

Workforce Innovation and Opportunity Act (WIOA)  
Temporary Assistance for Needy Families (TANF)  
Summer Youth Employment Program Guide



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The purpose of the Summer Youth Employment Program (SYEP) Guide is to provide important program information on operating a local SYEP. It contains information on how to develop and operate a local summer youth program and will assist with the design of your local program. It includes a review of existing law and guidance associated with summer youth employment activities under the Workforce Innovation and Opportunity Act (WIOA) and Temporary Assistance for Needy Families (TANF) programs, as well as information about participant wage payments and stipends. The SYEP Guide should not be used as a substitute for careful consideration of all applicable laws and regulations, or the advice of competent legal counsel.

The SYEP provides a planned, structured learning experience that takes place in a workplace for a limited period of time. SYEP work experience may be paid or unpaid, and can include the private for-profit sector, non-profit sector or public sector. SYEP employment opportunities provide youth participants with opportunities for career exploration and skill development, and must include academic and occupational education.

## **WIOA Youth Program Design**

WIOA recommends that the youth program includes certain program elements. The recommended program elements may include: an objective assessment of academic levels, skills levels and service needs, which include review of basic skills, occupational skills, prior work experience, employability, aptitudes, supportive service needs for the propose of identifying appropriate services and career pathways.

The youth program should develop service strategies that identify career pathways that include employment and education goals, appropriate achievement objectives, and appropriate services based on the objective assessment results.

### ***Youth Eligibility***

Every individual that wants to be served in the WIOA youth program must meet minimum eligibility requirements as either an In-School Youth (ISY) or Out-of-School Youth (OSY). There are general criteria that all youth must meet as follows:

- Be authorized to work in the United States;
- Meet Military Selective Service registration requirements (males only); and
- Be an ISY or OSY, as defined by WIOA section 129(a)(1)(B)–(C).

### **In-School Youth (ISY)**

An ISY is an individual who is:

- Not younger than 14 (unless an individual with a disability who is attending school under State law) and not older than 21 years of age at the time of enrollment;
- Attending school (as defined by State law), including secondary or post- secondary school;

- Low-income, as defined by WIOA section 3(36), or lives in a high poverty area as outlined in WIOA section 129(a)(2); and
- One or more of the following:
  - ✓ Basic skills deficient;
  - ✓ An English language learner;
  - ✓ An offender;
  - ✓ A homeless individual, a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under §477 of the Social Security Act (42 USC §677), or reside in an out-of-home placement;
  - ✓ Pregnant and or parenting;
  - ✓ Has a documented disability; or
  - ✓ Requires additional assistance to complete an educational program or to secure or hold employment.

### Out-of-School Youth (OSY)

An OSY is an individual who is:

- Not younger than 16 and not older than 24 years at the time of enrollment;
- Not attending school (as defined by State law); and
- One or more of the following:
  - ✓ A school dropout;
  - ✓ Within the age of compulsory school attendance (age 6–18), but has not attended school for at least the most recent complete school year’s calendar quarter;
  - ✓ A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either:
    - Basic skills deficient; or
    - An English language learner;
  - ✓ Subject to the juvenile or adult justice system;
  - ✓ A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
  - ✓ Pregnant and or parenting;
  - ✓ Has a documented disability; or
  - ✓ A low-income individual who requires additional assistance to enter or complete an educational program or to obtain or retain employment.

### ***Income***

Income is determined by collecting information from the family for the complete six-month period prior to application. Family size must be determined and the total reported six-month income must be documented. The income is doubled (annualized) and compared to the Lower Living Standard Income Level (LLSIL) (WIOA section 3(36)) to determine low income status.

All ISY must meet the low-income eligibility criteria, with the exception being those who fall under the low-income exception. WIOA allows a low-income exception to no more than five percent of its WIOA youth in a given program year. Youth included in the low-income exception do not have to be low income, but they must meet the other eligibility requirements as stated in WIOA section 129(a)(3)(A)(ii). Additionally, low income is a criterion for ISY who need additional assistance to enter or complete an educational program or to secure or hold employment. Under WIOA, a youth is considered to be low-income if he or she receives or is eligible to receive free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.). WIOA has defined youth with a disability as a separate eligibility criterion.

For OSY, only those youth who are the recipient of a secondary school diploma or its recognized equivalent and are either basic skills deficient or an English language learner, and youth who require additional assistance to enter or complete an educational program or to secure or hold employment, must be low-income. All other OSY meeting OSY eligibility are not required to be low-income (20 CFR 681.250; 20 CFR 681.210(c)(9)). WIOA allows a low-income exception where five percent 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 (WIOA section 129 (a)(3)(A)(ii); 20 CFR 681.250(c)).

WIOA has included Individual Training Accounts (ITAs) as a part of the program framework for the out-of-school youth ages 18 to 24 to:

- Expand training options.
- Increase flexibility.
- Enhance customer choice.
- Reduce tracking, reporting and paperwork that comes with dual enrollment.

### ***Youth Program Elements***

WIOA requires that the LWDBs make available 14 program elements to youth participants; however, local programs have the discretion to determine what specific program element(s) a youth participant receives based on each participant's objective assessment and individual service strategy. Local programs are not required to provide every program service to each participant. The 14 program elements are listed and defined below:

1. Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies

Tutoring, study skills training, and instruction that lead to a high school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential are required for this program element. To be successful with achieving this element, LWDBs must identify strategies that focus on providing academic support, identifying areas of academic

concern, overcoming learning obstacles, and discovering and offering tools and resources to develop effective learning strategies.

LWDBs can offer tutoring, study skills training, and instruction one-on-one or in a group setting.

Secondary school dropout prevention strategies intended to lead to a high school diploma should be identified as a part of this program element. Secondary school dropout prevention strategies include services and activities that keep a youth in school and engaged in a formal learning and/or training setting. Success strategies include, but are not limited to tutoring, literacy development, active learning experiences, after-school opportunities, and individualized instruction.

## 2. Alternative secondary school services, or dropout recovery services

Alternative secondary school services include basic education skills training, individualized academic instruction, and English as a Second Language training to assist youth who have struggled in traditional secondary education. Dropout recovery services include credit recovery, counseling, and educational plan development to assist youth who have dropped out of school. The goal of this element is to re-engage youth so that they will pursue the necessary educational training to complete a high school diploma or its recognized equivalent.

## 3. Paid and unpaid work experiences

A work experience is “a planned, structured learning experience that takes place in a workplace for a limited period of time” and may be paid or unpaid, [20 C.F.R. § 681.600](#). A work experience may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law. Work experiences provide the youth participant with opportunities for career exploration and skill development.

WIOA included the following types of work experiences as a part of the youth program framework:

- Summer employment opportunities and other employment opportunities available throughout the school year;
- Pre-apprenticeship programs;
- Internships and job shadowing; and
- On-the-Job training (OJT) opportunities.

Work experiences must include academic and occupational skills education as a component of the work experience structure. The academic and occupational education component refers to contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations. Local programs

may determine the appropriate type of academic and occupational education needed for a specific work experience.

Allowable work experience expenditures include the following:

- Wages and/or stipends paid for participation in a work experience;
- Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop the work experience;
- Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- Staff time spent evaluating the work experience;
- Participant work experience orientation sessions;
- Employer work experience orientation sessions;
- Classroom training or the required academic education component directly related to the work experience;
- Incentive payments directly tied to the completion of work experience; and
- Employability skills/job readiness training to prepare youth for a work experience.

Supportive services are a separate program element and cannot be counted toward the work experience expenditure requirement.

#### 4. Occupational skills training

Occupational skills training is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. LWDBs must give priority to training programs that lead to recognized postsecondary credentials which align with in-demand industry sectors or occupations in the local area involved, as determined by the LWDB in accordance with WIOA section 123. Occupational skills training must:

- Be outcome oriented and focused on an occupational goal in a participant's individual service strategy;
- Be of sufficient duration to impart the skills needed to meet the occupational goal; and
- Result in the attainment of a recognized post-secondary credential.

#### 5. Education offered concurrently with workforce preparation activities and training for a specific occupation or occupational cluster.

This element requires integration of education and training delivered concurrently. Workforce preparation activities, basic academic skills, and hands-on occupational skills training are to be taught within the same time frame and connected to training in a specific occupation, occupational cluster, or career pathway. An occupational cluster and career pathway are two frameworks/methods that provide a vital structure for organizing career information with the same knowledge and skills to help deliver quality programs.

## 6. Leadership development opportunities

Leadership development opportunities are activities that encourage responsibility, confidence, employability and self-determination, and promote positive social and civic behaviors. These opportunities include, but are not limited to:

- Community and service learning projects;
- Direct exposure to post-secondary educational possibilities;
- Peer enrichment activities;
- Organizational and team work training;
- Training in decision-making, including determining priorities and problem solving;
- Citizenship training, including life skills training such as parenting and work behavior training; and
- Civic engagement activities which promote the quality of life in their community.

## 7. Supportive services

These are services that are reasonable and necessary to enable a WIOA participant to participate in WIOA activities. Examples of supportive services include, but are not limited to:

- Linkages to community services;
- Assistance with transportation;
- Assistance with child-care and dependent care;
- Assistance with housing;
- Needs-related payments;
- Assistance with educational testing;
- Reasonable accommodations for youth with disabilities;
- Referrals to health care;
- Assistance with uniforms, clothes for interviews;
- Assistance with books, fees, school supplies; and
- Payments and fees for employment and training-related applications, tests, and certifications.

Linkages to community services means connecting jobseekers to services that would aid them in becoming employed and addresses needs not otherwise met. Such linkages include free legal aid to help with the expungement of criminal records, securing government identification, and linkages to organizations that provide youth the opportunity to develop their leadership skills through service to their respective community.

Needs-related payments provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA section 134(d)(3). Unlike other supportive services, in order to qualify for needs-related payments, a participant must be enrolled in training.

## 8. Adult mentoring

Adult mentoring is a formal relationship between a youth and an adult mentor that includes structured activities where the mentor offers guidance, support, and encouragement to develop competence and character of the mentee. Adult mentoring must last for at least 12 months, and it can take place both during program participation and after exit. Group mentoring activities and mentoring through electronic means are allowable as part of the mentoring activities; however, the youth program must match each youth participating in this element to an individual adult mentor with whom the youth interacts on a face-to-face basis. Mentoring can include workplace mentoring where the local program matches a youth participant with an employer or employee of a company. The LWDB must develop local operating procedures to appropriately screen and select mentors.

## 9. Follow-up services

LWDBs must offer follow-up services to all youth participants, after exit from the program. The follow-up services offered must align with a youth's individual service strategy. Follow-up services are critical services provided after a youth's exit from the program, and they help ensure the youth is successful in employment and/or postsecondary education and training. Follow-up services may include regular contact with a youth participant's employer, including assistance in addressing work-related problems that arise. These services may include, but are not limited to:

- Supportive services;
- Financial literacy education;
- Labor market and employment information; and
- Adult mentoring.

Follow-up services must be offered for 12 months after exit. However, youth have the option to opt out of follow-up services. This should be documented in the case management plan.

## 10. Comprehensive guidance and counseling

This service provides individualized counseling to the youth participants and may include, but is not limited to:

- Drug and alcohol abuse counseling;
- Mental health counseling; and
- Referrals to partner programs.

The local program must coordinate with the organization it refers to in order to ensure continuity of service.

## 11. Financial literacy education

Financial literacy education are activities that provide youth with the knowledge and skills that they need to achieve long-term financial stability. Financial literacy education encompasses information and activities that provide financial education that are age appropriate, timely, and provides opportunities to put lessons into practice, such as access to safe and affordable financial products that enable money management and savings; these services include, but are not limited to the following activities:

- Creating budgets, initiating checking and savings accounts at banks, and making informed financial decisions;
- Learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards;
- Understanding, evaluating, and comparing financial products, and services; and
- Educating youth about identity theft, how to resolve cases of identity theft and understanding their rights and protections related to personal identity and financial data.

## 12. Entrepreneurial skills training

Entrepreneurial skills training provides the basics of starting and operating a small business. WIOA identifies several approaches that can be utilized in the implementation process of the youth program. These trainings should develop the skills associated with entrepreneurship and may include, but are not limited to:

- Entrepreneurial education that provides an introduction to the values and basics of running a business. Education program must be able to guide youth through the development of a business plan, with a simulation of business startup and daily operations;
- Taking initiative;
- Creatively seeking out and identifying business opportunities;
- Develop budgets and forecast resource needs;
- Understand various business options for acquiring funding and the trade-offs associated with each option;
- Communicate effectively and market oneself and one's ideas;
- Enterprise development which provides supports and services that incubate and help youth develop their own business; and
- Experimental programs that provide youth with experience in the day-to-day operation of a business.

## 13. Services that provide labor market and employment information

These services provide information about the labor demand and supply of occupations. The information identifies in-demand industries and occupations and employment opportunities; and, provides knowledge of job market expectations including education and

skills requirements and potential earnings. For youth, the information brings awareness of the career fields that are likely to provide long-term employment and earning in local labor markets.

#### 14. Postsecondary preparation and transition activities

Postsecondary preparation and transition activities and services are used to prepare youth to move from secondary to postsecondary education after attaining a high school diploma or its recognized equivalent. Activities include exploring postsecondary education options including technical training schools, community colleges, 4-year colleges and universities, and registered apprenticeship. Additional activities may include, but are not limited to:

- Informing participants of legal responsibilities after turning 18;
- Assess participants' strengths, abilities and interests;
- Assist participants to prepare and submit post-secondary education applications and financial aid;
- Introduce participants to financial aid search, college scholarship portals and assist them with applying; and
- Teach participants how to develop a portfolio that demonstrates accomplishments and competencies.

#### ***Administrative Requirements***

LWDBs must spend at least 20 percent of its Title I Youth funds for work experience. Funds spent for SYEP work experiences may be included in the required minimum 20 percent of youth funds on work experience. LWDBs must track program funds spent on youth program paid and unpaid work experiences, including wages and staff costs for the development and management of work experiences, and report such expenditures as part of the local WIOA youth financial reporting. The percentage of funds spent on work experience is calculated based on the total local area youth funds expended for work experience rather than calculated separately for in-school and out-of-school youth. LWDB administrative costs are not subject to the 20 percent minimum work experience expenditure requirement.

Providers of youth workforce investment activities must be selected by the LWDB through awarding a grant or contract on a competitive basis as described in WIOA section 123. If there is an insufficient number of eligible providers of youth workforce investment activities, LWDBs may award grants or contracts on a sole source basis. However, the summer employment provider does not need to select the employers who will provide the employment opportunities through a competitive process.

#### ***Workers' Compensation***

In accordance with [Section 445.009, Florida Statutes \(F.S.\)](#), a participant in an adult or youth work experience activity administered under this section will be deemed an employee of the state for purposes of workers' compensation coverage. In determining the average weekly wage, all

remuneration received from the employer shall be considered a gratuity, and the participant shall not be entitled to any benefits otherwise payable under s. 440.15, F.S., regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity.

**AmeriSys** is the state's Workers' Compensation Provider and should be contacted using the toll free number 1-800-455-2079, in case of a work-related injury. The manager or supervisor will be asked to provide a 4-digit location code to identify the program area of the injured employee. For more information, please click [here](#).

### ***Wages and Stipends***

The issue of paying wages or stipends to youth participating in a summer employment program (and the impact this has on the tax liability of the participant, the worksite employer, and the LWDB) poses questions for the SYEP. DEO has determined that each circumstance must be evaluated on a case-by-case basis, and the factors discussed below should be applied.

WIOA section 129(c)(4) prioritizes work experiences with the requirement that local areas must spend a minimum of 20 percent of non-administrative local area funds on work experience. Under WIOA, paid and unpaid work experiences that include as a component academic and occupational education may have the following four categories: summer employment opportunities and other employment opportunities available throughout the school year; pre-apprenticeship programs; internships and job shadowing; and on-the-job training opportunities. The Department encourages local programs to coordinate work experiences, particularly summer employment, with other youth serving organizations and agencies. As was encouraged through joint letters in past years with the Departments of Health and Human Services and Housing and Urban Development, coordinating with Temporary Assistance for Needy Families, Community Services Block Grant, and Community Development Block Grant programs can strengthen local summer jobs efforts.

LWDBs have the option of including a classroom component to their summer youth programs. Usually, this is done to provide the younger age group the opportunity to further their academic skills. This would likely be less appropriate for the older youth.

Labor standards apply in any work experience where an employee/employer relationship exists, as defined by the Fair Labor Standards Act or applicable State law.

Over the years, the IRS has stated consistently that the tax treatment of payments (wages or stipends) made under a federally-sponsored work-training program depends on the particular factual situation. In general, the IRS has provided the following guidance:

- Tax liability rests upon whether the participants are “employees” and whether the payments should be considered “wages.” Typically, an employer-employee relationship exists if the employer has the right to control, direct and discharge the employee, and if the employee receives compensation according to the general rate structure.

- Additional factors to consider include:
  - ✓ Whether the participants perform services. If so, income and employment taxes likely apply;
  - ✓ The amount of training provided. Even if some training is provided, the payments still may be taxable; and
  - ✓ Whether payment is made for welfare purposes and measured according to the personal or family needs of the individual. If so, income and employer taxes do not apply.

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local governments. The FLSA applies to the extent that the activities performed in the work experience constitute employment. LWDBs must determine whether work experience constitutes training as opposed to employment. LWDBs should also consider the factors cited by the IRS when determining whether the payments (wages or stipends) made to participants in a summer youth program are taxable.

If the worksite is relying on the participant to perform real work, i.e. to be productive, an employer-employee relationship probably exists. In this situation, there must be an employer of record and participants must receive no less than the applicable state or federal minimum wage, related benefits are required, and payroll taxes should be deducted. The employer of record will be responsible for paying all taxes.

Activities that help youth prepare for and transition to postsecondary education and training: Activities include but are not limited to: skill development and college preparatory life skills (time management, mock interviews, independent living, and legal responsibilities after age of 18) and how to prepare for post-secondary education (college applications, essay writing, financial aid, and scholarships).

Incentive payments are allowable under WIOA. However, the incentives must comply with the requirements in 2 CFR part 200.

Incentives or stipends may be used in a training situation and are determined by the LWDB. Stipends should be issued through a uniform payment system. Such incentives are not required to meet minimum wage requirements, are not to be disbursed as payroll, and income tax is not to be withheld. However, a stipend may not be used as a substitute for wages and is generally limited to reimbursement for expenses such as books, tuition, or tools.

This guidance is intended to explain some of the factors that LWDBs should consider when determining whether to pay summer youth participants a wage or a stipend, and whether those payments are subject to income and employment taxes. The IRS has not issued definitive guidance and has ruled that each determination is based on factual situations.

We recognize that some LWDBs may design their summer youth programs (particularly for the younger youth) as more of an academic classroom situation where stipends may be appropriate.

Each individual LWDB is responsible for making the ultimate determination of whether an employer-employee relationship exists based on a case by case basis.

### ***WIOA Common Terms and Definitions***

**Basic Skills Deficient:** A youth who has English reading, writing, or computing skills at or below the 8th grade (8.9 or lower) level on a generally accepted standardized test. A youth who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. Refer to 20 CFR 681.290, for further information on testing.

**Career Pathway:** Refers to a workforce development strategy used to align the skill needs of industries in the economy of the federal, state or regional economy. This framework is combined with occupational clusters to provide structure for organizing career information with the same knowledge and skills to help deliver quality programs.

**Compulsory School Attendance:** This term refers to all children who are either six years of age, who will be six years old by February 1 of any school year, or who are older than six years of age but who have not attained the age of 16 years, must attend school regularly during the entire school term. A student who attains the age of 16 years during the school year is not subject to compulsory attendance beyond the date of which the student attains that age if he/she files a formal declaration of intent to terminate school enrollment with the school district. Refer to WIOA Section 129(a)(5) and Florida Statutes Section 1003.21 for additional guidance.

**Dropout:** an individual who no longer attends any school and who has not received a secondary school diploma or its state-recognized equivalent. Refer to 20 CFR 688.120 and WIOA section 3(54).

**English Language Learner:** An individual with limited abilities in reading, writing, speaking or comprehending the English language, and Native language other than English or lives in a family or community environment where a language other than English is the dominant language.

**High Poverty Area:** A Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 25 percent, as set every five years using American Community Survey 5-Year data.

\*\*To view DEO Poverty Rate Map and additional info, click [here](#).

**Homeless Individual:** An individual who lacks a fixed, regular, and adequate nighttime residence; and:

- Is sharing housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Is living in a motel, hotel, trailer park, or campground due to lack of alternative adequate accommodations;
- Is living in an emergency or transitional shelter;
- Is abandoned in a hospital;
- Is awaiting foster care placement;

- An individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
- Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless because the children are living in circumstances described above.

**Low Income Individual:** An individual who:

- Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through TANF, or the Supplemental Security Income (SSI) program, or state or local income-based public assistance;
- Receives an income or is a member of a family receiving an income that, in relation to family size, is not in excess of the current combined 70 percent Lower Living Standard Income Level;
- Is a homeless individual as defined in §41403(6) of the Violence Against Women Act of 1994, or a homeless child or youth as defined in §725(2) of the McKinney-Vento Homeless Assistance Act;
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act;
- Is a foster youth on behalf of whom state or local government payments are made;
- Is an individual with a disability whose own income meets:
  - ✓ WIOA’s income requirements, even if the individual’s family income does not meet the income requirements; or
  - ✓ The income eligibility criteria for payments under any federal, state, or local public assistance program.

**Migratory child:** A child who is, or whose parent or spouse, is a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent or spouse, in order to obtain, temporary or seasonal employment in agricultural or fishing work – has moved from one school district to another or resides in a school district of more than 15,000 square miles, and migrates a distance of 20 miles or more to a temporary residence.

**Occupational Cluster:** A grouping of careers that are similar based on required skills, knowledge, duties, education and working environments. This framework is combined with career pathways to provide structure for organizing career information with the same knowledge and skills to help deliver quality programs.

**Out-of-home placement:** Foster care, including family foster care, kinship care, relative care treatment foster care, and residential and group care.

**Pre-apprenticeship program:** A program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership with one, or more, registered apprenticeship program.

**Requires additional assistance:** The LWDB may establish a definition and eligibility documentation requirements for the “requires additional assistance to complete an educational program, or to secure or hold employment” criterion of ISY and OSY eligibility.

## Using Temporary Assistance for Needy Families (TANF) Funds for Summer Youth Employment Opportunities

When developing summer youth programs under TANF, agencies may choose to target the program narrowly to youth in families already receiving TANF cash assistance, or expand eligibility to a more broadly defined group of “TANF-eligible” families. TANF funds must be spent on activities that further one of the following four TANF purposes:

- Assist needy families so that children can be cared for in their own homes;
- Reduce the dependency of needy parents<sup>1</sup> by promoting job preparation, work, and marriage
- Preventing out-of-wedlock pregnancies; and
- Encouraging the formation and maintenance of two-parent families.

The State of Florida defines TANF youth as youth up to age 18, or up to age 19, if they are still in school.

The wages paid under these summer youth employment programs are not considered TANF cash assistance, and states may choose to disregard the earnings of summer jobs participants in determining a family’s eligibility or amount of assistance. Other sources of TANF funding may be utilized to provide supportive services for low income youth. Furthermore, if the SYEP participant is not a Work Eligible individual, his or her hours of participation do not affect the State’s work participation calculation. A Work Eligible individual is defined as an adult or minor child head of household who receives TANF cash assistance or a non-recipient parent living with a child who is receiving cash assistance. If the participant is a Work Eligible individual, hours of participation can count towards helping the State meet work participation rate requirements. In addition to subsidizing wages, LWDBs may use TANF funds for this program and other related activities such as:

- Education and Training;
- Supportive Services;
- Transportation for employed persons for the purpose of attending work or training;
- Counseling and employment related services; and
- Incentive payments that reward the participant for achieving a pre-determined milestone (i.e. a one-month job retention bonus).

### 1. Eligibility Categories

**Purpose 1** - Assist needy families so that children can be cared for in their own homes.

Youth are eligible for the Summer Youth Employment Program (SYEP) program if they are:

- In a family receiving Temporary Cash Assistance (TCA);
- Residing in the home of a parent; and
- Residing in the home of a caretaker relative.

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<sup>1</sup> A parent is defined as a natural/biological, legal, or adoptive father or mother of child. This includes step-parents.

## Documentation

To support TANF purpose one from the Florida Online Recipient Integrated Data Access (FLORIDA), LWDBs should attach the following documentation:

- AIHH – displays household members relationship;
- AIID – lists the household members;
- AIIM – displays school status and pregnancy;
- ARDT – displays the ages of individuals in the household; and
- IQCH- displays the family’s cash assistance history.

**Purpose 2** - Reduce the dependency of needy parents by promoting job preparation, work, and marriage.

Youth are eligible for the SYEP program under purpose 2 if their family income does not exceed 200% of the Federal Poverty Level. The [Federal Poverty Rate Guidelines](#) can be found on the DEO website.

## Documentation

To support TANF purpose 2, LWDBs should attach the following documentation:

- Screening Form;
- Tax Returns;
- Last Pay Stubs;
- Unemployment Payment Verification;
- Disability Payment Verification;
- Free or Reduced Lunch Verification; and
- Employment Verification Forms.

LWDBs may use the SYEP screening/eligibility form template that is included in this guide as an attachment to assist in determining eligibility. It is posted on the Department of Economic Opportunity (DEO) website, located under the WT resources tab. LWDB’s may also use their own locally developed screening form. If a LWDB chooses not to use DEO’s template, the LWDB’s locally developed screening form must include all pertinent information to determine eligibility. This includes selecting the appropriate qualifying TANF purpose.

## 2. **OSST Data Entry**

A LWDB opting to operate a TANF funded SYEP must ensure that all data for youth enrolled in the SYEP is entered in OSST using the codes/benchmarks as provided in this guidance.

**Name:** TANF Summer Youth Employment  
**FEID Number:** 507607

## **Outcomes or Results for the SYEP**

The data entry requirements for tracking TANF funded SYEP participation are as follows:

- Youth eligible under TANF purpose 1 **must have a TANF *Benchmark-1*** entered and open under the *Service Plan* portion of the *Skill Development* screen. The *Actual Start Date* of Benchmark-1 must reflect the **date of enrollment** in the SYEP. The *Actual End Date* must reflect the date the youth left the SYEP. The *Outcome* must reflect the reason the youth left the SYEP. The enrollment benchmark **must remain open** until the youth exits the SYEP.

If the youth is part of a family receiving TCA, program staff will use TANF Benchmark – 1 to enroll the youth. This benchmark will be used to track the number of youth in TCA homes who are enrolled in the program.

- Youth eligible under TANF purpose 2 **must have a TANF *Benchmark-2*** entered and open under the *Service Plan* portion of the *Skill Development* screen. The *Actual Start Date* of Benchmark-2 must reflect the **date of enrollment** in the SYEP. The *Actual End Date* must reflect the date the youth left the SYEP. The *Outcome* should reflect the reason the youth left the SYEP. The enrollment benchmark **must remain open** until the youth exits the SYEP.

If the youth is part of a family whose income is below 200 percent of the Federal Poverty Level (FPL), program staff will use TANF Benchmark – 2 to enroll the youth. This benchmark will be used to track the number of youth whose family's income is below 200 percent of the FPL.

- Youth being served with TANF funds must be reviewed for eligibility prior to receiving services. To demonstrate the eligibility determination was completed, the applicable enrollment benchmark, 1 or 2, must be entered in the system with an Actual Start Date on or after the SYEP start date. An Eligibility or Screening form for TANF Funded Services must be completed and retained in the youth's record, along with appropriate eligibility supporting documentation. This is applicable for all youth served with TANF funds for Summer Youth Employment opportunities.

**Note:** Eligibility determination dates and enrollment dates may differ. Once a youth is determined eligible for the SYEP, subsequent eligibility determination is not necessary if enrollment into the program does not immediately follow. For example, if a youth is determined eligible for the SYEP on May 10, 2018 and is not actually enrolled until June 10, 2018, the LWDB does not have to complete another screening form or collect more information for eligibility purposes. The LWDB would enter the actual enrollment date once the youth actively engages in the SYEP. ***However, a youth cannot be enrolled into the SYEP before they are determined eligible.***

### 3. **Recording Employment**

Codes have been added to OSST so LWDBs can accurately record the youth's employment type as subsidized private or subsidized public:

➤ **Subsidized Private – SYEP**

*Choose this category if the youth has been placed with a private employer.*

➤ **Subsidized Public – SYEP**

*Choose this category if the youth has been placed with a public employer.*

### 4. **Other Program Benchmarks**

TANF-funded SYEP for each LWDB may differ in program design and services offered. In order to capture the great practices each LWDB offers, we have added two benchmarks where LWDBs can record other program elements provided to Florida's youth.

Skill Development Benchmarks can be used to record activities that are not already listed as activities in OSST. For example, if the youth will be attending a "Job Skills Training" offered or required by the LWDB before the youth can start with an employer, it may use the Job Skills Training code already provided in the system. However, if the LWDB will have activities such as pre- and post-program classes and workshops, they must record these workshops as benchmarks in OSST's Skill Development section.

**TANF Benchmark 3** – use this benchmark to identify completion of:

- Pre-employment classes or workshops;
- Required Youth Orientation; and
- Youth Employability Skills Workshops.

**TANF Benchmark 4** – use this benchmark to identify completion of:

- Post-employment classes or workshops; and
- Required employment wrap-up session.

## ***General References***

USDOL's [Youth Employment](#).

[Clusters, pathways and BLS](#): Connecting career information

[What's My Next Move?](#) A Guide to Exploring Careers Using Online Documents from the U.S. Department of Labor.

[School-to-Work Opportunities and the Fair Labor Standards Act](#): A Guide to Work-Based Learning, Federal Child Labor Laws.

## ***Workforce Innovation and Opportunity Act References and Resources***

United States Department of Labor, Wage and Hour Division (WHD) website. <https://www.dol.gov/whd/regs/compliance/hrg.htm>

- The USDOL, Wage and Hour Division provides a handy reference guide to the FLSA that includes basic wage standards, youth minimum wage, child labor provisions and other components related to wages.

TEGL 15-10 Increasing Credential, Degree, and Certificate Attainment by Participants of the Public Workforce System. <http://wdr.doleta.gov/directives/attach/TEGL15-10acc.pdf>

TEGL 17-05, Change 2 Common Measures Policy for the ETA's Performance Accountability System and Related Performance Issues. <https://wdr.doleta.gov/directives/attach/TEGL17-05c2acc.pdf>

TEGL 21-16: WIOA Youth Formula Program Guidance: [http://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_21-16\\_Acc.pdf](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_21-16_Acc.pdf)

TEGL 23-14: WIOA Youth Program Transition: [http://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_23-14.pdf](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_23-14.pdf)

Department of Labor WIOA Resource Page: <http://www.doleta.gov/WIOA>

Department of Education WIOA Resource Page: <http://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/wioa-reauthorization.html>

WIOA Youth Program Fact Sheet: [https://www.doleta.gov/wioa/Docs/WIOA\\_YouthProgram\\_FactSheet.pdf](https://www.doleta.gov/wioa/Docs/WIOA_YouthProgram_FactSheet.pdf)

[WIOA – Youth Living in High Poverty Areas and Poverty Rate Map](#)

[Revised Guidance on Out-of-school and Dropout Status for Youth at Workforce Innovation and Opportunity Act \(WIOA\) Enrollment](#)

***WIOA Attachments:***

[Q & A: School-to-Work Opportunities and the Fair Labors Standard Act](#)

[Primary Performance Indicators for Youth](#)

***TANF References and Resources***

TANF Information Memorandum <https://www.acf.hhs.gov/ofa/resource/policy/im-ofa/2012/im201201/im201201>

Using TANF Funds to Support Subsidized Youth Employment (Mathematica Policy Research, Inc.). [http://wdr.doleta.gov/research/FullText\\_Documents/ETAOP\\_2012\\_02.pdf](http://wdr.doleta.gov/research/FullText_Documents/ETAOP_2012_02.pdf)

Students Gain Workforce Skills Through Part-time Jobs

<https://www.clasp.org/press-room/news-clips/students-gain-workforce-skills-through-part-time-jobs>

Building a Better Summer Jobs Program for America's Youth

<https://www.clasp.org/building-better-summer-jobs-program-america%E2%80%99s-youth>

[TANF SYEP Eligibility Form](#)

***TANF Attachment:***

[Questions and Answers](#)

## Policy Reference Table

Category	<a href="#">WIOA Law</a>	<a href="#">Proposed Regulations</a>	TEGL <a href="#">21-16, 23-14, 8-15</a>
Process used to select Eligible youth providers	Section (sec.) 123	681.400	23-14
Funds percentage	sec. 129(b)(1) sec. 127(b)(1)(C)(iv)(II) sec.132(b)(1)(B)(iv)(II) sec. 129(a)(4) sec. 128(b)(4)	681.410	23-14
Youth program design	sec. 129(c)(1)(A) sec.116(b)(2)(A)(ii) sec.129(c)(3)(A) sec. 129(c)(3)(B)) sec. 129(c)(3)(C)) sec. 128(b).ec.129(c)(1)(A))	681.420	23-14
Concurrent enrollment	sec. 129(c)(1)(A)	681.430, 681.440	23-14
Service duration		681.450	
Services offered to youth/elements	sec. 129(c)(2)) sec. 123	681.460	23-14
Youth program elements and funds	sec. 123	681.470	23-14, 12-14
Pre-apprenticeship		681.480	
Adult mentoring	Sec. 129(c)(2)	681.490	
Financial literacy education		681.500	
Comprehensive guidance and counseling	sec. 129(c)(1)(C)(J))	681.510	
Leadership opportunities	sec. 129(c)(2)(F))	681.520	
Social and civic behaviors		681.530	
Occupational skills training	sec. 123 sec.129 (c)(2)(d)	681.540	
Individual Training Accounts		681.550	
Entrepreneurial skills		681.560	
Supportive services	sec. 3(59)	681.570	
Follow up services	sec. 129(c)(2)(I)	681.580	
Work experience	sec. 129(c)(4), sec. 3(44)	681.590, 600, 610	23-14
Summer employment administration	sec. 123	681.620, 681.630	
Education concurrent with workforce preparation	sec.129(c)(2)(E))	681.640	
Incentives		681.650	
Community involvement		681.660	