ISS/IEP should be updated as additional barriers or needs arise.

The 14 youth program elements and their definitions are:

1. **Tutoring, study skills training, instruction, and evidence-based dropout prevention 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 post-secondary credential.** Tutoring, study skills training, and instruction that lead to a *high school diploma, its equivalent or a similar certificate for individuals with disabilities* are reported under this program element. Such services focus on

¹ 20 CFR 681.470.

providing academic support, helping a youth identify areas of academic concern, assisting with overcoming learning obstacles, and providing tools and resources to develop learning strategies. Tutoring, study skills training, and instruction can be provided one-on-one, in a group setting, through resources and workshops.

Secondary school dropout prevention strategies intended to lead to a high school diploma are also reported under this program element. Secondary school dropout prevention strategies include services and activities that keep a young person in-school and engaged in a formal learning and/or training setting. Strategies include, but are not limited to tutoring, literacy development, active learning experiences, after-school opportunities, and individualized instruction. Skills training through Indiana's Jobs for America's Graduates in-school (including senior, multi-year and alternative education) program models would also be included in this program element.

2. **Alternative secondary school services, or dropout recovery services, as appropriate.** Under 20 CFR 681.460(a)(2), alternative secondary school services, such as basic education skills training, individualized academic instruction, and English Language Learner training, are those that assist youth who have struggled in traditional secondary education.

In Indiana, the alternative education programs and models designed to meet the needs of disadvantaged youth are very diverse, allowing local areas opportunity to reach a wide variety of students. Qualifying alternative secondary school services include, but are not limited to alternative classrooms, school within-a-school programming, separate alternative schools, and second or last-chance schools.

Dropout recovery services, such as credit recovery, counseling, and educational plan development, are those that assist youth who have dropped out of school. In Indiana, participation in the Jobs for America's Graduates out-of-school program model may be included as a dropout recovery service. While the activities within both types of services may overlap, each have a goal of helping youth to re-engage and persist in education that leads to the completion of a recognized high school diploma or its equivalent.

3. **Paid and unpaid work experiences² that have academic and occupational education as a component of the work experience, which may include the following types of work experiences: summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, internships and job shadowing, and on-the-job training opportunities.** 20 CFR 681.600 further defines work experience as "a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate and may take place in the private for-profit sector, the non-profit sector, or the public 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.

Consistent with 20 CFR 680.840, funds provided for work experiences may not be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is otherwise an

² See DWD's *Guidance on WIOA Title I Youth Work Experience* policy for additional guidance.

issue in a labor dispute involving a work stoppage. Work experiences provide the youth participant with opportunities for career exploration and skill development.

WIOA and 20 CFR 681.590(a) require that a minimum of 20 percent of local area funds for the Title I Youth program be spent on work experience. As explained in 20 CFR 681.590(b), local area administrative costs are not subject to the 20 percent minimum work experience expenditure requirement. Leveraged resources cannot be used to fulfill any part of the 20 percent minimum.

TEGL No. 8-15 provides further discussion of allowable expenditures that may be counted toward the work experience expenditure requirement and articulates that program expenditures on the work experience program element can be more than just wages paid to youth in work experience. Allowable work experience expenditures include the following:

- Wages/stipends paid for participation in a work experience;
- Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop the work experience;
- Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- Staff time spent evaluating the work experience;
- Participant work experience orientation sessions;
- Employer work experience orientation sessions;
- Classroom training or the required academic education component directly related to the work experience;
- Supportive services that enable WIOA Youth participants to participate in work experience;³
- Incentive payments directly tied to the completion of work experience; and
- Employability skills/job readiness training to prepare youth for a work experience.
 - Incentives not directly tied to the completion of the work experience as listed above would count as a supportive service program element.

As discussed in 20 CFR 681.600, work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience. The academic and occupational education component may occur inside or outside the work site. The work experience employer can provide the academic and occupational component, or such components may be provided separately in the classroom or through other means. Local areas have the flexibility to decide who provides the educational components.

The academic and occupational education component refers to contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations. It must be more than a work site's onboarding program for employees. It must be applicable across individual employers to be occupational. 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, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or

³ TEGL 9-22.

occupations in the local area involved, if the Local WDB determines that the programs meet the quality criteria described in WIOA sec. 123. As stated in 20 CFR 681.540, occupational skills training is defined as an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. Local areas must give priority consideration to training programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupations in the local area. Such training must:

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

Individual Training Accounts (ITAs) are allowed for OSY ages 16 to 24, when appropriate. ITAs allow participants the opportunity to choose the training provider that best meets their needs. To receive funds from an ITA, the training provider must be on the Eligible Training Provider List as outlined in 20 CFR 680.400 and 680.410.

ISY cannot use youth program funded ITAs. However, ISY between the ages of 18 and 21 may co-enroll in the WIOA Adult program if the young adult's individual needs, knowledge, skills, and interests align with the WIOA adult program and may receive training services through an ITA funded by the adult program.

In addition, the chosen occupational skills training must meet the in-demand and quality standards as highlighted in the state's demand-driven online tools.

5. **Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.** 20 CFR 681.630 states that this program element reflects 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 time frame and connected to training in a specific occupation, occupational cluster, or career pathway.
6. **Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors.** 20 CFR 681.520 defines this program element as opportunities that encourage responsibility, confidence, employability, self-determination, and other positive social behaviors 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 which 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, such as a Standing Youth Committee.

7. Supportive Services. Supportive services must be made available to all youth participants and can be solely funded by the youth program regardless of funding availability from other sources. Local areas must have a plan or policy related to their supportive services. 20 CFR 681.570 describes supportive services for youth as defined in WIOA Sec. 3(59), as services that enable an individual to participate in WIOA activities. These services include, but are not limited to, the following:

- Linkages to community services;
- Assistance with transportation;
- Assistance with child care and dependent care;
- Assistance with housing;
- Needs-related payments, including emergency needs;
- Assistance with educational testing;
- Reasonable accommodations for youth with disabilities;
- Legal aid services;
- Referrals to health care, including mental health services;⁴
- Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear;
- Assistance with books, fees, school supplies, and other necessary items such as electronic devices for students enrolled in postsecondary education classes; and
- Payments and fees for employment and training-related applications, tests, and certifications.
- Food for Title I Youth program participants only.⁵
 - Food, at a reasonable cost, may be provided to youth-serving program participants as a supportive service. Food may be provided to eligible youth when it will enable them to participate in allowable youth program activities, assist them in reaching their employment and training goals as identified on their ISS/IEP, and the participant's situation poses an immediate need for food assistance. The use of grant funds for food should be limited to reasonable and necessary purchases that are coordinated with other community, state, or federal services that provide food for low-income individuals. Local areas must have written policies and procedures in place for purchasing and distributing food to ensure consistent treatment of these types of expenses.

NOTE: Local policies and procedures regarding food as a Supportive Service must align with the cost allowability factors outlined in 2 CFR 200.403 of the Uniform Guidance.

Electronic Device as a Supportive Service

If the local area intends to permit the provision of electronic devices, such as computers, laptops, and tablets for training participants, the local supportive service policy must contain:

⁴ TEGL 9-22 provides additional information and resources related to serving Youth and addressing mental health.

⁵ Excludes purchasing food for entertainment or celebrational purposes.

- A process for determining the device is necessary to successfully complete the program (e.g., providing justification of necessity due to participant not already owning or having access to an adequate device needed for program completion);
- Cost limits for the electronic devices which are consistent with market prices for comparable goods;
- Disposition of the electronic device upon completion of the training, specifying whether the participant may retain the device as well as expectations if a participant does not complete training. This information must be communicated to the participant; and
- Documentation that the electronic device is necessary in case notes within the state's case management system.

Incentive Payments

20 CFR 681.640 states that "incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experience. The local program must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are tied to the goals of the specific program; outlined in writing before the commencement of the program that may provide incentive payments; align with the local program's organizational policies; and are in accordance with the requirements contained in 2 CFR part 200." Incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment. Local areas may leverage private funds for incentives that WIOA cannot fund.

Electronic Device as an Incentive

If the local area intends to permit electronic devices as a type of incentive, the local program must have written policies and procedures in place governing the award of such an incentive and must ensure:

- They are only permitted for recognition of the achievement of milestones in the program tied to work experience, education, or training.
- They are tied to the goals of the specific program.
- They are outlined in writing before the commencement of the program that may provide this type of incentive.
- They are aligned with the local program's organizational policies.
- The milestone and awarded device are thoroughly case noted in the state's case management system.
- They are in accordance with the requirements contained in 2 CFR part 200.

The local policy and procedures must also identify and establish a cost limit for each type of device that will be used as an incentive. Cost limits should be consistent with market prices for comparable goods.

- 8. Adult mentoring for a duration of at least 12 months that may occur both during and after program participation.** 20 CFR 681.490 states that adult mentoring for youth must:

- Last at least 12 months and may take place both during the program and following exit from the program;
- 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; and
- While group mentoring activities and mentoring through electronic means are allowable as part of the mentoring activities, at a minimum, the local youth program must match the youth with an individual mentor with whom the youth interact on a face-to-face basis. Mentoring may include workplace mentoring where the local program matches a youth participant with an employer or employee of a company.

Local programs should ensure appropriate processes are in place to adequately screen and select mentors. In a few areas of the state, finding mentors may present a burden to a program. Case managers can serve as mentors in areas where adult mentors are sparse.

9. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth. 20 CFR 681.510 states that comprehensive guidance and counseling provides individualized counseling to participants. This includes drug and alcohol abuse 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. When resources exist within the local program or its service providers, it is allowable to provide counseling services directly to participants rather than refer youth to partner programs.

10. Financial literacy education. 20 CFR 681.500 states that this program element may include the following activities:

- Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions.
- Support 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 identity theft, and how to resolve cases of identity theft and in other ways 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 by access to safe and affordable financial products that enable money management and savings.
- 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 by using high quality, age- appropriate, and relevant strategies and channels, including where possible, timely and customized information, guidance, tools, and instruction.

11. Entrepreneurial skills training. 20 CFR 681.560 states this program element provides the basics of starting and operating a small business. Such training must develop the skills associated with entrepreneurship. Such skills may include, but are not limited to, 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.

Approaches to teaching youth entrepreneurial skills may include, but are not limited to:

- a. Entrepreneurship education that provides an introduction to the values and basics of starting and running a business. Entrepreneurship education programs often guide youth through the development of a business plan and also may include simulations of business start-up and operation.
- b. Enterprise development which provides supports and services that incubate and help youth develop their own businesses. Enterprise development programs go beyond entrepreneurship education by helping youth access small loans or grants that are needed to begin business operation and by providing more individualized attention to the development of viable business ideas.
- c. Experiential programs that provide youth with experience in the day-to-day operation of a business. These programs may involve the development of a youth-run business that young people participating in the program work in and manage. Or, they may facilitate placement in apprentice or internship positions with adult entrepreneurs in the community.

12. 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. Under 20 CFR 681.460(a)(13), this element includes “services that provide labor market and employment information about in-demand industry sectors or occupation available in the local area, such as career awareness, career counseling, and career exploration services.” The Wagner-Peyser regulation at 20 CFR 651.10 provides additional information about this element under the definition of workforce and labor market information. That section defines workforce and labor market information as “the body of knowledge that describes the relationship between labor demand and supply.” Indiana Career Explorer should be used to provide labor market and career information, as appropriate to each youth. Labor market

information (LMI) tools can be used to help youth and young adults to make appropriate decisions about education and careers. LMI identifies in-demand industries and occupations and employment opportunities; and provides knowledge of job market expectations including education and skills requirements and potential earnings. LMI tools also can aid in facilitating youth awareness of the career fields that are likely to provide long-term employment and earnings in local labor markets.

WIOA youth programs and providers should become familiar with Indiana and federal LMI data and LMI tools, which are provided for free by agencies, in order to share relevant LMI with youth. Providing such readily available online services can be accomplished by connecting the youth with a WorkOne that has career exploration tools, ability, and interest inventories, and provide related employment services. In addition to connecting youth to self-service LMI tools, it is important for youth providers to share and discuss Indiana and local LMI with youth participants.

In general, career awareness begins the process of developing knowledge of the variety of careers and occupations available, their skill requirements, working conditions and training prerequisites, and job opportunities across a wide range of industry sectors. The process in which youth choose an educational path and training or a job which fits their interests, skills and abilities can be described as career exploration. Career counseling or guidance provides advice and support in making decisions about what career path to take. Career counseling services may include providing information about resume preparation, interview skills, potential opportunities for job shadowing, and the long-term benefits of postsecondary education and training.

13. Activities that help youth prepare for and transition to post-secondary education and training.

Postsecondary preparation and transition activities and services prepare ISY and OSY for advancement to postsecondary education after attaining a high school diploma or its recognized equivalent. These services include exploring postsecondary education options, including technical training schools, community colleges, 4-year colleges and universities, and registered apprenticeship. Additional services include, but are not limited to, assisting youth to prepare 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.

14. Follow-up services for not less than 12 months after the completion of participation. 20 CFR 681.580 describes follow-up services as “critical services provided following a youth’s exit from the program to help ensure the youth is 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.” Follow-up services should begin immediately following the last expected date of service in the Youth program and all other DOL programs in which the participant is co-enrolled when no future services are scheduled. Follow-up services do not cause the exit date to change and do not trigger re-enrollment in the program.

The exit date is determined when the participant has not received services in the Youth program, or any other Department of Labor funded program in which the participant is co-enrolled for 90 days and no additional services are scheduled. At that point, the date of exit is applied retroactively to the last date of service. Following 90 days of no services, other than follow-up services, self-service, and information-only services and activities and when the participant has an

official exit date applied retroactively to the last date of service, the program continues to provide follow-up services for the remaining 275 days of the 12-month follow-up requirement. The 12-month follow-up requirement is completed upon one year from the date of exit.

Follow-up services for youth also may include the following program elements: (1) supportive services; (2) adult mentoring; (3) financial literacy education; (4) 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 (5) activities that help youth prepare for and transition to postsecondary education and training. Provision of these program elements must occur after the exit date in order to count as follow-up services. Indiana recommends that when these services are provided as follow-up services they are coded as follow-up services in the state's case management systems as opposed to program services provided prior to program exit, so the case management system clearly differentiates follow-up services from those services provided prior to exit. In addition, such follow-up services should be documented in the case file that they were provided as follow-up services post exit.

20 CFR 681.580 states that all youth participants must be offered an opportunity to receive follow-up services that align with their individual service strategies. Furthermore, follow-up services must be provided to all participants for a minimum of 12 months, unless the participant declines to receive follow-up services, or the participant cannot be located or contacted. Follow-up services may be provided beyond 12 months at the Local WDB's discretion. The types of services provided, and the duration of 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. Follow-up services must include more than only a contact attempted or made for securing documentation in order to report a performance outcome.

Local programs should have policies in place to establish how to document and record when a participant cannot be located or contacted. At the time of enrollment, youth must be informed that follow-up services will be provided for 12 months following exit. If at any point in time during the program or during the 12 months following exit the youth requests to opt out of follow-up services, they may do so. In this case, the request to opt out or discontinue follow-up services made by the youth must be documented in the case file. At minimum, one year of follow-up must:

- Be based on the needs of the individual. Staff should update the participant's ISS/IEP prior to exiting to reflect the follow-up plans and strategy;
- Include collection of information on employment status, education progress, need for additional services, and problems and challenges and the assistance needed to address them;
- Include reciprocal communication between staff and the participant that identifies how a participant is progressing;
- Occur in person, or via the phone, texting, email, or other forms of one-on-one communication; and
- Be recorded as a follow-up service with a detailed case note in the State's case management system.

Action

Local WDBs shall ensure that the guidance contained within this policy is followed regarding available programs elements and services for all WIOA youth participants.

Effective Date

Immediately.

Ending Date

Upon rescission.

Additional Information

Questions regarding the content of this publication should be directed to policy@dwd.in.gov.