This resource is designed to be a reference guide to the Workforce Innovation and Opportunity Act (WIOA) youth program for workforce development boards, youth program practitioners, and partner organizations. From those first learning about the program to those who want to refresh their knowledge, this reference guide summarizes the requirements for the WIOA youth program as outlined in the law, regulations, and guidance. Links to additional information and technical assistance resources are also provided to support youth program policy development, program design, and on-the-ground program implementation.

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INTRODUCTION

This quick guide reference tool is designed for workforce system professionals and individuals engaged in state and local implementation of Workforce Innovation and Opportunity Act (WIOA) youth program services. It is developed to inform readers of the statutory and regulatory guidelines for operational implementation of WIOA youth programs.

The tool contains nine sections representing a compilation of resources intended to help workforce professionals and governance members involved with youth services understand WIOA youth components. Additionally, it serves as a one place repository of information providing quick access to key components of the WIOA youth program, and websites containing Training and Employment Guidance Letters (TEGLs), toolkits, and examples of state training modules to help local practitioners and service providers plan effective comprehensive services for youth and support training of new staff. The WIOA Reference Tool covers all aspects of youth program operation including governance, program management, service delivery, and the 14 program elements. Additional features address the youth services structure, funding, performance accountability and service providers for the WIOA youth program.
AN OVERVIEW OF THE WIOA YOUTH PROGRAM

Under Title I of WIOA, formula funds are provided to states and outlying areas to provide local workforce areas resources to deliver a comprehensive array of youth services to eligible youth. These services focus on assisting out-of-school youth (OSY) and in-school youth (ISY) with one or more barriers to employment prepare for postsecondary education and employment opportunities, attain educational and/or skills training credentials, and secure employment with career/promotional opportunities. WIOA affirms the Department’s commitment to providing high-quality services for all youth and young adults beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries and occupations, such as pre-apprenticeships or internships, and culminating with a good job along a career pathway, enrollment in postsecondary education, or a Registered Apprenticeship.

Funds are used to develop WIOA youth programs to improve the long-term job prospects of young people giving them basic educational, occupational, and citizenship skills. Youth receive comprehensive services, and the Act authorizes education, skills, work experience, and support youth need to successfully transition to careers and productive adulthood. Local communities collaborate and establish partnerships bringing together local workforce training providers, schools, human services and housing organizations, community organizations, and other entities to create community assistance strategies.

WIOA shifts the primary program focus of Title I formula programs to support the educational and career success of out-of-school youth. It creates opportunities for youth that move beyond traditional employment and training services and infuses such principles as preparation for postsecondary opportunities, linkages between academic and occupational learning, connections to the local job market, and needed follow-up services for youth served under the Act. To access the Act go to: https://www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf and to access the final regulations go to: https://www.doleta.gov/wioa/Final_Rules_Resources.cfm.

Resources including links to Training and Employment Guidance Letters, Community of Practice websites, the Act, and final regulations and other technical assistance aids are included throughout this guide and available on the DOL website at: https://www.doleta.gov/youth_services/.
Program and Out-of-School Funding Provisions

Programs are funded on a formula basis, where the majority of the youth funds are allocated to local workforce areas, the remainder of funds is reserved for statewide activities. Allotments are based on a formula which includes three factors: (1) the number of unemployed in areas of substantial unemployment; (2) the number of excess unemployed individuals; and (3) the number of economically disadvantaged youth. Each year the Department issues allotments based on the formula to states and outlying areas for employment and training programs. The allotments are published in the Federal Register notice and released in a Training and Employment Guidance Letter (TEGL) to states and outlying areas. To view an example of the allotment distributions, see TEGL No. 17-15 for Program Year (PY) 2016 at: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8938. Future allotment TEGLs will be available in the ETA advisory library at: http://wdr.doleta.gov/directives/.

WIOA increases the minimum OSY expenditure rate for both statewide and local area youth funds from 30 percent under the Workforce Investment Act to 75 percent. As discussed in 20 CFR 681.410, the Act requires that at least 75 percent of statewide and local youth funds be used to provide services/activities to OSY.

Exception—As discussed in WIOA Section 129(a)(4)(B), a state that receives a small state minimum allotment under WIOA section 127(b)(1) relating to the youth formula program may submit a request for approval to the Department of Labor to decrease the percentage of funds spent on OSY to not less than 50 percent in a local area. The state request on behalf of a local area must include, after an analysis of the ISY and OSY populations in the local area, a determination by the state that the local area will be unable to use at least 75 percent of their local area funds on OSY due to a low number of OSY in the local area. The state must also include in the request a proposed percentage to be spent on OSY which may not be less than 50 percent and include a summary of the analysis that concludes the local area is unable to meet the 75 percent OSY requirement.
STATE AND LOCAL WORKFORCE DEVELOPMENT
BOARDS AND YOUTH COMMITTEES

**State Workforce Development Boards (State WDBs)**

**Composition:** State WDBs are composed of the Governor, two members of each chamber of the state legislature, representatives appointed by the Governor from businesses, chief elected officials, labor organizations, state agency heads, and other individuals with related experience. State boards are business-led. The majority of board members, as well as the board chair, must represent business. Further information can be found in the WIOA final regulations at 20 CFR Part 679. Additional information on the role of boards/board members can be found at TEGL No. 21-16: Workforce Innovation and Opportunity Act (WIOA) Regional and Local Planning and Local Board Responsibilities Questions and Answers (Q&A) at [https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4495](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4495).

**Duties:** Each State is responsible for establishing a State WDB, whereas the chief local elected official in a given local area appoints the Local WDB. In single workforce area states, the State WDB carries out the functions of the Local WDB. The State WDB helps the governor develop and implement the four-year strategic plan, designates local workforce investment areas, develops funding allocation formulas and state performance measures, prepares annual reports, and develops statewide employment statistics systems. For a complete list of state board functions, see 20 CFR 679.130.

**Service Planning:** States are required to develop and submit to DOL a four-year strategic plan, with a two-year update, that describes the workforce development activities to be undertaken in the state, how the state will implement the key requirements of the Act, and how special populations (including youth) will be served. The plan also incorporates the detailed state plans under the Wagner-Peyser Act relating to the delivery of employment services. States may submit a combined plan in accordance with Section 103 of the Act or unified state plan outlining a four-year strategy meeting the requirement set forth at Section 102 of WIOA. State and Local WDB leadership is important to ensure the shift in focus on OSY is complete and balances the needs of youth in the program. For more information on state plans, visit: [https://www.doleta.gov/wioa/State_Plan_Resources.cfm/](https://www.doleta.gov/wioa/State_Plan_Resources.cfm/).

In addition to the requirements in statute and regulation, DOL provides planning guidance communicating the national direction and strategic priorities set for the workforce investment system. States are required to submit a modification every two years based on changes to the economy or the State’s service delivery. To view the current State planning instructions, see TEGL No. 14-15 at: [https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3363](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3363).
Local Workforce Development Boards (Local WDBs)

Composition: Local WDBs are appointed by chief elected officials using criteria established by the Governor and the State WDB. The majority of board members, as well as the local board chair, must represent business. At a minimum, Local WDB membership includes representatives of businesses, local higher education entities providing workforce activities, eligible training providers administering adult education and literacy activities under WIOA Title II, labor organizations, economic and community development agencies, state employment services, and vocational rehabilitation. The chief elected official may also appoint representatives of other groups including community-based organizations with experience serving individuals with barriers to employment (such as out of school youth), agencies representing transportation, housing and public assistance, and philanthropic organizations. Information can be found in the WIOA final regulations 20 CFR 679.320.

Duties: Local WDBs in partnership with local elected officials plan and oversee the implementation of local WIOA services, including youth services with assistance from local youth standing committees, if established. Local Boards along with chief elected officials develop and submit a local plan, carry out analyses of the economic conditions in the region, and workforce development activities including education and training. In the case of a planning region, where the governor identifies a region consisting of multiple local areas, the local boards and chief local elected officials are responsible for responding to the regional planning requirements at 20 CFR 679.510. The Governor may also issue guidance to allow the chief elected officials and local board members in a planning region to address any local planning requirements through the regional plan where there is a shared regional responsibility. The regional plan incorporates the local plans. The plans are not submitted to DOL; however, the Local WDBs generally publish local plans and make them accessible electronically and in hard copy to the state and local areas and the public. Individuals interested in viewing the local plans should contact their Local WDB.

Other duties include convening local workforce development system stakeholders to assist in developing the local plan and identify experts to leverage support for workforce development activities. The Local WDB also leads efforts to engage with diverse employers and develop and implement career pathways with secondary and postsecondary education programs. It also identifies promising practice strategies for meeting the needs of employers, workers, and job seekers. For further information, see 20 CFR Section 679.310 and 679.320 in the WIOA final regulations.

Local WDBs broker and leverage designated American Job Center Networks/One-Stop operators, identify eligible providers of training services, monitor local system performance against established performance measures, negotiate local performance measures with the state workforce board and the Governor, and help develop the labor market information system for the local areas.
Youth Standing Committees

Local boards are responsible for the oversight of youth programs. Under the Workforce Investment Act Youth Councils were mandated to fulfill this function for the Board. WIOA eliminates this requirement for Local Boards to establish a Youth Council; however, local boards may establish a Youth Standing Committee. Should a local board choose not to establish a youth committee, the board maintains responsibility for oversight of youth workforce activities.

Composition: If local board designates a Youth Committee, the required members will include a local WDB member who chairs the group, along with a community-based organization with demonstrated record of success in serving eligible youth. Other members may consist of a diverse set of stakeholders, including representatives from agencies such as secondary and postsecondary education, training, health, disability, housing, public assistance, justice, philanthropic or economic agencies. Information can be found in the WIOA final regulations at: 20 CFR part 681.110.

Duties: Youth Committees may recommend policy direction to the local WDB for the design, development, and implementation of programs that benefit all youth. Other tasks that a Committee may take on are activities such as leveraging resources and coordinating services among schools, public programs and community-based organizations serving youth, recommending eligible youth service providers, providing on-going leadership and support for continuous quality improvement for local youth programs, and assisting with planning operational and other issues relating to the provision of services to youth.

For more information on youth committees, see the Youth Committee Toolkit at: www.youth.workforcegps.org.
STATEWIDE FUND ACTIVITIES

WIOA Section 129(b) lists required and allowable youth statewide activities. Only statewide funds spent on direct services to youth are subject to the out-of-youth expenditure requirements. Details can be found at 20 CRF part 681.410(a) of the final rule. Funds spent on statewide youth activities that do not provide direct services to youth such as many of the required statewide youth activities are not subject to the out-of-school expenditure requirements. The following services under WIOA Section 129(b)(1) required statewide youth activities are not considered direct services: conducting evaluations, disseminating a list of eligible providers of youth services, providing assistance to local areas, operating fiscal and management accountability information systems, and providing additional assistance to local areas that have high concentration of eligible youth.
Local Program Design Elements

Local Boards and Youth Committees, if established, can provide direction and leadership to assist local youth programs in improving the quality and effectiveness of youth services. WIOA section 129(c)(2) includes 14 program elements, the 10 required in WIA and five new program elements. The summer employment opportunities program element under WIA is now a sub-element under paid and unpaid work experience.

Service Activities

The program elements required under WIOA section 129(c)(2) and 20 CFR 681.410 and discussed further in TEGL 21-16 are:

- Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized 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 of work experiences:
  - Summer employment opportunities and other employment opportunities available throughout the school year
  - Pre-apprenticeship programs
  - Internships and job shadowing
  - On-the-job training opportunities

- Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123.

- 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 a duration of 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, as well as referrals to counseling, as appropriate to the needs of the individual youth.

- Financial literacy education.
- Entrepreneurial skills training.
- Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services.
- Activities that help youth prepare for and transition to post-secondary education and training.

For more information on the 14 program elements, see TEGL No. 21-16 at: https://wdr.doleta.gov/directives/attach/TEGL/TEGL_21-16.pdf.

### Expanded Work Experience Focus

Work experience is a critical WIOA program element. WIOA prioritizes work experience with the requirement that local areas must spend a minimum of 20 percent of non-administrative local area funds on work experience in WIOA Section 129(c)(4). Paid and unpaid work experience that have an academic and occupational education component may include the following four categories: summer employment opportunities, and other employment opportunities available throughout the school year, pre-apprenticeship program, internships, and job shadowing, and on-the-job training.

Allowable work experience expenditures include the following:

- Wages/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.
- Employability skills/job readiness training to prepare youth for a work experience.
PROGRAM ELIGIBILITY

WIOA Section 129(a)(1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA youth program, an individual must be an ISY or OSY. Eligibility criteria for OSY may be found in WIOA Section 129(a)(1)(B) and Section 129(a)(1)(C) for an ISY.

Eligibility Criteria

Under WIOA, as defined in 20 CFR 681.210, an OSY is an individual who is:

- Not attending any school (as defined under State law);
- Not younger than 16 or older than age 24 at 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; and
- One or more of the following:
  - A school dropout;
  - A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. School year calendar quarter is based on how a local school district defines its school year quarters;
  - 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;
  - An offender;
  - A homeless individual, a homeless child, or a runaway;
  - An individual who is in foster care or has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under section 477 of the Social Security Act, or an individual who is in an out-of-home placement;
  - An individual who is pregnant or parenting;
  - An individual with a disability;
  - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

Under WIOA, as defined in 20 CFR 681.220, an in-school youth (ISY) is an individual who is:

- Attending school (as defined by State law), including secondary and postsecondary school;
- Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at 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;
- A low-income individual; and
There are a number of significant changes in eligibility from WIA to WIOA. The pool of individuals that meet the eligibility as an OSY has significantly increased due to three changes: 1) increased age eligibility allows youth through age 24 to be eligible as an OSY, 2) low income applies to only two categories of OSY (categories c(3) and c(9) above, and 3) those of compulsory school age who have not attended school in the most recent school year quarter are considered OSY. In addition, for purposes of WIOA, the Department does not consider providers of Adult Education under title II of WIOA, YouthBuild programs, and Job Corps programs to be “schools.” Therefore, WIOA youth programs may consider a youth to be OSY for purposes of WIOA youth program eligibility if they are attending Adult Education provided under title II of WIOA, YouthBuild, or Job Corps.

**Eligibility Changes**

**Low income determination:** There are significant additions to the definition of “low-income individual” for the title I WIOA youth program. Under WIOA, a youth who receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act, is considered low-income. In addition, a youth living in a high poverty area is automatically considered to be a low-income individual. For additional information on low income see TEGL No. 8-15 and TEGL No. 21-16.

**Definition of school status:** As discussed in 20 CFR § 681.240, school status is determined at the time of program enrollment. Because the process of program enrollment can occur over a period of time, school status must be based on status at the time the eligibility determination portion of program enrollment is made. Once the school status of a youth is determined, that school status remains the same throughout the youth’s participation in the WIOA youth program. This distinction is drawn for purposes of reporting against the OSY expenditure requirement. For additional information on school status see TEGL No. 8-15 and TEGL No. 21-16.
**Additional assistance barrier:** Under WIOA, there is a new limitation on the percentage of ISY participants that may use the final ISY barrier listed in d(8) above. Not more than 5 percent of ISY enrolled in a given program year may be determined eligible based on the barrier listed in d(8) above. For additional information on the additional assistance barrier, see TEGL No. 8-15 and TEGL No. 21-16.

**Low income exception:** WIOA, like WIA, maintains a 5 percent low-income eligibility exception where 5 percent of local area participants who ordinarily would need to be low-income do not need to meet the low-income provision. The 5 percent low-income exception under WIOA is calculated based on the 5 percent of youth enrolled in a given program year who would ordinarily be required to meet the low-income criteria. For additional information see TEGL No. 8-15 and TEGL No. 21-16.
One of the responsibilities of Local Workforce Development Boards (Local WDBs) includes selection of providers of youth workforce investment activities through competitive grants or contracts. Competition is expected to improve the delivery of efficient, effective youth workforce services. When a Local WDB awards grants or contracts to youth service providers to carry out youth workforce investment activities, it must identify youth service providers based on criteria established in the State Plan and take into consideration the ability of the provider to meet performance accountability measures based on the primary indicators of performance for youth programs. The Local WDB must also award such grants or contracts on a competitive basis and in accordance with the Procurement Standards found at Uniform Guidance at 2 CFR parts 200 and 2900, in addition to applicable State and local procurement laws. The Uniform Guidance at 2 CFR 200.317 requires States to adhere to the same procurement procedures it uses for non-Federal funds for procurements using Federal funds when it is responsible for conducting the procurement.

Consistent with 20 CFR § 681.400, a Local WDB may determine that the grant recipient or designated fiscal agent may “provide directly some or all of the youth workforce investment activities.” DOL intends for the flexibility provided by 20 CFR § 681.400 to allow Local WDBs to determine whether to directly provide the WIOA youth program elements that they can most efficiently and cost-effectively provide, such as labor market and employment information and services that are part of program design including assessment, supportive services and follow-up services. While this rule represents a change from WIA by providing Local WDBs with flexibility to determine how to most efficiently provide youth services, DOL expects Local WDBs to use youth service providers best positioned to provide program elements resulting in strong outcomes. DOL encourages Local WDBs to award contracts to youth service providers, using a competitive procurement process, when local areas have access to experienced and effective youth service providers. For additional information, see TEGL No. 21-16.
PERFORMANCE ACCOUNTABILITY

Under section 116(b)(2)(A)(ii) of WIOA, there are six primary indicators of performance for youth:

- **Employment/Education/Training Rate – 2nd Quarter After Exit**: The percentage of participants who are in education or training activities, or in unsubsidized employment during the second quarter after exit from the program.

- **Employment/Education/Training Rate – 4th Quarter After Exit**: The percentage of participants who are in education or training activities, or in unsubsidized employment during the fourth quarter after exit from the program.

- **Median Earnings – 2nd Quarter After Exit**: The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program.

- **Credential Attainment**: The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.

- **Measurable Skill Gains**: The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:
  - Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;
  - Documented attainment of a secondary school diploma or its recognized equivalent; Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit’s academic standards;
  - Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
  - Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.
**Effectiveness in Serving Employers:** This is a workforce system measure and is not specific to the WIOA youth program alone. DOL is piloting three approaches designed to gauge three critical workforce needs of the business community.

- **Approach 1:** Retention with the same employer – addresses the programs’ efforts to provide employers with skilled workers.
- **Approach 2:** Repeat Business Customers – addresses the programs’ efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time.
- **Approach 3:** Employer Penetration Rate – addresses the programs’ efforts to provide quality engagement and services to all employers and sectors within a State and local economy.

WIOA encourages further alignment and leveraging of the Title I WIOA youth Program with other core and partner programs. Strengthening partnerships help to leverage resources and opportunities for youth. There are numerous benefits to developing strong partnerships including the ability for the workforce investment areas to access information and data to improve services and increase efficiencies such as recruitment processes, referrals, and case management. Creating partnerships is critical to providing the most effective, targeted, and appropriate services that can help youth identify and successfully progress along a career pathway. Key partners include:

- Other non-youth WIOA title I programs (e.g., adult and dislocated worker programs; Indian and Native American (INA) programs; migrant and seasonal farmworker (MSFW) programs; Job Corps; and the YouthBuild program)
- Wagner-Peyser Act Employment Service
- Adult Education and Family Literacy Act program
- Vocational Rehabilitation Program
- Temporary Assistance for Needy Families program
- Senior Community Service Employment Programs
- Career and Technical Education programs under the Perkins Act
- Trade Act title II, chapter 2 trade adjustment assistance activities
- Veterans Programs authorized under 38 U.S.C. chapter 41
- Community Services Block Grant Employment and Training Programs
- HUD Employment and Training programs
- UI programs authorized under State unemployment compensation laws
- Second Chance Act sec. 212 reintegration of offenders programs
- Supplemental Nutrition Assistance Program (SNAP)
- Supplemental Nutrition Assistance Program (SNAP Employment & Training)

For more information on partnering to align and leverage resources in order to develop successful employment and training systems, see the Career Pathways Toolkit: An Enhanced Guide and Workbook for System Development at: https://careerpathways.workforcegps.org/announcements/2016/10/20/09/37/Career_Pathways_Toolkit_An_Enhanced_Guide_and_Workbook.