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STATE INSTRUCTION NUMBER 19-05, Change 3

To: Local Workforce Area Signatory Officials
Local Workforce Area Board Chairs
Local Workforce Area Administrators

Subject: WIOA Title I Youth Program Guidance

Issuance Date: October 13, 2025

Effective Date: July 1, 2025

Purpose: To provide guidance on the Workforce Innovation and Opportunity Act (WIOA) Title I Youth Program elements, eligibility, and expenditure requirements. **This guidance replaces State Instruction 19-05, Change 2.**

Change 2 Revision:

- The Department of Education (ED) determined that *Tests of Adult Basic Education Form 13 and 14* (TABE 13&14)—updated from TABE 11&12—are suitable for use in Literacy/English Language Arts and Mathematics at all Adult Basic Education (ABE) levels of the National Reporting System for Adult Education (NRS) until June 13, 2027.
- In accordance with TEGL 10-23, Change 2, individuals must not receive participant-level services until documentation of work authorization is verified.
- The Emergency Broadband Benefit was replaced by the Affordable Connectivity Program (ACP) on December 31, 2021. The ACP and its monthly discount on broadband services ended on June 1, 2024.

References:

- Workforce Innovation and Opportunity Act, Public Law 113-128 § 129
- 20 CFR Part 681
- 89 Federal Register 51877
- Training and Employment Guidance Letters (TEGLs) 23-14; 8-15; 21-16 and 21-16, Change 1; 23-19, Changes 1 and 2; 9-22; 10-23, Change 2; 03-25

- Training and Employment Notice (TEN) 22-19

Background: Title I of WIOA outlines a broad youth vision that supports an integrated service delivery system and provides a framework through which states and Local Workforce Development Areas (LWDAs) can leverage other federal, state, local, and philanthropic resources to support out-of-school youth (OSY) and in-school youth (ISY). To be eligible for the WIOA Youth Program, individuals must meet one or more of the eligibility requirements listed in WIOA § 129(a)(1)(B) for OSY and WIOA § 129(a)(1)(C) for ISY. The WIOA Youth Program includes requirements and exceptions for low-income ISY and OSY.

Policy: Specific requirements regarding the WIOA Youth Program elements, eligibility, and expenditure requirements are outlined below.

Program Elements

LWDAs must make each of the following 14 elements available to youth participants. The elements can be made available through specific service providers or partner programs as well as through leveraged resources:

- Tutoring, study skills training, instruction, evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a recognized secondary school diploma, its equivalent, including a certificate of attendance or similar document for individuals with disabilities, or a post-secondary credential
- Alternative secondary school services, or dropout recovery services, as appropriate
- Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types:
 - Summer employment opportunities and other employment opportunities available throughout the year
 - Pre-apprenticeship programs
 - Internships and job shadowing
 - On-the-job training opportunities
- Occupational skills training, including prioritization of training programs that lead to recognized post-secondary credentials aligned with in-demand industries or occupations in the LWDA if the Local Workforce Development Board (LWDB) determines that the programs meet the quality criteria described in WIOA § 123

NOTE: ISY cannot use youth program funded individual training accounts (ITAs). However, ISY may co-enroll in the adult program and receive training services through an adult program funded ITA if their needs, knowledge, skills, and interests align with the adult program.

- Education offered concurrently with, and in the same context as, workforce preparation activities and training for a specific occupation or occupational cluster

- Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors
- Supportive services
- Adult mentoring for at least 12 months that may occur both during and after program participation
- Follow-up services for not less than 12 months after the completion of participation
- Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, mental health counseling, and referral to partner programs, as appropriate to the needs of the individual youth

NOTE: Participant referral to counseling the LWDA cannot provide must be coordinated with the referring organization to ensure continuity of service in the WIOA Youth Program.

- Financial literacy education
- Entrepreneurial skills training
- Services that provide labor market and employment information about in-demand industries or occupations available in the LWDA, such as career awareness, career counseling, and career exploration services

NOTE: These services are reportable under “Services that provide labor market information,” and should **not** be reported as “Comprehensive guidance and counseling.”

- Activities to prepare youth for and transition to post-secondary education and training

Eligibility

Both OSY and ISY are eligible for youth services.

OSY. An OSY is an individual who is not younger than age 16 nor older than 24 at the time of enrollment (because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program), is not attending any school, and is one or more of the following:

- School Dropout
- Youth within the age of compulsory school attendance (under the age of 17 in South Carolina), but has not attended school for at least the most recent complete school year calendar quarter (based on how a local school district defines its school year quarters)
- Low-income individual who is a recipient of a secondary school diploma, or its recognized equivalent, and is either basic skills deficient or an English language learner
- Offender
- Homeless individual (as defined in the Violence Against Women Act of 1994 or the McKinney-Vento Homeless Assistance Act), a runaway, an individual in foster care or who

has aged out of the foster care system, a child eligible for assistance under the Social Security Act § 477, or an individual who is in an out-of-home placement

- Individual who is pregnant or parenting
- Individual with a disability
- Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment

ISY. An ISY is an individual who is not younger than age 14 nor older than 21 at the time of enrollment (because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program), is attending school, is low-income, and has one or more of the following barriers:

- Basic skills deficient
- English language learner
- Offender
- Homeless individual (as defined in the Violence Against Women Act of 1994 or the McKinney-Vento Homeless Assistance Act), a runaway, an individual in foster care or who has aged out of the foster care system, a child eligible for assistance under the Social Security Act § 477, or an individual who is in an out-of-home placement
- Individual who is pregnant or parenting
- Individual with a disability
- Individual who requires additional assistance to complete an educational program or to secure or hold employment

“School” refers to both secondary and post-secondary school. However, the Department of Labor (DOL) does not consider providers of Adult Education under Title II of WIOA, YouthBuild programs, Job Corps programs, high school equivalency programs, or dropout re-engagement programs to be schools for the purposes WIOA. Youth attending these programs are considered OSY for WIOA Youth Program eligibility with one exception. Youth attending high school equivalency programs, including dropout re-engagement programs, funded by the K-12 school system classified by the school system as still enrolled in school, are considered ISY.

LWDBs must establish definitions and eligibility requirements in written policies when using the “requires additional assistance” criteria for. Policies must be reasonable, quantifiable, and based on evidence that the specific youth characteristics require additional assistance.

Low-Income Requirements

The low-income requirement for the WIOA Youth Program is satisfied when an individual meets any one of the following criteria:

- Receives or has received in the past six months (or family receives or has received in the past six months) assistance from the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families (TANF) Program, the Supplemental Security Income (SSI) Program, or other state or local income-based public assistance
- Receives an income (or family receives an income) that, in relation to family size, does not exceed the most recent family income guidelines. See the current state instruction titled “Updated Federal Income Guidelines”.
- Is a homeless individual as defined in the McKinney-Vento Homeless Act or the Violence Against Women Act of 1994
- Receives, or is eligible to receive, a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (based on the individual student’s eligibility not school-wide eligibility for free or reduced-price lunch)
- Is a foster child on behalf of whom state or local government payments are made
- Is an individual with a disability whose own income meets the income requirement above, but who is a member of a family whose income does not meet this requirement
- Lives in a high poverty area

High Poverty Area. A youth who lives in a high poverty area is automatically considered to be a low-income individual. A high poverty area is a census tract, county, or other area listed in 20 CFR § 681.260 that has a poverty rate of at least 25 percent as set every five years using the American Community Survey 5-Year data. Instructions can be found on DOL’s WorkforceGPS website:

[Directions for Determining High-Poverty Areas for the WIOA Youth Formula Program.](#)

Five Percent Low-Income Exception. 5% of LWDA participants, who ordinarily would need to be low-income, do not need to meet the low-income provision. This includes all ISY and those OSY with a high school diploma, or its recognized equivalent, who are either basic skills deficient or an English language learner, or those OSY who require additional assistance, as their only barriers. In each LWDA, the 5% is calculated based on the percent of newly enrolled youth each program year who would ordinarily be required to meet the low-income criteria.

For example: if a LWDA served 200 youth in a program year—100 OSY not required to meet the low-income criteria, 50 OSY required to meet it, and 50 ISY— the 5% exception applies only to the 50 OSY who must meet the low income and the 50 ISY. Therefore, 5% of those 100 (five individuals) may be exempt from the low-income requirement. This percent is calculated at the end of each program year based on newly enrolled youth.

Five Percent ISY Limitation. Only 5% ISY may be individuals whose only barrier is “requires additional assistance to complete an educational program or to secure and hold employment.” In each LWDA, this limitation is applied to all ISY newly enrolled each program year.

Basic Skills Deficient

Basic Skills Deficient means the youth has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test. A youth who scores an NRS level 4 or below on the TABE 13&14 is considered basic skills deficient. A youth may also be basic skills deficient if they are unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in their family, or in society. If using the second definition, expanding beyond the sole use of TABE, LWDBs must issue a policy defining how a youth is basic skills deficient under this definition.

In assessing basic skills, LWDA's must use valid and appropriate assessment instruments for the target population and must provide reasonable accommodation in the assessment process for individuals with disabilities. LWDA's are not required to use a NRS approved assessment or to determine an individual's grade level equivalent or EFL, although these tools is permitted. Other formalized testing instruments designed to measure skills-related gains may be used.

In addition to being valid and reliable, any formalized testing must be appropriate, fair, cost effective, well-matched to the test administrator's qualifications, and easy to administer and interpret results. Alternatively, skills related gains may also be determined through less formal alternative assessment techniques. The techniques observation, folder reviews, or interviews may be particularly appropriate methods of assessment for youth with disabilities given accessibility issues related to formalized instruments. If a LWDA chooses to use less formal alternative assessment techniques to define basic skills deficiency, the LWDB policy defining basic skills deficient must include clear guidelines for when it is appropriate to use these alternative assessment techniques. LWDA's may use previous basic skills assessment results if they have been conducted within the past six months. Assessments older than six months may be used to determine that a participant is basic skills deficient if the following criteria are met:

- The LWDB has developed a policy allowing this
- Circumstances make an older assessment appropriate, although current assessments give more accurate results in developing participant Individual Services Strategy (ISS)
- Conducting a current assessment is a deterrent to enrollment

In contrast to the initial basic skills assessment described above, if measuring EFL gains after program enrollment under the measurable skill gains indicator, LWDA's must use an NRS approved assessment for both the EFL pre- and post-test to determine an individual's EFL. ED annually publishes a list of the test names and the EFLs the tests are suitable to measure. Staff must verify that their desired assessment to measure the youth's basic skill level is currently authorized. An updated list of ED approved assessments can be found at here:

<https://nrsweb.org/policy-data/wioa-and-nrs-resources>.

Data Validation and Self-Attestation

Data Validation. Data validation is a series of internal controls or quality assurance techniques established to verify the accuracy, validity, and reliability of data. The purpose of validation procedures and required performance data are to:

- Verify performance data as valid, accurate, reliable, and comparable across programs
- Identify anomalies in the data and resolve issues that may cause inaccurate reporting
- Improve program performance accountability through the results of data validation
- Outline source documentation required for common data elements

Self-Attestation. Self-attestation occurs when a participant states his or her status for a particular permitted data element, signing and dating a form to acknowledge this status. An electronic/digital signature can include an email, text, or unique online survey response, so long as the response is participant generated and traceable to the participant. While other documentation sources are preferred, self-attestation allows youth with barriers to obtaining eligibility and reporting documents to receive access to services.

Where self-attestation is listed as an option for source documentation in TEGL 23-19, Change 2, Attachment II, the lack of source documentation must not delay or prevent enrollment and receipt of services in a program. Self-attestation is an acceptable source of documentation for almost all program elements related to WIOA Youth eligibility. The only data elements related to WIOA Youth eligibility that do not permit the use of self-attestation for documentation are 1. Basic Skills Deficient/Low Levels of Literacy at Program Entry and 2. Work Authorization.

NOTE: In accordance with TEGL 10-23, Change 2, individuals must not receive participant-level services until their documentation of work authorization is verified. Individuals must not be determined as eligible for the youth program, must not be enrolled and receive services in the program, until their work authorization is verified.

The collection of source documentation for data validation will often take place at the same time as the determination of an individual's program eligibility; however, these actions serve different purposes. LWDA's are encouraged to use WIOA funding to assist participants in acquiring documentation needed for employment when unavailable through other means.

The attachment to State Instruction 20-15, Change 1, *WIOA Required Source Documentation*, lists source documentation for data elements for WIOA Title I program. See also State Instruction 20-09, *Performance Data Validation for DOL Workforce Programs*, for further information on source documentation and data validation.

Expenditures

Expenditures on OSY

A minimum of 75% of WIOA youth funds must be spent on OSY unless DOL grants a waiver of this requirement. LWDAs may spend up to 100% of their youth funds on OSY if they choose. Funds spent on statewide or local area youth activities that do not provide direct services to youth (such as administrative costs, monitoring, and technical assistance) are not subject to the OSY expenditure requirement.

The OSY expenditure requirement is tracked annually based on compliance over the entire performance period. However, LWDAs should review OSY expenditures at least quarterly to ensure they will meet the requirement at the end of the grant period.

Work Experiences

A minimum of 20% of WIOA youth funds must be spent on paid and unpaid work experience for both ISY and OSY. Administrative costs are not subject to the work experience expenditure requirement.

The work experience expenditure requirement is tracked annually based on compliance over the entire performance period. However, LWDAs should review work experience expenditures at least quarterly to ensure they will meet the requirement at the end of the grant period.

Paid and unpaid work experiences must include both academic and occupational education. The components may include the following categories as discussed in 20 CFR § 681.600(c), TEGL 23-14, and TEGL 9-22:

- Summer employment opportunities and other employment opportunities available throughout the school year
- Pre-apprenticeship and registered apprenticeship programs
- Job shadowing, internships, and on-the-job training opportunities

This is not an exhaustive list of activities that could count as a work experience. An activity meets the definition of work experience if it is a planned, structured learning experience that takes place in a workplace for a limited period. For example, volunteer or community service may be a type of work experience. While community service falls under the program element of leadership development, if it meets the definition of work experience, it can count toward the work experience expenditure requirement.

NOTE: The WIOA youth program allows virtual work experiences. A workplace includes virtual workplaces when remote work experiences are possible and practical. TEGL 9-22 provides in more detail the definition of virtual work experience.

Program expenditures on work experience include the following:

- Wages or stipends paid for participation in work experience
- Staff costs for the development and management of work experience, including staff time used for the following:
 - Identification and development of potential work experience opportunities
 - Coordination with employers to identify, develop, and ensure a successful work experience
 - Evaluation of the work experience
- Participant and employer work experience orientation sessions
- Classroom training or required academic component directly related to work experience
- Incentive payments directly tied to the completion of work experience
- Supportive services that enable WIOA participants to participate in work experiences

Food

Food at a reasonable cost may be provided to youth program participants as a supportive service. Expenditures on food must be limited to the following:

- Assists or enables participant to take part in allowable activities and to reach their employment and training goals
- Expenditures are limited to reasonable and necessary purchases
- When possible, food is coordinated with other community, state, or federal services that provide food for low-income individuals

LWDAs must have written policies and procedures for purchasing and distributing food to ensure consistent treatment of these types of expenses, in accordance with 2 CFR § 200.403.

Digital Literacy and Access

WIOA funds can be used to support digital literacy efforts. LWDBs must identify strategies to meet the needs of individuals with barriers, including strategies that augment traditional service delivers and increase access to services and programs, including strategies to improve digital literacy skills. While many youths are considered “digital natives,” or people who have grown up with technology, it is still important to ensure they have the digital skills needed to successfully enter and remain in the workforce.

WIOA funds can be used to pay for devices and broadband internet service that will allow a participant to create or maintain a wireless connection for distance learning, to search for jobs, and to engage in other employment and training services where such services are already allowable. LWDAs must have written policies and procedures that outline the steps/factors it will consider in approving a cost to ensure that it reasonable, necessary, allowable, and allocable.

LWDAs are also encouraged to use WIOA funds to help participants develop artificial intelligence (AI) skills by providing AI literacy training, looking for opportunities to integrate AI learning into relevant program activities, partnering with other organizations and funding sources to provide participants with AI skills, and creating AI skills development programs. See TEGL 03-25 for information on how AI education and training fits within the 14 program elements required in LWDA youth programs.

Action: Please ensure that all appropriate staff receive and understand this policy guidance.

Inquiries: Questions may be directed to WorkforcePolicy@dew.sc.gov.

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