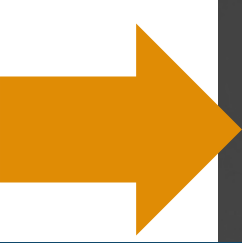


# How House- Passed WIOA Reauthorization Would Change Youth Programs

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The Workforce Innovation and Opportunity Act (WIOA) supports the nation's workforce development system.

**The authorization for WIOA expired in 2020, and Congress should use this reauthorization process to improve the legislation and make significant investments in federal spending on the workforce system—particularly in programs that support young people.**

On March 31, 2022, Bobby Scott, Chair of the House Committee on Education and Labor, and Frederica Wilson, Chair of the Subcommittee on Higher Education and Workforce Investment, **introduced** the Workforce and Opportunity Act of 2022 (H.R. 7309) to initiate the process of reauthorizing WIOA. The bill passed the House on May 17, 2022.

This brief outlines key changes to current law in the House WIOA bill for youth workforce programs to sections on:

- Eligibility definitions
- Youth workforce investment activities
- Funding appropriations
- Use of funds for youth workforce activities
- Summer and year-round employment for youth



# How is 'eligible youth' defined in the House bill?

The House-passed WIOA bill defines 'eligible youth' as the following two groups:

- Opportunity Youth are individuals aged 16-26 who are not attending school, are unemployed, and do not have a secondary diploma or equivalent. Young people who have low income and foundational skills needs but have a high school credential are still considered Opportunity Youth.
- Youth are individuals aged 14-24 attending school who can self-attest to having low income and being classified as one or more of the following:
  - English-language learner,
  - justice-impacted individual,
  - experiencing homelessness,
  - foster youth,
  - pregnant or parenting, or
  - having a disability.



The eligibility definitions are similar to the previous **out-of-school youth (OSY) and in-school-youth (ISY) definitions**, but this proposal removes the priority populations previously listed in the OSY definition from the new Opportunity Youth definition. Unlike the OSY definition in current law, English-language learners with a high school diploma are not considered Opportunity Youth.



## Current WIOA Statute

VS

## WIOA House Bill

### Out of School Youth

- Not in school, age 16-24, and
  - have dropped out of school;
  - are subject to compulsory school attendance;
  - have received a secondary school diploma and have low income/are basic skills deficient/are an English-language learner;
  - are an offender;
  - are experiencing homelessness;
  - are foster youth;
  - are pregnant/parenting;
  - have a disability; or
  - have low income requiring employment assistance.

### Opportunity Youth

- Not in school,
- Unemployed,
- Age 16-26

#### Note:

- Opportunity Youth can self-attest to a one-stop operator or one-stop center
- An exception is permitted for individuals who have low income and foundational skills needs

### In-school youth (ISY):

- Not in school, age 16-24, and
  - have dropped out of school;
  - are subject to compulsory school attendance;
  - have received a secondary school diploma and have low income/are basic skills deficient/are an English-language learner;
  - are an offender;
  - are experiencing homelessness;
  - are foster youth;
  - are pregnant/parenting;
  - have a disability; or
  - have low income requiring employment assistance.

### Youth:

- Are attending school,
- Age 14-24, and
- Can self-attest to the following:
  - having low income and being one or more of the following:
    - English-language learner,
    - justice-impacted individual,
    - homeless,
    - foster youth,
    - pregnant or parenting, or
    - individual with a disability.

75%

\*Priority: At least 75% of funds must go to OSY

0%

\*No targeting priority of Opportunity Youth



## How is eligibility determined?

The bill allows for youth eligibility to be determined through self-attestation. Self-attestation means individuals can state and acknowledge their status on an eligibility form instead of requiring youth and providers to track down paperwork and proof of their status (i.e., proof that they are pregnant, have low income, are out of school, etc).

## What are the changes to youth workforce investments allocated to states and local areas?

For within-state allotments to local areas, the bill adds a Transfer Authority Clause that allows a local board to transfer up to 100 percent of youth funds between summer and year-round employment programs with approval by the governor.

## What are the funding priorities for Opportunity Youth?

The bill allows for youth eligibility to be determined through self-attestation. Self-attestation means individuals can state and acknowledge their status on an eligibility form instead of requiring youth and providers to track down paperwork and proof of their status (i.e., proof that they are pregnant, have low income, are out of school, etc).

## What are the changes to and allowable uses of funds for youth workforce activities?

The bill also amends the allowable youth workforce activities by requiring local areas to conduct a comprehensive local needs assessment (updated at least once every four years), which must address the following:

- Performance outcomes for youth in the local area
- Workforce development needs of local youth
- Available workforce services
- Effective strategies for meeting youth needs

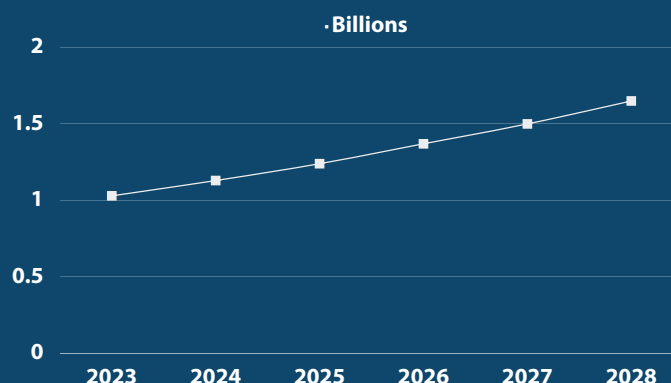
This bill removes the requirement that all **14 program elements** must be provided as part of authorized youth workforce activities. Instead, this bill amends the language to allow local areas to determine which program elements are deemed appropriate to meet the needs of eligible youth in the local area.

## What summer youth employment activities are proposed?

This bill adds a 'Summer and Year-Round Employment' section for youth that includes some provisions of the **Open Doors for Youth Act**. This would allow local areas to provide summer and year-round employment opportunities, which include subsidized employment. Subsidized employment must include elements such as mentoring, work-readiness training, career exploration, coaching, and financial literacy training.

## What are the WIOA youth appropriation funding amounts proposed?

The House bill includes a total of \$7.9 billion in appropriation funding for youth workforce activities for fiscal years 2023 to 2028. This authorized total amount for youth funding for FY 2023-2028 is about a \$1 billion increase, adjusted for inflation, from funding levels authorized in FY2015-2020.



### How do the changes in the House WIOA bill impact Opportunity Youth and equity targeting?

- ✓ **Self-attestation will help streamline eligibility requirements and alleviate administrative burden.** Allowing youth to self-attest to a one-stop operator/center would streamline the eligibility process, uphold dignity and choice for youth, and alleviate administrative and documentation burden for youth and providers. Self-attestation allows youth who are most in need of WIOA programs to access services more quickly. Without self-attestation, youth and program providers often bear the burden of tracking down paperwork and proof for eligibility requirements.
- ✓ **Inclusion of 'Opportunity Youth' definition.** The inclusion of 'Opportunity Youth' in the eligibility definition means that we will start having a federal count of the number of Opportunity Youth served through WIOA.
- ✓ **Local areas have the ability to decide which 14 program elements are most appropriate to include.** Allowing local areas to decide which 14 program elements are appropriate to include in program activities gives local areas flexibility to focus on programs that best serve youth in their area. With greater flexibility, we hope implementation will include strong accountability to ensure local areas are meeting their local needs.
- ✓ **Increase in authorized appropriation amount for youth programs.** The \$1 billion increase, adjusted for inflation, from funding levels authorized in FY 2015-2020 is a step in the right direction toward supporting more youth workers.
- ⊗ **Lack of priority and targeting funds for Opportunity Youth.** This proposed House bill takes out the 75 percent priority of funds set-aside for out-of-school youth. WIOA is one of the few federal programs that target funds specifically for out-of-school Opportunity Youth. Without specific targeting of funds for Opportunity Youth, this legislation may discourage local boards and/or providers from targeting youth populations most in need. This bill also took out the list of priority populations from the out-of-school Opportunity Youth definition. Youth who are not in school and have a priority population identity should be prioritized for WIOA youth programming.
- ⊗ **Potential consequences of including a transfer authority provision between summer and year-round employment program funds.** The transfer authority clause would allow local boards to transfer up to 100 percent of their funds between summer and year-round employment programs. Each local board can decide to transfer funds between program activities, but it would have to be approved by the governor. Should local boards choose to transfer significant funds between summer and year-round employment programs, it is conceivable that certain subpopulations facing multiple barriers to employment could lose access to services tailored to their individual needs. CLASP supports expanding summer youth employment programs; however such programs need their own dedicated funding stream. It is vital that WIOA maintain safeguards against any action that might discourage local boards from serving youth who face the greatest barriers to achieving performance outcomes.

# Conclusion

The WIOA reauthorization process comes at a critical time when the pandemic and economic crisis have **exacerbated youth disconnection and unemployment rates**. Strengthening WIOA to better serve youth workers can be a key tool to help fortify our workforce and economy. Overall, the youth programming investments highlighted in the Workforce Innovation and Opportunity Act of 2022 make some improvements to WIOA, but also include changes that raise serious concerns for communities committed to equitably meeting the needs of Opportunity Youth.

We can't afford to divest resources from young people who most need access to reengagement and employment opportunities. Although it remains unclear if the Senate will take up its own bill to reauthorize WIOA before the end of the year, the full reauthorization process should not be rushed. Rather, policymakers must meaningfully include more input from youth workers, youth program providers, and advocates who have successfully served Opportunity Youth under current law.



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