



**NORTH CAROLINA DEPARTMENT OF
COMMERCE DIVISION OF WORKFORCE**

DWS Operational Guidance Number: OG 14-2021

Date: May 21, 2021

Subject: Definition of Workforce Innovation and Opportunity Act's (WIOA) "Requires Additional Assistance" for Youth Eligibility

From:

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Purpose: To provide North Carolina's definition for "requires additional assistance to complete an educational program or to secure and hold employment" as it relates to eligibility for youth at WIOA Sections 129 (a)(1)(B)(iii)(VIII), (a)(1)(C)(iv)(VII), and (a)(3)(B), and to rescind PS 10-2018.

Action: Local Area Workforce Development Boards are to use the following definitions when determining youth eligibility.

In North Carolina, "requires additional assistance to complete an educational program or to secure or hold employment" is defined for In-School Youth, including youth with a disability, who meet the criteria in category one. [WIOA Section 129(a)(1)(C)(iv)(VII)]

1. In-School Youth, ages 14-21, low-income, **and**
 - a) has poor attendance patterns in an educational program during the last 12 calendar months; **or**
 - b) has been expelled from school within the last 12 calendar months; **or**
 - c) has been suspended from school within the last 12 calendar months; **or**
 - d) has below average grades of less than a "C" grade point average; **or**
 - e) has previously been placed in out-of-home care (foster care, group home, or kinship care) for more than 6 months between the ages of 14-21; **or**
 - f) has a currently incarcerated parent(s)/guardian.

Limitation:

In each local area, not more than 5% of the newly enrolled In-School Youth assisted in a given program year may be made eligible based upon WIOA

Section 129(a)(3)(B) as *an individual who requires additional assistance to complete an educational program or to secure or hold employment.*

In North Carolina, “a low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment” is defined for Out-of-School Youth, including youth with a disability, who meet the criteria in category two.

2. Out-of-School Youth, ages 16-24, low-income **and**
 - a) has dropped out of a post-secondary educational program during the past 12 calendar months; **or**
 - b) has a poor work history, to include no work history, or has been fired from a job in the last 6 calendar months; **or**
 - c) has previously been placed in out-of-home care (foster care, group home, or kinship care) for more than 6 months between the ages of 16-21; **or**
 - d) currently has an incarcerated parent(s)/guardian.

Exception:

WIOA allows a low-income exception where 5% of WIOA youth may be participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth except the low-income criteria. A program must calculate the 5% based on the percent of newly enrolled youth in the Local Area's WIOA youth program in a given program year who would ordinarily be required to meet the low-income criteria. [WIOA Section 129(a)(3)(A)(ii) and 20 C.F.R. § 681.250]

Effective Date: Immediately

Expiration: Indefinite

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