



**STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**

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March 8, 2002

Workforce Investment Act Memorandum Number E&T 02-19

Topic: Youth Services Program

Subject: In-school/Out-of-school clarification

Purpose: To assist the Local Workforce Investment Areas in determining in-school/out-of-school youth for the purpose of 30 percent out-of-school expenditures as required by the Workforce Investment Act.

Background: Since the inception of WIA in Tennessee, several areas have expressed concern in determining what constitutes a youth being in-school or out-of-school. According to the Training and Employment Guidance letter No. 12-01 issued by the U.S. Department of Labor on February 21, 2002, the law provides each state the opportunity to make this determination based on a definition of a "school."

Instructions: The definition of an out-of-school youth is stated in WIA regulation 664.300 with additional information regarding drop-out status in section 664.310. The issue in our state has been the eligible youth in a GED program. Since GED programs are operated statewide by Adult Education, a part of the Employment and Workforce Development Division, a GED program is considered to be a workforce program. Even though several school systems serve as contractors to provide this service to participants, it is not in the K-12 arena nor is it compensatory. Therefore, an eligible participant that is in a GED program may be considered as "out-of-school" for the purpose of documenting 30 percent out-of-school expenditures.

Contact: For questions regarding this policy, contact Sterling van der Spuy at 615-532-5945 or 1-800-255-5872.

Effective Date: March 15, 2002

Expiration Date: Indefinite

SKC/SVDS/RK


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