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Date: September 19, 2003

To: Workforce Development Board Executive Directors and Youth Program Managers/Lead Contacts

From: Bettie A. Rodgers, Division Administrator
Division of Workforce Solutions

Subject: **Workforce Investment Act (WIA) policy Update 03-09 – WIA Youth eligible under the 5% window**

Purpose:

To communicate the Department of Workforce Development's (DWD)/Division of Workforce Solutions (DWS) policy on how WIA youth participants, eligible under the 5% window, are counted.

Policy/Legislative References:

- WIA Federal Legislation, Section 129 (C) (5) and WIA Federal Final Rules, Section 664.220
- DWD/DWS Workforce Program Guide – Part 2, Section III. D, 4 (WIA eligibility criterion)

Background:

WIA requires that at least 95% of youth served in the Title I B program be economically disadvantaged. Consistent with federal requirements, the DWD/DWS Workforce Program Guide, Part 2, Section III, D, 4, (a)(b)(c)/WIA eligibility criterion describes how up to 5% of youth participants, excluding disabled youth, in each local area that do not meet the low-income eligibility requirements, can be WIA eligible. This is commonly called the "5% window". Such individuals must be within one or more of the following categories:

(a) School dropout;
(b) Basic skills deficient, as defined in WIA section 101 (4);
(c) Are one or more grade levels below the grade level appropriate to the individual's age;
(d) Pregnant or parenting;
(e) Possess one of more disabilities, including learning disabilities;
(f) Homeless or runaway;
(g) Offender; or
(h) Face serious barriers to employment as identified by the Local Board. (WIA Section 129(c)(5).)

Under the current system, the Job Center Data Warehouse counts these youth only during the first program year of enrollment; it does not show active youth participants enrolled under the "5% window" that are carried in from the previous program year. Because local Workforce Development Areas are not counting these WIA youth, enrolled under the 5% window, many are exceeding the number of non-low income participants eligible allowed under the 5% window policy. As a result of this inconsistency, an update to the 5% window policy is needed in order to assure that Wisconsin is consistent with federal WIA policy.

Policy:

WIA Title 1 non-low income youth participants will be counted in the 5% window **at the end** of each month of enrollment, beginning in the first month of the program year they are enrolled and continuing every year they remain active in the youth program.

Action Required:

DWD/DWS will implement this policy immediately. WDBs should ensure procedures are in place to regularly review/monitor youth enrollments and take corrective action as necessary, to ensure compliance with the "5% window" policy. WDBs may monitor these enrollments using the Job Center Systems Data Warehouse Report #36. The Division of Workforce Solutions will also monitor local area compliance and make the necessary changes to the Data Warehouse to be in compliance with this policy.

Questions and Technical Assistance:

If you have any questions, please contact the Local Program Liaison assigned to your area.

cc: Ronald F. Hunt, Director, Bureau of Workforce Programs
DWS/BPS Local Program Liaison
DWD/BWP-Policy and Program Development Unit