# Chapter 1 – Introduction to Minnesota Youthbuild Program

## Summary

Minnesota Statute ([116L.361](https://www.revisor.mn.gov/statutes/cite/116L.361) to [116L.366](https://www.revisor.mn.gov/statutes/cite/116L.365)) authorizes the Minnesota Youthbuild grant program directing DEED to “award grants to eligible organizations for the purpose of providing education and training services to targeted youth. The purpose of these programs is to provide specialized training and work experience for targeted youth who have not been served effectively by the current educational system” and “who are likely to be at risk of not completing their high school education.”

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## Relevant Laws, Rules, or Policies

[Minnesota Department of Labor and Industry – Child Labor Laws](https://www.dli.mn.gov/business/employment-practices/child-labor-laws)

[Minnesota Department of Labor and Industry- Prohibited Work for Minors Under Age 18](https://www.dli.mn.gov/business/employment-practices/prohibited-work-minors-under-age-18)

[Minnesota Administrative Rules 5200.0930– Exceptions Related to Employment of Minors](https://www.revisor.mn.gov/rules/5200.0930/)

[DOL Wage or Stipend Tip Sheet](file:///C:\Users\nwaisane\Downloads\The%20Wage%20or%20Stipend%20Debate%20Tip%20Sheet_Updated0917.pdf)

[Earned sick and safe time law](https://www.dli.mn.gov/sites/default/files/pdf/esst_law.pdf)

[MN Rules 5200.0930 – Exceptions to State Child Labor Laws](https://www.revisor.mn.gov/rules/5200.0930/)

[MN Session Law (2005)- Youthbuild Qualifies as Approved Training Program](https://www.revisor.mn.gov/laws/2005/1/Session+Law/Chapter/1/)

[DLI Position: 2005 session law excepts the Youthbuild program from the child labor laws](file:///S:\Groups\YTH_RW\2020%20Youthbuild\DLI%20Update%20on%20permits%20for%20YouthBuild.pdf)

[Minnesota Statues 124D.48 – Graduation Incentives Program](S:\\Groups\\YTH_RW\\2020 Youthbuild\\HS Graduation Incentives Program.pdf)

[WIOA Youth Policy – Income Inclusions and Exclusions](https://mn.gov/deed/assets/wioa-chapter6_tcm1045-134288.docx)

[US Department of Housing and Urban Development - Definition](https://www.huduser.gov/portal/datasets/il/fmr98/sect8.html) of “Low Income”

[Covid-19 Impact on DEED Youth Programs - FAQ](https://mn.gov/deed/programs-services/etp/)

## Related Links

[DEED Office of Youth Development- Youthbuild Program](https://mn.gov/deed/programs-services/office-youth-development/youth-programs/youthbuild.jsp)

[Minnesota Association of Workforce Boards](https://mawb-mn.org/workforce-development-areas/)

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## Program Overview

The Minnesota Youthbuild program consists of the following program activities and services, components required of all grantees:

**Education component** that requires program participants to complete their secondary education in a traditional public or private secondary school, a suitable alternative school setting, or a commissioner of

education-selected high school equivalency program. Program participants must be working toward the completion of their secondary education or literacy advancement.

**Job readiness skills component** providing participants with job search skills, placement assistance, and other job readiness skills. Job search skills may include skills assessment, job search and selection, application preparation and assistance in preparing for job interviews. Job readiness must comprise at least 20 percent of each program and ensure that participants understand the building trades, unions, self-employment, and other employment opportunities and be able to compete in the job market.

**Work experience component** providing participants with vocational skills training in an industry where there is a viable expectation of job opportunities. Training resulting in an industry-recognized credential is strongly recommended. A training stipend not to exceed an amount equal to 100 percent of the poverty line for a family of two, as defined by the final rules and regulations of the Workforce Innovation and Opportunity Act (WIOA), may be provided to program participants and must be provided to participants who are recipients of public assistance in a manner or amount which will not reduce public assistance benefits (See [WIOA Youth Policy – Income Inclusions and Exclusions](https://mn.gov/deed/assets/wioa-chapter6_tcm1045-134288.docx)). The subsidy or stipend must reflect prevailing wage and benefits standards appropriate for pre-apprenticeship training unless a participant's receipt of public assistance is affected. The subsidy or stipend should be structured to include incentives for progress toward increasing job skills and completing secondary education. The work experience component is to include eligible work projects that are directly supervised by individuals skilled in each specific vocation. Program participants may earn credits toward the completion of their secondary education from their participation in the work experience component.

**Leadership training and peer support component** providing participants with meaningful opportunities to develop leadership skills such as decision making, problem solving, and negotiating. The program must encourage participants to develop strong peer group ties that support their mutual pursuit of skills.

**Case Management, guidance, and support services** to identify and overcome problems that might interfere with successfully completing the program. Services include case management, needs assessment, guidance, and support services to participants who face barriers to success to completing the program and placement after completion. Services also include support to obtain a driver’s license and access to a reliable vehicle for those interested in placement in union construction employment. These services are to be available to youth during enrollment and for a period of twelve months upon exiting the program.

**Construction Plus Training (optional)** providing participants vocational skills training in a high demand industry or industries, in addition to construction, is encouraged for programs with proven performance. Industries may include healthcare, information technology, manufacturing/mechatronics, mechanical technology, and transportation/warehouse. A training stipend or wage may be provided to participants in a construction plus training component and training may include a work experience component.

NOTE: Programs that offer Construction Plus must also offer construction training to at least enough participants, such that, at least one eligible construction or renovation project is completed or progressing toward completion. The US Department of Labor recognizes federally funded Construction Plus programs as a priority.

**12-Months of Follow Up** providing participants, as needed on an individual basis, with continued supportive services, job search and placement assistance, and additional job readiness skills.

## Grant Awards Policy

Minnesota Youthbuild funds are competitively awarded grants through an open competition process via a Request for Proposals (RFP). The total grant award for any program may not exceed $150,000 per year. Grants are awarded in two-year increments. Grantee performance during the first year of performance could affect the second-year funding. Nothing shall prevent an eligible organization from applying for and receiving grants for more than one program. All final funding decisions are made by the Commissioner of DEED.

In awarding Minnesota Youthbuild grants, priority shall be given to:

(1) continuation and expansion of effective programs by providing grant money to organizations that are operating or have operated a successful program that meets the program purposes under section [116L.364](https://www.revisor.mn.gov/statutes/cite/116L.364); and

(2) distributing programs throughout the state through start-up grants for programs in areas that are not served by an existing program.

## Matching Funds Requirement

Eligible organizations awarded grants must provide a verifiable matching amount of cash or in-kind resources that is equal to or greater than their grant award amount. Matching funds and in-kind resources will be verified by DEED.

A grant received by an eligible organization from the federal Youthbuild Project under United States Code, title 42, section 5091, is nonstate money and may be used to meet the state match requirement. State grant money awarded under this section may be used by grantee organizations for match requirements of a federal Youthbuild Project.

## Eligibility Requirements

**Eligible Organization** **or Eligible Applicant:**

A public agency or a nonprofit organization that can demonstrate an ability to implement a program for education and training services provided to targeted youth. Eligible organizations may include local jurisdictions, public school districts, private nonsectarian schools, postsecondary educational institutes, alternative schools, community groups, and labor organizations.

Organizations awarded grants must demonstrate an ability to implement a MN Youthbuild program through:

1. Sufficient capacity in administering a youth workforce project.
2. Sufficient capacity to construct, renovate, or improve eligible work projects or, through an official agreement with a local partner, to allow participants to assist in the construction, renovation, or improvement of eligible work projects.
3. Matching their grant award money with at least an equal amount of non-state money or in-kind resources.

**Eligible Work Projects**

Programs are to include a work experience component which allows youth to participate in work projects resulting in:

1. rehabilitation, improvement, or construction of residential units for the homeless persons or low-income families,
2. improvements to the energy efficiency and environmental health of residential units and other green jobs purposes,
3. facilities to support community garden projects; or
4. education, social service, or health facilities which are owned by a public agency or a private nonprofit organization.

Work projects may include, but are not limited to:

1. Head Start or day care centers, playhouses, and other incidental structures;
2. homeless, battered women, or other shelters,
3. transitional housing, and tiny house’
4. youth or senior citizen centers, community health centers.

Eligible facilities must principally provide services to homeless or low-income individuals, families, or communities.

Organizations awarded grants shall acquire at the lowest possible cost the property or buildings designated for residential housing projects. The program must address how to manage these residential units, including the source of financing for the maintenance costs of the buildings. Any management plan must include the participation of the residents and local established neighborhood groups.

**Participant Eligibility**

Targeted youth are economically disadvantaged or eligible for the high school graduation incentives program and are at-risk for dropping out of school or not attending any school and have not received a diploma or equivalent. See [Appendix A](#_Appendix_A_–) within this document for expanded definition of eligibility terms.

## Eligibility Determination for Youth without Federal Work Authorization:

**Eligibility determination for individuals without a Social Security Number:**

Youthbuild grantees must request an individual’s SSN for employment related services as well as reporting purposes. A participant can refuse to disclose the individual’s SSN. Youthbuild grantees cannot deny services if an individual chooses not to share the SSN.

When requesting an SSN, Youthbuild grantees must explain, in writing, the authority to request it, the purpose, how the information will be used for employment-related service provision and understanding program outcomes. Grantees must also explain that the individual has the right to decline disclosure of their SSN.

Prior to, or during eligibility determination, grantees may also explain to individuals that employers will require disclosure of SSN for tax purposes.

Grantees must always identify participants by an alternate unique identifier. If enrolled into Workforce One, the Record ID for the individual can serve as the unique identifier.

**Eligibility determination for individuals without Federal Work Authorization:**

Youthbuild grantees may deliver many services without proof of participant’s work authorization. This can be helpful in situations where participants are awaiting work authorization or already have work authorization but do not have the documents to demonstrate it. Grantees do not need to verify that one of these scenarios occurred. Youthbuild grantees can deliver certain services without checking work authorization prior to the participant moving into services that require work authorization.

## Youthbuild services and activities that do not require work authorization:

1. Labor exchange services such as labor market information, career exploration, career guidance, resume writing assistance, and job search assistance.
2. Information on worker rights and where to find legal assistance.
3. Referrals to community resources such as transportation, childcare support, food assistance, housing assistance, medical assistance, and other similar resources.
4. Individualized services such as career assessments, development of an individual employment plan, group counseling, one-on-one case management, career planning information on foreign credential evaluation services and on obtaining credit for prior learning.
5. Basic skills education, including English language instruction, financial literacy, life skills training, and high school equivalency.
6. Assistance in completing paperwork to finalize work authorization.
7. Assistance in applying for an occupational license including the cost of such applications.
8. Outreach to workers regarding the Employment-Related Law Compliant System and processing of such complaints.

## Youthbuild services and activities that require work authorization:

1. Work Experience
2. Other paid Youthbuild program activities or services
3. Job placement
4. Occupational post-secondary training
5. Supportive services that represent a direct financial benefit such as a voucher, reimbursement, or needs-related payments.

## Supporting Youthbuild Participants to Obtain Documents:

Youthbuild grantees can work with individuals to obtain necessary documents for employment, such as driver’s license or identification card, a social security card, and/or birth certificate. **MN Youthbuild funds can be used to pay for fees to obtain such documents.** Youthbuild grantees are encouraged to refer individuals to partner organizations for legal assistance, as well as to partner with organizations that provide support to populations with barriers to employment such as immigrants and refugees, homeless individuals, and justice-involved individuals.

## Other Requirements

### **Minnesota Earned Sick and Safe Time (ESST)**

Effective January 1, 2024, required Earned Sick and Safe Time benefits would be considered fringe benefits similar to Worker’s Compensation. Expenses related to [Earned Sick and Safe Time](https://www.revisor.mn.gov/statutes/cite/177.50) should be budgeted in the Youth Participant Wages and Fringe Benefits cost category for the MN Youthbuild Program.

### **Outreach Materials**

As stated in each MN Youthbuild grant contract, all outreach materials (displays, flyers, media), etc. must include the following legal statement:

“The State of Minnesota Department of Employment and Economic Development (DEED) funded (or funded in part) this training through a grant. The grant recipient created this training. DEED does not endorse this publicity or training to make guarantees, warranties, or assurances of any kind, expressed or implied, regarding the accuracy, completeness, timeliness, usefulness, adequacy, continued availability or ownership of the information herein or elsewhere.”

### **Reporting System**

DEED requires all Minnesota Youthbuild grantees to utilize the DEED-provided Excel database or Workforce One, Minnesota’s Case Management System, to record participant eligibility, demographics, activities and services provided, and performance outcomes, including all certificates, industry-recognized credentials, educational progress and attainment, skills proficiency, and placement. See [Required Tasks and Deliverables](#_Required_Tasks_and) within this document for additional information.

## Applicable State and Federal Child labor Laws

Youthbuild service providers must be aware of and comply with Federal and State laws regarding the employment of minor youth participants, ages 16-17.

Minnesota session law, from 2005 and earlier, states that the Youthbuild program, authorized by MS, s 116L.361 to 116L.366, qualifies as an approved training program under Minnesota Rules 5200.0930, allowing exceptions to state employment prohibitions in state child labor laws. In addition, the Department of Labor and Industry (DLI) has taken the position that the 2005 session law excepts the Youthbuild program from state child labor laws and that no child labor law exemptions or waivers are required from DLI for 16 and 17-year-old youth receiving paid employment in the Minnesota Youthbuild program.

Federal child labor laws apply to all wage-earning participants and allow exemptions for 16- and 17-year-olds who are student learners enrolled in an education-recognized course of study or training and are employed under a written agreement which contains the following:

* Training on the housing site is intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person;
* Training schedule is organized and progressive;
* Any particularly hazardous occupations (roofing, use of circular saws, etc.) will be incidental to training,
* Safety training shall be given and correlated to on-the-job training.

## Federal Prevailing Wage Laws and Davis-Bacon Related Acts (DBRA)

Currently, prevailing wage rates do not appear to apply to the vast majority of detached single-family housing newly constructed or renovated in Minnesota. The federal law, [[Davis Bacon and Related Acts (DBRA)](https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2016/TEGL_11-16_Acc.pdf)](https://www.dol.gov/agencies/whd/government-contracts/construction), states that contractors or sub-contractors who employ workers on construction projects, that are funded in whole or in part by federal funds, may be subject to paying workers [prevailing wages rates](https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information). However, the vast majority of housing funded through federal Housing and Urban Development (HUD) funds consists of large apartment building, not detached single-family housing. IN addition, two sources of federal housing funds, Community Development Block Grants (CDBG) and HOME Investment Partnership Program (HOME), allow for exemptions.

**Community Development Block Grants (CDBG) “8-Unit Rule”**

Typically, single family homeowner properties do not fall under DBRA prevailing wage requirements when construction work financed in whole or in part by Community Development Block Grants (CDBG) funds. DBRA prevailing wage rate rules do not apply in circumstances in which the work project property contains seven residential units or less. Note, under the 8-unit rule under CDBG, “property” is defined as one or more buildings on an undivided lot or on contiguous lots or parcels that are commonly-owned and operated as one rental, cooperative, or condominium project.

**HOME Investment Partnership Program (HOME) “12-Unit Rule”**

DBRA labor standards do not apply to HOME Investment Partnership Program (HOME) assisted residential work projects or eleven unit or less. Unlike CDBG, the standard for coverage under the HOME 12-unit rule is “assisted,” not “financed” – which provides for much broader application. This means that DBRA standards may be applicable without regard to whether the HOME funds are used for construction or non-construction activities, such as real property acquisition, engineering or architectural fees, or down payment assistance.

Similarly, US Department of Labor [TEGL-11-16](https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2016/TEGL_11-16_Acc.pdf) explains that YouthBuild participants, enrolled in a DOL-funded Youthbuild program, are not exempt from prevailing wage requirements determinations for any project to which DBRA labor standards apply. This requirement creates challenges for many federally-funded YouthBuild grantees that struggle with finding suitable affordable housing construction work sites since YouthBuild participants must be paid prevailing wages on DBRA-covered construction, generally equivalent to Journey Worker’s level wages. Questions that go beyond the scope of this document, as to applicability of DBRA, should be directed to [HUD Labor Standards and Enforcement Regional/Field staff](https://www.hud.gov/program_offices/davis_bacon_and_labor_standards/laborrelstf).

## State Prevailing Wage Law

Similarly, Minnesota's prevailing wage law ([Minnesota Statutes 177.41 through 177.44](https://www.revisor.mn.gov/statutes/cite/177.41)) requires employees working on state-funded construction projects or other projects covered by that law be paid wage-rates comparable to wages paid for similar work in the area where the project is located. Any contractor or subcontractor performing work by contract in which state funds in whole or in part are involved must adhere to Minnesota prevailing wage laws unless exceptions apply (see below).

Prevailing wage rates are established for two types of construction: 1. Highway/Heavy -- construction and maintenance of highways, streets, airport runways, bridges, power plants, dams, wastewater treatment plants, water towers, high-voltage power lines and utilities; and 2. Commercial Construction -- building projects exclusive of residential construction. Highway/Heavy projects are enforced by the Minnesota Department of Transportation (MnDOT) and commercial projects are enforced by the Department of Labor and Industry.

In 2024, the Minnesota Legislature revised state law ([Statutes Section 116J.871](https://www.revisor.mn.gov/statutes/cite/116J.871)) to exempt certain state-financed housing projects from prevailing wage laws. This may have a significant impact on MN Youthbuild programs that wish to build their own affordable housing using state funds or partner with local housing management/developer organizations, such as local Neighborhood Housing Service (NeighborWorks) organizations, that receive majority state funding.

For publicly owned housing, prevailing wage laws do not apply to rehabilitation of existing public housing and new public housing construction when the grant award is less than $25,000 and are thus exempt.

For non-publicly owned housing, prevailing wage laws do not apply to the rehabilitation of existing housing and to new housing construction in which the state grant or financial assistance covers no more than ten fully detached single-family affordable homeownership units. Thus, MN Youthbuild program are exempt from paying prevailing wages to Youthbuild participants who are employed on these types of state-funded affordable housing projects.

**Alternatives to Paying Prevailing Wages**

DEED encourages grantees to offer stipend payments to youth when the work experience component involves projects funded, in part or whole, by state or federal housing dollars that may trigger [prevailing wages rates](https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information) for participants. Minnesota Youthbuild programs need to have a written stipend policy in place prior to offering stipends. A sample stipend policy is listed on the webpage, *Resources for Youth Service Providers,* at: <https://mn.gov/deed/programs-services/office-youth-development/resources/>

Note, Participants that receive a stipend, not a wage, may not be eligible for worker’s compensation insurance coverage and instead, must be covered by the employer’s umbrella insurance policy. In conjunction with Department of Labor guidance, DEED advises Youthbuild service providers to obtain an IRS determination that the participants are NOT employees by completing an IRS SS-8 form for participants who receive need-based stipend rather than a wage.

## Prior Approval; and Allowable Costs for Housing, Equipment, and Vehicle Purchases:

Allowable costs, reimbursable by grant funds, may include building materials and supplies, power and hand tools, a used van or vehicle for transportation to the project site, and equipment which are necessary and required to build or renovate affordable housing or eligible facilities. Housing supplies, materials, and power tool equipment costs are limited to 25% of the total grant award. Prior approval is required for equipment and vehicle purchases totaling over $5,000 per item and over $10,000 total in housing materials and supplies. Grantees should submit requests to the program coordinator and complete an equipment purchase approval form prior to purchase.

## 

## Required Tasks and Deliverables: Selected grantees are required to:

### **Annual Work Plan and Budgets**

1. On or before the date requested, submit a work plan narrative, partnership chart, planned budget summary (cumulative across quarters) and budget detail to be reviewed and approved prior to the start of each state fiscal year. Planning instructions and templates will be distributed to grantees each year.

### **Modifications to Work Plan and Budgets**

1. Grantees may request a grant modification, at any time prior to April 1 of the current state fiscal year, if a revision is needed to the work plan, cost categories budget amount, or the end date of the current grant period. DEED expects grantees to fully expend grant funds by each grant end date. However, extension requests will be taken into consideration. These requests will be handled on an individual basis. Please contact the program coordinator as early as possible for needed work plan, budget, or end date modifications.

### **Tracking Participant Data and Performance Outcomes**

1. DEED requires all Minnesota Youthbuild grantees to utilize the DEED-provided Excel database or Workforce One (WF1), Minnesota’s Case Management System, to record participant eligibility, demographics, program activities and services, and performance outcomes. Grantees are expected to enter participant demographic information at enrollment; establish and track participant activities and performance outcomes; and upon exit, further track participant performance outcomes over a 12-month period, including all certificates, industry-recognized credentials, educational progress, skills proficiency, and post-exit placement. Participant data is collected by DEED for program evaluation and funding purposes. Information about free Workforce One training sessions provided by DEED’s WF1 team can be found here: <https://www.mnworkforceone.com/ManagePrograms/SessionSearch.aspx>.

### **Financial Reporting and Reimbursements**

1. Grantees must submit, by the 20th of the month, Reimbursement Payment Request Forms (RPRs) or Financial Status Reports (FSRs) to [DEED.FSR@state.mn.us](mailto:DEED.FSR@state.mn.us). Reimbursement Request Forms and FSRs must accurately reflect expenditures and obligations consistent with rates of participation which grant administrators will be able to track.

### **Quarterly Narrative and Data Report**

1. Submit to the program coordinator no later than 30 days after each quarter end, a quarterly data summary, narrative progress report, and success stories.

### **Annual Report to the Legislature**

1. Submit annually, to the program coordinator, a narrative and data report, to include best practices, partnerships, quotes, photos, success stories, participant data, building project data, and customer satisfaction survey results.

### **Annual Monitoring of Grant Progress and Grantee Performance**

1. Cooperate with DEED staff to conduct an annual monitoring visit or desk review of the program. Monitoring activities consists of grantee completion of the program monitoring guide, submittal of requested financial reconciliation and programmatic documents and materials, and discussion or interviews with DEED monitors.

# Appendix A – Definition of Terms and Eligibility

1. **Eligible organization** or **eligible applicant:** a public agency or a nonprofit organization that can demonstrate an ability to implement a program for education and training services provided to targeted youth. Eligible organizations may include local jurisdictions, public school districts, private nonsectarian schools, postsecondary educational institutes, alternative schools, community groups, and labor organizations.
2. **Eligible Work Projects and Affordable Housing Component**

Programs are to include a work experience component with work projects that result in:

1. rehabilitation, improvement, or construction of residential units for the homeless persons or low-income families or individuals,
2. improvements to the energy efficiency and environmental health of residential units and other green jobs purposes,
3. facilities to support community garden projects; or
4. education, social service, or health facilities which are owned by a public agency or a private nonprofit organization.

**Projects may include**, but are not limited to:

* Head Start or day care centers, playhouses, and other incidental structures;
* homeless, battered women, or other shelters,
* transitional housing, and tiny house’
* youth or senior citizen centers, community health centers.

Eligible facilities must principally provide services to homeless or low-income individuals, families, or communities.

1. **Low income:** anincome that is at or less than 80 percent of the area median income, adjusted for family size, as estimated by the Department of Housing and Urban Development.
2. **Eligible Participant or Targeted Youth:** Targeted youth are economically disadvantaged or eligible for the high school graduation incentives program ***and***, in the opinion of a school official, are at-risk for dropping out of school or not attending any school and have not received a diploma or equivalent.
3. **Economically disadvantaged**: is defined in the rules and regulations of the Workforce Innovation and Opportunity Act (WIOA): An individual whose income, or is a member of a family whose total family income, that, in relation to family size, does not exceed the higher of —
4. the official poverty level, for an equivalent period; or
5. 70 percent of the lower living standard income level.

**Other methods to determine economic status**:

1. Youth who are eligible to receive or are receiving Federal free/reduced school lunch are considered to be economically disadvantaged.
2. Expected family contribution of “0” on the Free Application for Federal Student Aid (FAFSA) qualifies a youth as low-income.
3. Youth is receiving or is from a family receiving public assistance i.e. MFIP, TANF, SNAP, SSI, SSDI, general, refugee or medical assistance qualifies the youth as low-income.

Please follow this [link](https://mn.gov/deed/assets/wioa-chapter7_tcm1045-134289.docx) to DEED’s website for the current Income Eligibility Table that includes both Poverty Levels and Lower Living Standard Income Level. Youth who are eligible to receive or are receiving Federal free/reduced school lunch are considered to be economically disadvantaged. Youth who have an expected family contribution of “0” on the FAFSA are considered low-income. Youth receiving or youth from families receiving public assistance qualify as low-income.

1. **High School Graduation Incentives Program Eligibility:**

A pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation incentives program, if the pupil:

1. performs substantially below the performance level for pupils of the same age in a locally determined achievement test.
2. is behind in satisfactorily completing coursework or obtaining credits for graduation.
3. is pregnant or is a parent.
4. has been assessed as chemically dependent.
5. has been excluded or expelled according to sections 121A.40 to 121A.56.
6. has been referred by a school district for enrollment in an eligible program or a program pursuant to section 124D.69.
7. is a victim of physical or sexual abuse.
8. has experienced mental health problems.
9. has experienced homelessness sometime within six months before requesting a transfer to an eligible program.
10. speaks English as a second language or is an English learner.
11. has withdrawn from school or has been chronically truant; or
12. is being treated in a hospital in the seven-county metropolitan area for cancer or other life-threatening illness or is the sibling of an eligible pupil who is being currently treated and resides with the pupil's family at least 60 miles beyond the outside boundary of the seven-county metropolitan area.
13. **Approved training program:** a state-approved apprenticeship training program or to a minor enrolled in a training program approved by the Division of Vocational-Technical Education, Minnesota Department of Education.
14. **Homeless Individual or Runaway Youth** means a participant who:
    1. Lacks a fixed, regular, and adequate nighttime residence; this includes an individual who:
       1. Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason,
       2. Is living in a motel, hotel, trailer park or campground due to a lack of adequate alternative accommodations,
       3. Is living in an emergency or transitional shelter,
       4. Is abandoned in a hospital, or
       5. Is awaiting foster care placement.
    2. 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, such as a car, park, abandoned building, bus or train station, airport or camping ground.
    3. Is a migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent’s or parent’s spouse’s seasonal employment in agriculture, dairy or fishing work; or
    4. Is under 18 years of age and absents himself or herself from home or place of legal residence without the permission of his or her family (e.g., runaway youth).

Note: this definition does not include an individual imprisoned or detained under an Act of Congress or State Law. An individual who may be sleeping in a temporary accommodation while away from home should not, as a result of that alone, be recorded as homeless.

1. **Basic Skills Deficient**: These are participants who:
2. Compute or solve problems, read, write, or speak English at or below the 8th grade level on a generally acceptable standardized test or a comparable score on a criterion- referenced test; or
3. Are unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the family, or in society.
4. **Limited English Proficient**: For people who speak a language other than English at home, the response represents the individual’s own perception of his or her ability to speak English.
5. **Participants/Families Receiving Public Assistance**: These are participants who receive or come from families receiving Temporary Assistance to Needy Families (TANF/MFIP) and general assistance. It does NOT include any Supplemental Security Income.
6. **Foster Youth**: These are youth who are or who have ever been placed in a home by legal action on whose behalf State or local government payments are or have ever been made.
7. **Participants with a Disability**: These are participants with a disability as defined by section 3 of the Americans with Disabilities Act of 1990.
8. **High School Dropout**: These are individuals who are no longer attending any school and who have not received a secondary school diploma or a recognized equivalent.
9. **Youth or Adult Offender**: These are participants who:
10. Have been subject to any stage of the criminal or juvenile justice process, for whom services under this program may be beneficial; or
11. Require assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
12. Have been subject to any stage of the criminal or juvenile justice process, for whom services under this program may be beneficial; or
13. Require assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
14. **Pregnant or Parenting Youth**: These are youth who are pregnant or who have parental responsibilities for a minor (i.e. less than 18 years of age).
15. **Not Employed at Program Enrollment**: These are participants who have not had a job within one week of program enrollment.
16. **Veteran**: These are participants who have served in the active military, naval, or air service, and who have been discharged or released from such service under conditions other than dishonorable.