

MASSACHUSETTS WORKFORCE DEVELOPMENT SYSTEM

Mass Workforce Issuance

Workforce Issuance No. 10-42

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Regional Managers

cc: WIA State Partners

From: Michael Taylor, Director
Department of Workforce Development

Nancy Snyder, President
Commonwealth Corporation

Date: April 29, 2010

Subject: **Locally Defined Additional Youth Barriers**

Purpose: To transmit policy guidance to Local Workforce Investment Boards (LWIBs) and Youth Councils with regard to establishing locally defined additional youth barriers as part of the Title I youth eligibility requirements.

Background: Section 101(13) of the Workforce Investment Act (WIA) establishes the statutory eligibility criteria for youth. To be eligible for WIA Title I services a youth must generally meet both the age and low-income* requirements *and* must also fall into one of six youth eligibility categories. Included as one of the six youth eligibility categories is a youth that is “an individual who requires additional assistance to complete an educational program, or to secure and hold employment.”

* WIA §129(c)(5) allows up to 5% of youth participants in a local area to be individuals who do not meet the income eligibility criterion, provided they are “other eligible youth who face serious barriers to employment as identified by the local board.”

In order to determine Title I eligibility, individuals (youth or adult) must present verifiable documentation indicating they meet the specified eligibility requirements. WIA regulations at 20 CFR §664.210 provides that the “definitions and eligibility documentation requirements regarding [what constitutes] additional assistance to complete an educational program, or to secure and hold employment...may be established at the State or local level.”

The ability of LWIBs, under WIA, to establish such “additional barriers” provides local areas with the flexibility to adapt the WIA Title I Youth program to unique local conditions, and to identify specific local barriers that relate to the ultimate achievement of the strategic goals and priorities established by the LWIB and/or Youth Council for local youth service.

In order to achieve greater statewide uniformity and assurance that locally determined barriers are clearly defined with specified documentation requirements and implemented only with formal board approval, the Commonwealth is setting forth the following policy and procedural guidance for local areas to follow with regard to approving locally determined “additional barriers” for youth.

Policy: Local policy and procedure regarding the development of locally determined additional barriers as described in WIA §101(13)(vi) shall be implemented in a manner consistent with the Act and the guidance contained herein.

A. Definition: MassWorkforce Issuance No. 09-20, Title I Eligibility Requirements, Revised (4/9/09) provides that:

The definition of a youth that requires additional assistance will include an individual that:

- (A) is one or more grade levels below their age-appropriate grade level;
or
- (B) has a disability, including a learning disability; or
- (C) requires additional assistance as defined by the youth council and approved by the local board. (Long term unemployment may not be used as a criterion to meet this definition of eligible youth.)

B. Operational Parameters: The term “Requires Additional Assistance” in MassWorkforce Issuance No. 09-20 should be treated the same as the definition of barriers listed in WIA §101 (13)(C)(vi) and the income exceptions listed in §129 (c)(5)(H). Local boards that establish their own locally defined barriers must establish both a clear definition and verifiable methods for documenting such eligibility.

C. Local Approval: Workforce Investment Boards (WIBs) may establish locally approved “Requires Additional Assistance” barriers (20 CFR

§664.220h; TEGL 12-01). The activities leading to the adoption of new barriers must be formally documented and official minutes of the relevant WIB proceeding available for review.

D. Barrier Documentation Requirements: Each locally approved barrier must specify the allowable source documents that may be used by the framework service provider to determine a youth's eligibility. Local areas should review the youth section of Attachment F of MassWorkforce Issuance No.09-20 to guide their development of documentation sources.

E. Standard Operating Procedures: Local areas must develop standard operating procedures for each locally defined barrier. Case management staff and youth vendors must be trained on the use of the barrier, including definition of the barrier, allowable documentation sources, and use of self-attestation in relation to the barrier. Information regarding the use of the LWIB defined additional barrier should be recorded in the "Barriers Box" in MOSES.

Please note: youth who do not meet the minimum income requirements of WIA who are served in accordance with the 5% window as allowed under §129(c)(5) should also be recorded in the "Barriers Box".

F. Record Keeping:

MOSES: Case managers must check off "Requires Additional Assistance Barrier" in MOSES and a comment notating the use of the locally defined barrier should be entered into the "Barriers Box".

Case File: Hard copy documentation of all barriers shall be maintained in the client's case file.

G. Annual Plan Addendum: Each LWIB must submit for review an addendum to its Annual Plan immediately upon adoption of a newly defined local "additional barrier". The addendum should describe the newly approved barrier, the associated operational parameters, and all acceptable documentation requirements. A letter signed by either the LWIB Chair or Executive Director and including each of the following elements will suffice.

- the board approved barrier(s);
- summary of board authorized proceedings and date of approval;
- the operational parameters for the barrier(s) including a definition;
- the documentation requirements for each barrier; and
- standard procedures for staff implementation.

For convenience, a template (Attachment B, Part 2) has been designed for local areas to record the documentation requirements of each locally defined “additional barrier”. The template, based on Attachment F of MassWorkforce Issuance No. 09-20, should be included as part of the required addendum to the area’s Annual Plan. The completed addendum should be sent to the following individuals:

Lisa Cassie Division of Career Services 19 Staniford Street, Boston, MA 02111 or electronically to the same at: Lcassie@detma.org	Samuel Martin Commonwealth Corporation 529 Main Street, Suite 1m8 Boston, MA 02129 or electronically to the same at: Smartin@commcorp.org
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Commonwealth Corporation and the Division of Career Services may request additional information should further clarification be deemed necessary.

Action

Required: Local Workforce Investment Boards must assure that all appropriate staff are informed of, and knowledgeable of the policy and related procedural requirements described in this issuance.

Each Local Workforce Investment Board must submit an addendum to its current Annual Plan of locally defined barriers as instructed above as soon as new “additional barriers” are approved. The addendum is not necessary in the case of any “additional barriers” already included as part of the area’s current Annual Plan submission or previously submitted for review.

Assistance and/or support in establishing additional youth barriers in conjunction with this policy may be requested by contacting Samuel Martin at Smartin@commcorp.org or 617-717-6918.

Effective: Immediately.

References: Workforce Investment Act of 1998, Sections 101, 117, 129;
Workforce Investment Act Final Rule (20 CFR 652 et al) Section 664;
Training and Guidance Letter No. 12-01;
MassWorkforce Issuance No. 09-20.

Inquiries: Please email all questions to PolicyQA@detma.org. Also, indicate Issuance number and description.