**WorkforceGPS**

**Transcript of Webinar**

**WIOA Youth Eligibility Live Question and Answer Session**

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JENNIFER JACOBS: So again, we want to welcome you to today's WIOA youth eligibility live question and answer session webinar. And if you haven't already done so, please introduce yourself in that chat window.

Now, without further ado, I'd like to turn things over to our moderator today, Sara Hastings, unit chief, Division of Youth Services at the U.S. Department of Labor, Employment and Training Administration. Sara?

SARA HASTINGS: Thanks, Jenn. Hi, everyone, and welcome back to many of you. We had a little polling question going earlier that asked how many of you were on the earlier webinar this morning kicking off our technical assistance series, our journey together. And it looked like about 70 or so percent of the folks joined us this morning, and so welcome back to those folks. We have a lot of you that have joined today, and we are so happy that you are here with us.

On this webinar we're going to be reviewing eligibility policies, offering you all a chance to just ask your questions. Let us know what may be challenging or confusing around eligibility, and we're going to hopefully be able to answer those questions. So be thinking through your little sticky eligibility questions while Evan Rosenberg is giving us some good information, and be ready to throw them at us.

So this webinar really is for you guys, which most of them always are, but these are really for you for a chance to ask questions to us and we'll do our best to try to get those answered for you.

Just a little bit of information, we have over 1,800 folks that registered for today's webinar, which is great. It is amazing. Big number, and we're assuming, though, that it's not necessarily because everybody, all 1,800 and some folks are totally lacking any knowledge about WIOA youth programs eligibility policies but rather that many of you still have just maybe some under – outstanding issues that we – that you hope we can address today or possibly more of you, you're joining just because you want to make sure and affirm that what you understand about eligibility is in fact correct and that you're not really missing any important details.

So we know that there's probably a lot of you on here that just want to make sure you've got it. So we're glad you're here, and our hope today is that you really leave the webinar with a better understanding around policies – eligibility policies, that you're feeling more comfortable with the requirements, and more assured that you're really on the right track. And we want to also reiterate that you are not alone in figuring this out. We are always here to help clarify when needed, and we're excited to have you.

So hopefully, as I mentioned earlier, all of you know this is our second webinar in our four-part kickoff event of our journey together series. Earlier today at 11:30 Eastern we were on the where we've been, where we are now, and where we're going kickoff webinar. Today we are going to be talking about eligibility a little bit later. Coming together at the table, the power of youth committees, that will be tomorrow morning, 11:30 a.m. Eastern.

We apologize to our Pacific coast friends that are joining. We know it's a little bit early for you guys. And then we'll be ending tomorrow at 2:30 p.m. we'll be starting our WIOA youth performance accountability, our fourth webinar in our four-webinar TA series that's kicking off our over 14-month through 2018 technical assistance series where we're really wanting to be engaging with all of you around different TA topics. These were the four that we had heard a ton about. A lot of questions from folks around the country on eligibility. As you've heard, over 1800 people signed up for this webinar. So we're excited that folks are interested in talking and trying to get some questions answered.

So as I turn it over to Evan, I'll just remind you please be thinking of those questions, and be ready to post those in the chat. So I'll turn it over to our guru of eligibility and many other things, including performance, which you'll be a witness to tomorrow, Evan Rosenberg, to take us through today's discussion. So, Evan, over to you.

EVAN ROSENBERG: Thanks, Sara, and welcome, everybody. I'm Evan Rosenberg. I work with Sara and Department of Labor's Division of Youth Services, and we're going to talk about eligibility today. So today's objectives provide a refresher of WIOA youth eligibility regulations and guidance, and that refresher is actually going to be in the form of a recording because we've done an eligibility presentation before and so we're going to play that recording for you in a little while.

It's not too long, and it covers the basics. It's about 11 minutes. It's a good refresher, and then the other really main objective today is to provide you with a live opportunity to ask us any questions you have related to WIOA youth eligibility. This is probably one of the most common topics that we get questions on, and there are a lot of nuances related to eligibility. So we thought it would be great to give you an opportunity to ask us the questions.

Now, keep in mind that we can't promise to answer every question because we might not be able to get to all the questions in the time allotted. Plus, knowing our sophisticated audience, I'm sure we will get some difficult questions that we might not be able to answer on the spot and that will take a little research on our part.

So some of the more complex questions that we have to research and maybe talk to our legal team about we won't be able to answer on the spot today, and I'll have a slide at the end letting you know where to send your questions if you enter questions in the chat today but don't get them answered. So we'll make sure you have an opportunity to send us any questions that didn't get answered on today's webinar.

Now, I love quiz questions, and I'll show you some resources where we created scenarios and quizzes. So we're going to include a few different quiz questions in today's presentation. So think of this as the pre-training quiz before you get to watch the recording of the eligibility refresher portion of the training, and we're going to do a quiz, a true of false quiz. So if you can put up that true or false polling question, let's see how many people can get our quiz question right. So hopefully, that polling question is going to pop up here shortly. And I'll read –

MS. HASTINGS: And, Evan, we can go ahead and see it here. So are you able to see it on your end?

MR. ROSENBERG: No. There might be a little bit of a delay.

MS. HASTINGS: Okay.

MR. ROSENBERG: But I'll read the question for you. True or false? A youth in postsecondary education, enrolled in credit-bearing courses, who is basic skills deficient is an out-of-school youth? True or false? And we'll give you about a minute to answer that quiz question.

Don't be shy in trying to answer the question. See the results coming in.

MS. JACOBS: And it looks like over 300 people voted false. So 82 percent voted false, and 19 percent of the people voted true. And we're just going to leave that up for a few more seconds to let everyone answer. And, Evan, just a heads up, Sara was disconnected. So she'll be dialing back in.

MR. ROSENBERG: Can you hear me okay?

MS. JACOBS: Yeah. I can hear you perfect.

MS. HASTINGS: We can hear you. We just got dropped, but I was – we were just about to say we are seeing that about 81 percent – and it's shifting a little bit – say false, 18.5 percent saying true. So votes are still coming in but –

MR. ROSENBERG: All right. So thanks for answering that question, and the correct answer, as about 82 percent of you said, is false. A youth in postsecondary education, enrolled in credit-bearing courses, who is basic skills deficient, they are not an out-of-school youth. They are an in-school youth. The reason I chose this question is because under WIA this individual would actually be an in-school youth – or be an out-of-school youth.

We had a rule in WIA that said if you're basic skills deficient and you're attending postsecondary, you're still considered out of school. That is not the case under WIOA. If you're in postsecondary education, enrolled in postsecondary – enrolled in credit-bearing course, you are an in-school youth. So want to make sure we're clear on that. That's kind of why I chose that question. So let's keep moving in the presentation, and there will be lots of opportunities for quiz questions as we move forward.

I think there's a delay on my end where the polling question is still covering the slide.

MS. HASTINGS: Yeah. And we can see the WIOA youth program eligibility page now.

MR. ROSENBERG: All right. So let's take a look at the WIOA youth program eligibility page. This is a resource that we saw earlier in our first presentation today, and it has a number of different handy topics for you. One is the WIOA youth fact sheet that's basic information about the program, and then there's an additional eligibility fact sheet which goes over differences between WIA and WIOA eligibility information.

And then you'll find three recordings, which are the same ones we're going to play for you today, that are the basics on out-of-school youth eligibility, in-school youth eligibility, and then another one on timing of school status.

And then lastly, there are a couple great scenarios, a basic eligibility scenario tutorial and advanced eligibility scenario tutorial that, if you haven't had a chance to look at, I'd really encourage you to take a look. They're great ways to test your knowledge on WIOA youth eligibility. Obviously, the basic one, a little bit more basic, and the advanced one gets into more complex scenarios. But it's kind of a great tool for you or your staff to make sure you're up to speed on WIOA youth eligibility. So I would invite you to take a look at that resource after the webinar, if you haven't had a chance.

All right. So now, we're at the point of the webinar where we're going to go through the recorded version of the eligibility portion of the Final Rule training that will cover everything you need to know about out-of-school youth eligibility, in-school youth eligibility, timing of school status, and things like that. It's about 11 minutes long, and then after we play that I'll be back on to answer your questions.

So as you have questions, please enter them into the chat, and then we will take your questions after the recording. All right. So go ahead. Thanks.

MS. JACOBS: So I just wanted to give everyone a heads up. If you're listening to today's webinar via phone, you're going to need to unmute your computer speakers to hear the audio from today's video, or you'll just have to follow along with the video captioning. And if you're already listening to today's webinar through your computer speakers, you're all set. So with that, please enjoy today's youth program eligibility video.

(Video.)

MR. ROSENBERG: All right. Welcome back, everybody. I hope not too many people had issues with the – sorry about that. I hope not too many people had issues with the recording. We heard from some people that there were issues, and if so, we apologize about that.

If you weren't able to hear the recording and missed a lot of that or missed some of it, as I mentioned before, we have the eligibility resource page which has that exact same recording broken out into three different recordings, one on out-of-school youth, one on in-school youth, and one on timing of school status. So you can go to that eligibility resource page and find that, and we'll post the link for that so you can see where to go to get to those recordings.

Now, we're going to go to questions. Thanks for submitting your questions. We've got a number of questions so far, and I'll start to take some of those.

The first question we received is that they just want to confirm that selective service is applicable is also part of the eligibility determination. And the answer to that is, essentially, yes. If it's applicable, meaning if it's a male 18 or older, you do have to confirm selective service. It's not one of the items listed in eligibility in the act or the law in the specific out-of-school and in-school definition. So that's why you didn't see it in the presentation, but yes. You do have to do selective service just as you've always done for a male who's 18 and older.

Then we got a few questions on that polling question we originally put up, which was about someone who's in postsecondary, is basic skills deficient, and is taking credit-bearing courses. One of the questions was how – "Does it matter how many units they are taking of credit-bearing courses?" And the answer is no. We haven't put a threshold on that.

Just quickly, I want to check in. Can everybody hear me? If folks can hear me, just enter into the chat.

MS. HASTINGS: Yes. We got – we hear you well.

MR. ROSENBERG: Okay. Thanks. So going back to the polling question about the individual who's in postsecondary education taking credit-bearing courses and whether they're in school or out of school, it doesn't matter how many units they are taking. As long as they're taking one credit-bearing course, they would be considered an in-school youth.

And then we got the question, "What if the individual is not taking a credit-bearing course?" And I'm glad you asked that. If they are not taking any postsecondary credit-bearing courses, then they would not be considered attending postsecondary education since they're not attending any postsecondary credit-bearing courses.

And in that case they would be an out-of-school youth as long as they met all of the other eligibility require- – criteria for out of school. And we actually discussed that in our most recent Training and Employment Guidance Letter, which is TEGL 21-16. On page two of that TEGL there's a paragraph that talks about credit-bearing and non-credit-bearing courses. So that's a good commercial to make sure you read that TEGL, if you haven't done so already.

All right. So moving on to other questions, "Are youth who are homeless automatically eligible for WIOA youth services?" Good question, and in the recorded presentation I talk about how homeless is one of the items that can make someone automatically low income. So youth who are homeless are automatically low income. They aren't automatically eligible for the program.

As you also know from that presentation, homelessness is one of the barriers. So being homeless, they're automatically low income, and they already have one of the barriers. But of course they have to meet the applicable age criteria. So you would think most homeless youth are going to be eligible because, as long as they're 14 through 21, they would meet in school. As long as they're 16 through 24, they would meet out of school, but you do have to meet all of the other applicable eligibility criteria.

And then a further question related to this one is, "Do they need to provide identifying documents prior to enrollment into WIOA like birth certificates, social security card, et cetera? As you can imagine, that's difficult for homeless youth to provide these documents." Yes. We do understand it is difficult for homeless youth to provide those documents. And this issue is a data validation issue, and under WIA we had a data validation handbook and data validation guidance.

We have not yet issued data validation guidance under WIOA. I'll talk a little bit about that tomorrow on our performance webinar. We are currently working on joint data validation guidance with the Department of Education, and we're hoping that guidance will be out either by the end of this year or early in 2018. But in the meantime, you can use the same documentation requirements we had under WIA for homeless youth and for any other data elements until we get that data validation guidance published.

All right. Scrolling through some more questions. "Parenting youth," which is another one of the barriers, "does it have to be a single parent?" No. It does not have have to be a single parent. The barrier is just pregnant or parenting youth. So they can be a married parent and still qualify for that parenting one.

Another question, "Can you give an example with dates of the second barrier about being enrolled but not attending?" And so I'm assuming by the second barrier you're referring to the out-of-school barrier, the new one, which is a youth who is within the age of compulsory school attendance but has not attended school for at least the most recent compete school year calendar quarter. School year calendar quarter is based on how a local school district defines school year quarters. In cases where the schools do not use quarters, local programs must use calendar year quarters.

So an example would be – I'll just use a calendar year quarter, since I don't have a specific school district in mind and what quarter they use. But if someone is still on the rolls of a school but between the time period of October 1 through December 31 of 2017, let's say, they have not attended school at all, even though they're on the school rolls and they haven't yet reached the compulsory school age – let's say in your state that compulsory school age is 18 and this individual is 16, but between the months of – the time period of October 1 and December 31 they have not showed up for school at all, then they would meet the definition for that barrier. And as long as they met the other require- – any other requirements for out of school, meaning the age, which would be 16 to 24 – so they would meet that – then they would be considered an out-of-school youth. Hopefully, that example helps.

Another question, "What documents prove a youth is out of school?" And again, I'll reference the earlier answer I gave related to the data validation guidance. That's something that will be found in forthcoming data validation guidance. In the meantime, you can use what we have in the WIA data validation handbook related to the not attending school.

Another question, "What about postsecondary funded by Title II funds? Are they considered out of school?" And I think this gets to that part of the presentation that I – where I talked about how Title II is considered out of school. If Title II is funding postsecondary education and that postsecondary education is a credit-bearing courses, then they would be an in-school youth.

That Title II is referring to adult education courses, which if it's typical adult education courses where they're working on their high school equivalency, that wouldn't be credit-bearing postsecondary education. But if for some reason Title II funds were being used to fund traditional postsecondary credit-bearing courses, that would be an in-school youth. I'm not an expert in the Title II program, but I didn't think Title II funded traditional postsecondary education. But if in certain instances they do, that would be in school.

So I'm going to take a break for a minute while I catch up on some of the questions that were entered into the chat. Those are the ones I've reviewed so far. So in the meantime, why don't we put up another polling question related to eligibility? And you can test your quiz knowledge while I scroll through the chat and look for some more questions.

MS. JACOBS: So our first polling question is, true or false? There is a 5 percent limitation on using the additional assistance barrier for eligibility determination for out-of-school youth? So go ahead and hit true or false.

MS. HASTINGS: Great. So I'm – this is Sara again. I'm jumping back in while Evan is looking at all his many questions. We're keeping him on his toes, man. Keep them coming. This is fun. Evan has a lot of great knowledge about eligibility policy and all of our WIOA youth policies. So it's awesome to hear him sort of share his knowledge of the program, and lots of good questions coming in. So we appreciate that.

So as Jenn mentioned, true or false? There is a 5 percent limitation on using the additional assistance barrier for eligibility determination for out-of-school youth? And we've got about 44.3 percent – .7 percent right now are saying true, and a little more than half, so 55 percent, almost moving to 56 percent maybe are coming in on the false side of the equation.

So continue to put your answers in. It's sticking around 44, 45 percent for true, 55, 54-ish for false. So it looks like this is definitely a good question to be asking so we can get some clarification. So, Evan, when you get a chance and you are ready to jump back in and provide answers to folks, we will be ready. It looks like there's still more coming in. The false looks like it's starting to shift up just a little bit more. So –

MR. ROSENBERG: All right. Thanks, Sara. Thanks for answering the polling question. It looks like it was a good quiz question since there's a split, and luckily, the falses are correct, which is at about 56 percent. So that 5 percent limitation on using additional assistance barrier is only for in-school youth.

So it's false because I put up there out-of-school youth. There is no limitation on the additional assistance barrier for out-of-school youth, but for in-school youth only 5 percent of the in-school youth in a given program year can use that additional assistance barrier. For out-of-school youth there's no limitation at all. So hopefully, folks know that now. Now, let's get back to the questions and I'll answer a few more questions and then we'll do another poll and we'll keep going like that.

All right. So someone asked, "What if a student has graduated from high school, has registered for college, but it is during the summer months and they have not yet started? Are they considered out-of-school youth?" And the answer is no. They're not out of school.

They are considered in-school youth once they register for college, and that is also discussed in TEGL 21-16. If they're in the summer and they haven't formally registered yet and they're planning on going to college but haven't registered yet, at that point they could be considered an out-of-school youth. But once they formally register from college, even if it hasn't started yet, they're considered an in-school youth.

Someone asked, "Can you talk about the resident of a high poverty area qualification?" I assume that one's referring to a youth who lives in a high poverty area. This is one of the new low – one of the new low income criteria that you can use for someone being low income. We do discuss this in the Final Rule. Let me see. It's 681.2 or .260. So I would ask you to reference 681.260 of the Final Rule. At the end of this presentation we'll see some resources that include the Final Rule so you'll be able to check that there.

And just quickly, the definition is, a youth who lives in a high poverty area is automatically considered to be low income. A high poverty area is a census track, a set of contiguous census tracks, an American Indian reservation, Oklahoma tribal statistical area, Alaska native village statistical area, or Alaska native regional corporation area, native Hawaiian homeland area, or other tribal land as defined by the secretary in guidance that has a poverty rate of at least 25 percent as set every five years using the American Community Survey five-year data. So I know that's a mouthful.

I'll kind of break it down for you. The key parts of that are we consider high poverty area to be a poverty – a place that has at least a 25 percent poverty rate and the American Community Survey, the ACS data is the data source for that. And in TEGL 21-16 we actually – we have an attachment to that TEGL that has a really handy tool for you to check whether or not a youth is living in high poverty area. So look at – if you're ever wondering how to use that ACS data to figure out if a youth is living in high poverty, please reference the attachment in TEGL 21-16, and it walks you through step by step of how to figure out whether a youth is living in high poverty. It's a really useful tool.

All right. Let's find another question. "Is a vocational education class such as medical assistant considered postsecondary education, and therefore, would the individual be an in-school youth?" Good question. So for postsecondary education I would always just refer you back to the guidance about whether someone is in a credit-bearing or non-credit-bearing course. If they are enrolled in credit-bearing postsecondary courses, then they are considered in school. If they are enrolled in non-credit-bearing postsecondary courses, they're considered out of school. So it would depend on if that medical assistant course they're taking in the community college is credit-bearing or non-credit-bearing.

Another question, "Is it correct that you can't use free and reduced lunch if the entire school population receives free and reduced?" That's correct. There are some schools out there that have enough students that are in free or reduced lunch where the entire school automatically receives free or reduced lunch.

We discuss this one in the Final Rule as well, and the answer is that you can't use that whole – if the whole as a whole school free or reduced lunch, it's not sufficient to use that, and you would need to check the individual eligibility of the youth to see if that youth individually qualifies for free or reduced lunch separate from the fact that the whole school does. So yes. You're correct on that.

Another question, "If the needs additional assistance barrier is used, does it impact the 5 percent waiver number?" And by 5 percent waiver number, I assume you're talking about the 5 percent exception where 5 percent of the people – of the individuals who normally need to be low income don't need to be. And the answer is no. The needs additional assistance barrier does not impact that 5 percent – that 5 percent exception. And I want to call attention to the 5 percent items because there are two of them and so people can often get confused by those and, honestly, it always takes me a second to think about the 5 percent limitation versus the 5 percent exception. So I can quickly cover that again.

The 5 percent limitation is the one I talked about earlier and had a polling question about, which does relate to the needs additional assistance barrier only for in-school youth, and that 5 percent limitation says that for in-school youth only 5 percent of them can use the needs additional assistance barrier. The 5 percent exception has nothing to do with the needs additional assistance barrier and applies specifically to low income.

And what that says – and it's the same 5 percent exception that was under WIA – what that 5 percent exception says is that 5 percent of your participants who would ordinarily need to be low income, which are all in-school youth and which are a couple categories of out-of-school youth, as I discussed earlier in the recorded presentation, for those individuals that normally need to be low income, in a given program year you can serve up to 5 percent that don't meet the low income criteria. So that's the 5 percent exception.

Another question, "Can an individual have both a needs additional assistance and another barrier?" And the answer is yes, and I think this question they're asking about how it relates to the 5 percent limitation. And so the 5 percent limitation applies to someone whose only barrier is the needs additional assistance barrier.

So when you're doing your reporting for WIOA, if they meet another barrier beyond the needs additional assistance barrier for an in-school youth, make sure to record that other barrier in the case file, in the reporting system where you're reporting on the various barriers because you don't want someone to count against your 5 percent limitation if they meet another barrier. For example, if an individual is pregnant and they meet your definition of needs additional assistance based on some other factor, the barrier you would want to use for eligibility is the pregnant barrier so that they don't count against your 5 percent limitation.

Another question, "Do you see any issues with using applicant statements?" I assume this relates to eligibility determination. "We know they are allowed. However, it seems genuinely discouraged from using applicant statements for verification." Again, this goes back to data validation guidance. We currently don't have data validation guidance out for WIOA.

So because we don't have it out yet, you should use WIA data validation handbook and guidance, and any place where it says applicant statements are allowable, then yes. You can use those. If you feel like you personally in your local area or as the service provider you want more documentation than that, of course you're welcome to do that, but you are also allowed to use applicant statements as long as the data validation handbook says they're acceptable.

All right. Another question, "If a youth has graduated high school but not yet enrolled in postsecondary education, are they considered out-of-school youth?" Yeah. If they've graduated high school and they are currently not registered for postsecondary education and it's the summer and they're not attending any school at that point of their enrollment or of their date of participation, then yes. They would be considered out of school if they meet all of the other eligibility criteria for out of school.

But at that time of enrollment – this is another good commercial for our webinar tomorrow on performance where I'm going to get into the definition of a participant and the point of participation, which is eligibility determination, individual service strategy completed, assessment completed, and receipt of one service. And that's their date of participation, and I'll talk more in depth about that tomorrow.

But at that point on their date of participation, that's when you figure out whether they are attending or not attending school, and if the individual is between high school and postsecondary and they have not yet registered for postsecondary, then they'd be considered not attending school and, therefore, they'd be an out-of-school youth as long as they meet the other criteria.

Let's see. Someone else asked again about an entire school system that qualifies for free lunch. We talked about this one earlier, and if you are a whole school that receives free or reduced lunch, you have to do individual determination of the eligibility for receipt of free or reduced lunch in order to use that criteria for low income.

All right. I'm going to take another break as lots and lots more questions come in, and let's put up another polling slide where I – while I catch up for a couple minutes with some more questions. Sara, can you do that?

MS. HASTINGS: Yeah. I'll read it for the folks. All right. True or false? An in-school youth who is age 21 at their date of program participation and turns 22 while a participant in the program is no longer eligible for WIOA youth services and must be exited immediately. True or false?

All right. I'm seeing a trend here. So far 100 percent – we have nearly 100 percent now look like they're going with false. So let's give people just a little bit more time to take – to take a look at the question. Put in your answer. An in-school youth who is age 21 at their date of program participation and then they turn 22 while a participant in the program is no longer eligible for WIOA services and must be exited immediately.

All right. About five – over 500 look like they have answered the question. We've got about 98.7 percent who are falling on the false side. So, Evan, I think folks have mostly answered this question. I think folks are feeling like pretty – pretty confident on the false side, but I will turn it back to Evan, when he's ready, to give us the answer.

MR. ROSENBERG: Yeah. This was an easy one. Great job on getting this one correct. The answer is false. You would not need to immediately exit an in-school youth who turns 22 once they're already in the program. They can stay in the program for as long as you decide they need services or they decide they need services. You don't have to exit them just because they go beyond the age range. The age range is only based on date of participation.

And let's do one more quiz question while I continue to scroll through chat questions and catch up on the questions that have been asked.

MS. HASTINGS: Sounds good. All right. So the next question, let's see if folks are as confident with this one. True or false? If an out-of-school youth, while in the WIOA youth program, returns to high school, their status changes to in-school youth on the date they re-enrolled in high school? If an out-of-school youth, while in the WIOA youth program, returns to high school, their status changes to in-school youth on the date they re-enroll in high school?

We've got about 14 – 13, 14 percent saying true, about 84, 85 percent so far saying false. The numbers are still coming in. So we will give it just a little bit more time on this question. All right. It looks like it's starting to slow down a bit. We have, again, about 15, 16 percent for true, 84-ish percent saying false. So, Evan, let's turn it back to you when you're – when you get a second, and let folks know the answer to this question. And, Evan, if you are talking, we can't hear you.

MR. ROSENBERG: I'm not. The old polling question is still on the screen for me. I can't even see what the new polling question was.

MS. HASTINGS: Okay. If an out-of-school, while in the WIOA youth program, returns to high school, their status changes to in-school youth on the date they re-enroll in high school. So this was –

MR. ROSENBERG: Oh, yeah.

MS. HASTINGS: We've got 15 percent – 15, 16 percent saying true and about 84 percent saying false.

MR. ROSENBERG: And, luckily, the false are correct. So good job on that one. That was another easy one.

All right. So let's get back to a few more questions here. Go scroll back to the questions. Hold on one second.

We had a question that says, "What guide can we use to determine what is classified as a disability or not, and how do we document it?" So an individual with a disability is defined in the definition section of WIOA, Section 325, and it's defined this way. The term individual with a disability means an individual with a disability as defined in Section 3 of the Americans with Disabilities Act of 1990. So essentially, your guide is Section 3 of the Americans with Disabilities Act of 1990. You can Google that and find it. And then in terms of documentation, the same answer I've given on documentation for everything else, which is our data validation guidance will discuss how to document all the data elements, including youth with a disability. And until we publish the new WIOA data validation guidance, you should continue to use WIA data validation guidance.

Another question about documentation of homeless. We talked about that before.

Here's a question. "I was recently at a WIOA new rule presentation. The presenter stated that all WIOA youth must be enrolled prior to their 24th birthday. Is this correct?" No. That's not correct. I'm sorry that you got incorrect information. That is never good. Curious to know who was presenting. If you want to send us that in the chat so we know who was presenting so we can help correct them, that would be great.

So the age eligibility for in-school youth is 14 to 21 and for out-of-school youth is 16 to 24. I assume the presenter was talking about an out-of-school youth. 16 to 24 means as long as that's before their 25th birthday.

So if someone is 24 years old and it's the day before they turn 25 at the date of participation, which I discussed a moment ago, as you've done their eligibility determination and everything else has happened, ISS, assessment, and first service, if their date of participation is before their 25th birthday, then they are eligible for the program. So I'm not sure why you got that information about before their 24th birthday, but that should have been before their 25th birthday.

Another question. This goes back to – we talked about this a little bit on homeless and automatic eligibility. It says, "If a student is homeless and meets the age requirement, is that alone sufficient for eligibility?" And the answer to that would be yes, because homelessness is a barrier. Homelessness would meet low income.

So if it's someone who's attending school, they would also be low income as a result of being homeless. And the individual is either attending or not attending school, which will determine whether they're in or out of school, but that piece of the eligibility will be there. So yes. As long as they meet the age requirement, a homeless youth is eligible for the program.

Another question, "Are youth with disabilities who obtain a certificate of completion, not a high school diploma, but are in postsecondary education considered in school or out of school?" And again, this depends on whether the postsecondary education courses are credit-bearing or non-credit-bearing.

So it doesn't matter whether it was a certificate of completion or high school diploma. What matters is whether the postsecondary education they are currently attending is credit-bearing or non-credit-bearing. And as we discussed before, if it's credit-bearing, then they're considered attending school and an in-school youth. If it's non-credit-bearing, then they're considered not attending school and, therefore, an out-of-school youth.

Here's a question. We got a similar one earlier. "If a participant has registered for postsecondary education but not started, are they out of school?" The answer is no. They're not out of school. They are still in school. They are considered in-school youth if they are registered for postsecondary education, even if it hasn't actually started.

"If a youth is homeless but is working, will we need to provide income verification and determine income eligibility?" The answer to that is no. If you look in the definition of low income in the act, which let me find that for you quickly, which number it is, low income individual is Section 336, and it lists all of the different types of – or the different things that would qualify someone for low income. And in Section 336 the third item listed is a homeless individual. You don't need to do any actual income verification for a homeless individual. Just by the fact that they are homeless, they meet the low income definition.

Let's do another polling question while I continue to scroll through.

MS. HASTINGS: Great. Then we will get a polling question up in just a moment. All right. I think we talked about this before. So we'll see if folks were listening. True or false? A youth who is enrolled in the Title II adult education program and subsequently enrolls in the WIOA youth program is an out-of-school youth? True or false?

A youth who is enrolled in the Title II adult education program and subsequently enrolls in the WIOA youth program is an out-of-school youth? And we've got about 87 percent that look like they are thinking it's true. We've got 14 percent or so thinking it is false, although we've only got about a little over 115 folks who have answered so far. So let's see if more folks will end up answering true or false to this question.

And we have, according to our participant list, 864 folks on right now listening in, dialed in. So we should see those numbers going up. And I know some of you all are sitting in a room with some of your colleagues, and so maybe you're phoning a friend and asking the group, what do we think the question is? What do we think the answer is? So so far we've got 82 – about 82, 83 percent thinking it's true and about 17 percent thinking it's false.

So a youth who is enrolled in the Title II adult education program and subsequently enrolls in the WIOA youth program is an out-of-school youth? So let's turn it back over to Evan to give us an answer.

MR. ROSENBERG: All right. Again, the majority have it. A youth who is enrolled in Title II education program – adult education program and subsequently enrolls in the WIOA youth program, they are an out-of-school youth. As we talked about in the Final Rule and I talked about earlier in the recorded presentation, Title II is considered out of school. That's not considered a school, and therefore, they're not considered attending school. So good job on that one.

All right. So let's get back to some more questions. We have lots of them that are coming in, and I can already tell you looking at the number of questions we are unfortunately not going to be able to answer every single question that was asked today. It's great to see all these good questions coming in and, if you don't get your question answered today, please e-mail it to us and I'll give you the e-mail address at the end of this presentation where you should send your question.

All right. So let's see here. Someone asked, "What was the date of expected data validation guidance?" We're hoping the data validation guidance will come out by the end of this calendar year, but can't guarantee that will happen. So I would say very late 2017 or early 2018 is the best estimate for that.

Another question. This is similar to some questions we got before. "Is it considered attending postsecondary if the individual only registered for a class but the class has not started yet?" And the answer is yes. That is considered attending postsecondary if the individual registered for a class but the class hasn't started yet.

Oh, I like this one. Someone asked me a true-false question, and you know I love true-false questions. "I understand that an in-school youth attending postsecondary can't enter as an in-school youth after the age of 21." And that is true. The age eligibility for an in-school youth is 14 to 21.

So if an individual is 22 and attending postsecondary education, that is correct that they can't enter as an in-school youth. A 22-year-old, to be eligible for the WIOA youth program, must be an out-of-school youth who is not attending school. And if they're an in-school – if they are attending school, then they wouldn't be eligible for WIOA youth at age 22, but of course they would probably meet eligibility for the WIOA adult program. And so if they need workforce services, I would recommend the adult program.

Question, "Do we have to verify parenting pregnant, or can they self-identify?" Again, I refer you to WIA data validation guidance until the new data validation guidance comes.

Another question about parenting, "Can both parents enroll, meaning can both a mom and a dad who's a parent, can that be their barrier?" And the answer is yes. The parenting barrier applies both to moms and dads. It's not just for the female.

We have another question related to that that's a little bit different in a moment that I'll get to. Let's see. Oh, and here it is. "Is an out-of-school male considered a parent if his child is not born yet?" And the answer to that would be no. So for the pregnant part of the barrier, pregnant or parenting, the pregnant part applies only to the individual who is pregnant, the female. But once a baby is born, then it applies both to male and female, but the pregnant part does not apply to the male.

Another question, "Just to clarify, the student eligible as an in-school youth graduates and begins to attend an independent training program to develop life skills for one year, then enrolls and begins attending college courses. Are they still eligible? Does the eligibility continue through their postsecondary, despite the one-year training?"

So keep in mind eligibility is just at point of enrollment, and once they enroll in the program and you've determined that they're eligible, their eligibility holds as long as they're in the program until they exit from the program. So in this scenario, if they're still receiving WIOA youth services, they are still eligible and they're still considered an in-school youth. Again, this would be a good commercial for the performance webinar we're doing tomorrow where we talk a little bit about participation and exit and what the definition of exit is, which is 90 days with no service.

But as long as they haven't exited the program and they're still receiving WIOA services, they are still eligible, and you don't have to consider eligibility information beyond that. So that gets to also the example of age. If an out-of-school youth is 24 at their time of enrollment, you can serve them for a couple years, if that's what necessary, even though they're beyond the age of 24.

All right. Still scrolling through some more questions. Another similar one to the postsecondary. "The youth is enrolled in postsecondary classes but not yet started actually attending classes. Would they be considered out of school?" Again, the answer to that is, if they have registered for postsecondary courses, then they are considered in school, even though they haven't actually started attending the classes yet.

All right. So do we have any polling questions left, Sara?

MS. HASTINGS: I think we've maybe – yes. I think we have slide 17.

MR. ROSENBERG: Let's put up another polling question while I catch up on the questions.

MS. HASTINGS: All right. Yeah. We do have actually a few more. Three more, it looks like, this one and then two more after this one. So let's see what we got here. All right. Which of the out-of-school youth barriers only count if the individual is also low income?

Is it an individual in foster care, an individual who requires additional assistance, an individual who is pregnant or parenting, or is it all of the above? So which of the out-of-school youth barriers only count if the individual is also low income? So they have to be low income and this barrier. So we'll give folks about 30 seconds to think through this one.

And so far it looks like the majority of folks are leaning towards an individual who requires additional assistance, around 78, 79, 80 percent we just hit. 80 percent of folks think it's an individual who requires additional assistance. We do have some folks thinking it might be all of the above and a few around foster care and pregnant or parenting. So we'll give it another few seconds here. Have everybody sort of put in your – lock in your final answer.

MR. ROSENBERG: I like that. I really like that game show about the final answer.

MS. HASTINGS: I know, and – what was it?

MR. ROSENBERG: What was it called again? I can't remember the name of it.

MS. HASTINGS: Who wants to be a millionaire?

MR. ROSENBERG: Right. Of course.

MS. HASTINGS: Unfortunately, we're not able to give out any money other than the formula funded allotment that each state and local area receives, but yes. And I'm sure people are phoning friends or maybe looking to their colleagues a little bit to see what the answer is. So, Evan, I'm going to turn it back over to you. It looks like about 80 percent believe it is an individual who requires additional assistance as the out-of-school youth barrier that counts when the individual is also low income.

MR. ROSENBERG: Yes. And luckily, that is correct. There are only two out-of-school youth barriers that count. So the answer is not all of the above. The answer is an individual who requires additional assistance. That is one of the two out-of-school youth barriers that low income is required for, and this was actually one of the questions we got in the chat that I saw.

So I can go ahead and answer this one now. The other out-of-school youth barrier where it won't have to be low income in addition to the requires additional assistance barrier is someone who is a recipient of a secondary school diploma or its recognized equivalent who is either basic skills deficient or an English language learner. Those individuals also need to be low income.

All right. Let's put out one more polling question while I continue to scroll through some more questions.

MS. HASTINGS: All right. Let's see. What is the next question we have here? It's another true or false. All in-school youth, other than those who fall under the 5 percent exception, as we talked about before, must be low income to be eligible for the WIOA youth program. So true or false? All in-school youth, other than those who fall under that 5 percent exception, must be low income? All of them must be low income to be eligible for the WIOA youth program?

And as I was saying before, I think there's a lot of folks that have these real specific questions about eligibility, but for the most part it seems like a lot of folks are tending to understand some of the basic eligibility requirements for the program. I always love listening to Evan walk through all of the different pieces and components of the eligibility requirements because it's a lot to take in. And so for folks who may not have gotten some of the answers right in the previous questions, please no need to fret. We are all learning this together, and hopefully, this is a really good refresher for a lot of folks.

So let's see where we're faring for this polling question. It looks like 92 percent-ish are thinking – leaning towards the true – have selected true for the fact that all in-school youth, other than those who fall under the 5 percent exception, must be low income to be eligible for the WIOA youth program. We've got about 7, almost 8 percent that are thinking false. So what is it? Let's send it back to Evan to give us the answer.

MR. ROSENBERG: Thanks, Sara. And again, you all are doing really well on these quiz questions. The answer is true. All in-school youth, other than those who fall under the 5 percent exception, must be low income to be eligible for the WIOA youth program.

And that's a good segue to a question we received in the chat, which is – the question reads, "So to serve an in-school youth and the needs additional assistance barrier, you would need to have a minimum of 20 youth enrolled in order to serve one youth with that barrier?" And that's exactly right because one out of 20 would be 5 percent. So you would need a minimum of 20 youth in order to use that barrier. Good job on that one. You're correct.

All right. Let's look for some more questions here. We got a couple questions about homeschooled youth and whether a homeschooled youth is considered an in-school youth or an out-of-school youth. And the answer to that is it depends, and it depends on what your state education agency – how they handle homeschooled youth. If the state education agency, or if they don't have a policy, then the local education agency, if they consider a homeschooled youth out of school, then you can also consider them out of school. If the state education agency considers homeschooled youth as in school and part of the school district, then you must consider them in school.

Another question says, "Are some states choosing not to serve 14- and 15-year-olds?" Interesting question, and the answer to that, just looking at some data, is yes. Some states are doing that. A good example is there are states out there that are choosing to serve all out-of-school youth, which is something they can choose to do. And as you know, out-of-school youth have to be at least 16. So a state that's serving exclusively out-of-school youth would not be serving 14- and 15-year-olds.

Other places might choose not to focus on 14-, 15-year-olds, and that is an option that a state or a local area has. In a local area I would definitely check with your state before pursuing a policy like that, but under the federal requirements you do have that flexibility. I mean, we don't have enough resources to serve all eligible youth in your area. So you can make some decisions to focus on out-of-school youth or older youth, things like that.

All right. Let's see what other questions we have. "Can youth who are coming in as offenders be accepted in the program at the age of 17?" All I can do is speak to eligibility on that, and, as you know, offender is one of the barriers. So that would help them meet the barrier portion of eligibility. Age 17 would certainly meet the age range. I can't speak to any rules about what the justice system in your state or local area has about enrolling certain people, but in terms of eligibility for WIOA youth, they would meet the eligibility criteria by being an offender. If they're an in-school youth, they would also have to meet low income as well.

"Are Job Corps participants automatically qualified for out-of-school youth WIOA?" Job Corps participants are automatically considered not attending school, which I discussed earlier. And so as long as they meet the other eligibility criteria for out-of-school youth, then – which means – which would be age and one barrier, then they would be an out-of-school youth.

Let's look at some more questions here. There's a question on, "Can a youth that is a dropout be eligible for the – for WIOA youth if at enrollment they are employed?" The answer to that would be yes, as long as they meet the other eligibility criteria. So if they're a dropout, a dropout is one of the barriers. I'm assuming they're not attending school because there was no mention of that in the scenario. So then as long as they met the age range for out-of-school youth of 16 to 24, then they would be eligible. Employment doesn't have a bearing on the eligibility.

All right. We have about five minutes left. Let's put up the last polling question while I scroll through and see if I can get to a couple more questions after that.

MS. HASTINGS: All right. Let's see what our last question is. Which of the following may be used to document low income for youth? Is it, A? Well, I guess we don't have A, B, C. Is it the first one, a youth who lives in high poverty, a youth who receives reduced price lunch, a youth who is homeless, a youth who is a foster child, or is it all of the above? Which of the following may be used to document low income for youth?

All right. We are a little over 90 percent are leaning towards all of the above. Folks are feeling confident. We've got a few who are thinking a youth who lives in high poverty, a youth who receives reduced price lunch, a youth who is homeless. Let's see. And we're still about 93 percent who are thinking it's all of the above.

MR. ROSENBERG: And they are correct. It is all of the above. Excellent job. We talked about these in answering a few of the questions that all of these, the youth who lives in high poverty, youth who received reduced price lunch, a youth who is homeless, and a youth who is a foster child, all those items make someone automatically low income, and you don't need to check income level.

All right. Let's go back to the questions for a couple more quick questions. We've actually gotten to many of them, not all of them. Let's see here.

This is an interesting one. "If the youth already graduated college, can they still qualify for the WIOA youth program as an out-of-school youth if they meet all eligibility and want to progress in their career field?" Technically, the answer is yes. If they've already graduated college and they're currently not attending school, they meet the age range of 16 to 24, and they have one of those barriers, then they would technically qualify as an out-of-school youth.

I would want you to consider if that individual is best helped by the youth program versus the adult program because they're obviously eligible for the adult program, then if you would want to spend the limited WIOA youth resources on someone who's a college graduate. But nevertheless, they would meet the – they would be eligible if they met the eligibility criteria.

Another question, "How do you determine what the low income areas are in a location?" I talked about that earlier. The best place to look is TEGL 21-16 at the attachment, and the attachment walks you through how to access ACS data to look at poverty rates for specific locations. And if the poverty rate is 25 percent or above, then they would meet that youth living in high poverty area for low income.

Another question, "If a youth is working, does that automatically disqualify them from being eligible for services if they are a dropout with additional barriers?" I had a similar question just a few minutes ago, and the answer to that is no. It does not disqualify them. If they meet all the eligibility criteria and they're working, they're still eligible for the WIOA youth program.

All right. We're just about out of time. So unfortunately, if we didn't get to your question, I will show you in a second, if we go back to the slides, how to access – how to get in touch with us to answer your question.

Sorry. I can't see the slides.

MS. HASTINGS: So, Evan, the resources slide just came up. Yup.

MR. ROSENBERG: Okay. Thanks. So here we have a few key resources that should help you answer almost all of your eligibility questions. One is the Workforce Innovation and Opportunity Act itself. The second one is the WIOA Final Rule, and then lastly, the guidance document I've referred to a number of times this afternoon, Training and Employment Guidance Letter 21-16. All of those resources are great resources to help you answer your eligibility questions.

And then I'm going to skip the next slide for one second and then come back to it. And if those three resources don't answer your eligibility questions and you have further questions that you can't answer from those resources and weren't able to get answers on today's webinar, you can e-mail us at dol.wioa@dol.gov, and we will answer any further eligibility questions you have.

Now, I'm going to go back a slide. If you were with us this morning, you saw this slide as well. We have a number of ways to engage and connect with us as well as your colleagues, and we want to hear from you. So please use those different ways of engaging. Become a GPS member and use the member directory. Share your resources with us, and participate in discussion threads.

And again, if you have further questions, dol.wioa@dol.gov, and we just want to thank you very much for participating. Sorry if we didn't get to all your questions, and don't forget, as Sara mentioned earlier, we have two more webinars tomorrow, one on youth committees and then another one that I'll facilitate on WIOA performance. Thanks a lot, everybody.

(END)