

# RAPSA JOURNAL

## INCREASING SYSTEMS-INVOLVED YOUTH ACCESS TO WIOA-FUNDED PROGRAMS AND SERVICES CALIFORNIA'S OSY WAIVER

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The California Opportunity Youth Network (COYN) is a statewide network that facilitates communication, organizing, and policy advocacy to remedy systemic inequities affecting Opportunity Youth (OY) across California. COYN defines OY as youth disconnected from school and work as well as "systems-involved youth" served by the foster care, juvenile justice and youth homelessness systems of care.

The Workforce Innovation and Opportunity Act (WIOA) is the primary federal law supporting workforce development and career readiness for our country's economically vulnerable youth. Each year the federal government distributes several hundred million dollars in WIOA funds to California, including more than \$140 million through the Title I Youth Program. These resources can be used by local workforce development boards (WDBs) to fund services including vocational coaching and navigation, workforce training, skill development, and apprenticeship and internship programs to connect economically vulnerable youth and young adults to employment opportunities and career pathways. Funds from the WIOA Youth Program provide critical opportunities for youth to build the necessary skills and experience to achieve long-term career success.



## BARRIERS TO WIOA EXPERIENCED BY SYSTEMS-INVOLVED YOUTH

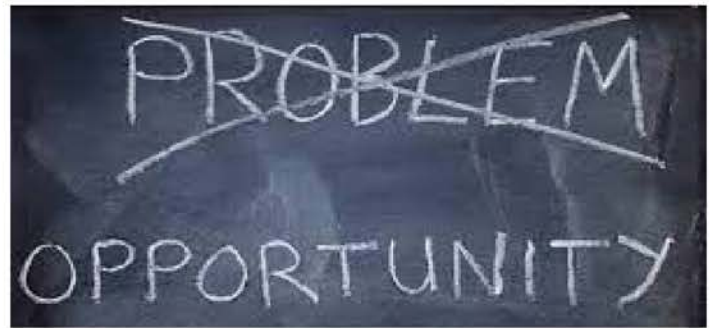
In 2019, COYN's membership began exploring strategies to address the barriers being experienced by OY in accessing programs and services funded by WIOA. WIOA prioritizes youth experiencing disconnection and systems-involved youth by naming them in statute as priority populations to be served with WIOA Title I Youth Program funds. However, in looking at the data COYN members noted that systems-involved youth were accessing WIOA-funded programs and services at very low rates. In fact, in California just 1 in 4 of the youth being served through WIOA Youth Program funds were identified as systems-involved youth, despite their status as a priority population.

## UNINTENDED CONSEQUENCES OF THE "OUT OF SCHOOL YOUTH" REQUIREMENT

A major barrier limiting systems-involved youth access to WIOA services is the requirement that at least 75% of Youth Program funding distributed to WDBs be directed to "out-of-school youth" (OSY) who have experienced education system disconnection. A recent Government Accountability Office (GAO) report [1] indicates that many workforce boards are in fact spending up to 100% of their funds on OSY, while there has been a 60% decrease in "in-school youth" (ISY) being served by WIOA since 2014. At the same time, many systems-involved youth are understandably being urged – if not required – to be enrolled in school in order to maintain their eligibility for other supportive services – as is the case for youth in the state's extended foster care program as well as many youth on court-ordered parole. Ironically this connection to school – even if only part-time – makes it extremely difficult if not impossible for many systems-involved youth to receive WIOA-funded academic and career development services which might improve their outcomes.

While the OSY requirement is well-intentioned and aims to direct resources to the most vulnerable youth, it views school disconnection as a hard and definitive moment rather than the result of a long developing set of life experiences. COYN members felt that this singular measure failed to consider the process of school disengagement and the factors that a large body of evidence tell us directly drive early departure, like school mobility, chronic truancy, and low academic performance.

Rather than waiting for the added challenges of school dropout, COYN believes the California workforce system should be identifying these vulnerable youth and directing resources toward them in a more proactive manner, leveraging their connections to systems to address their needs farther upstream before they drop out of school and disengage from the labor market. If they are made more accessible, WIOA programs have tremendous potential to connect our most vulnerable youth toward a path of self-sufficiency.



## LOS ANGELES COUNTY PERFORMANCE PILOT PARTNERSHIP (P3) PROGRAM

COYN members were also keenly aware of an innovative approach to WIOA programs and services being tested in Los Angeles. Several years prior, the City of Los Angeles applied to the US Department of Labor (DOL) and US Department of Education (DOE) to be a federally designated Performance Partnership Pilot (P3). As a part of this P3 designation, the City of Los Angeles WDB was granted a waiver by DOL that allowed them enroll in-school foster and juvenile justice youth and youth experiencing homelessness and count the funds spent on these youth towards the 75% OSY expenditure requirement. This waiver flexibility was later extended to all WDBs in the Los Angeles Basin Regional Planning Unit (RPU).

The City of Los Angeles was able to achieve significant increases in the number of systems-involved youth served through the flexibility provided by their waiver under P3:

Program Year	Foster Youth	Homeless Youth	Juvenile Justice Youth
PY 2016/17	52	198	56
PY 2017/18	75	350	113
PY 2018/19	90	455	150

## A STATEWIDE OSY WAIVER

**D**etermined to replicate the success of the City of Los Angeles WDB statewide, in 2020 COYN and its advocacy partners began working with the California Workforce Development Board (CWDB) to apply for a statewide federal waiver from DOL from the OSY requirements. Though a statewide replication of the LA P3 waiver was not allowable, COYN and CWDB were able to design a waiver approach that achieved the same effect. Under California's OSY waiver – which was officially approved by DOL in August 2021 – local WDBs in California can reduce their OSY expenditures to 50%, in order to use the additional flexibility to serve in-school systems-involved youth. COYN subsequently worked with CWDB to develop guidance to California WDBs opting into the waiver to ensure that the waiver is being continually used as intended – to increase systems-involved youth to WIOA programs and services. This waiver has since been reauthorized annually and added to California's State WIOA Plan – institutionalized as part of the state's workforce system framework.

With three years of data from WDBs that have opted into the waiver now available, COYN will be conducting a waiver evaluation in 2024 to demonstrate the waiver's impact and spotlight WDBs utilizing its flexibility most innovatively and effectively. The preliminary data indicates that the waiver is indeed facilitating greater systems-involved youth access to WIOA programs and services across the state, and in some jurisdictions the gains have been approaching or equivalent to those achieved in Los Angeles under the P3 waiver.

## GROWING FEDERAL RECOGNITION OF THE LIMITS OF OSY/ISY DIFFERENTIATION

**M**eanwhile, in part due to movement by states like California to seek waivers, there is growing recognition at the federal level of the limitations of the current OSY/ISY differentiation. Bipartisan legislation reauthorizing WIOA was introduced in the U.S. House of Representatives in December 2023. That bill – known as the Stronger Workforce for America Act – replaces the term “out-of-school youth” with “Opportunity Youth” and includes all systems-involved youth in the definition regardless of their school status.

Should Congress enact this bill in 2024, the need for COYN's waiver will be obviated – and most importantly, workforce boards in all states – not just in California – will have more ability to serve systems-involved youth across the country.

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[1] <https://www.gao.gov/assets/700/692574.pdf>

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## ABOUT



**Sean Hughes** is a veteran in public policy, specializing in children's issues. With over two decades of experience, including a significant role in passing the Fostering Connections to Success and Increasing Adoptions Act of 2008, he's adept at navigating legislative processes both on Capitol Hill and within advocacy organizations like the Child Welfare League of America. Through his consultancy work, Hughes continues to champion children's rights and family welfare at both state and federal levels.