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Henry McMaster
Governor

Cheryl M. Stanton
Executive Director

STATE INSTRUCTION NUMBER 18-02

To: Local Workforce Area Signatory Officials
Local Workforce Area Board Chairs
Local Workforce Area Administrators

Subject: Guardian Signatures for WIOA Youth Eligibility

Issuance Date: July 17, 2018

Effective Date: Immediately

Purpose: This State Instruction defines the guardian signature requirement for Workforce Innovation and Opportunity Act (WIOA) Youth applicants. This policy rescinds State Instruction 11-01.

Background: The State recognizes that many WIOA eligible youth are supported by a person other than a parent or legal guardian and has revised the Local Workforce Development Area Guardianship Form under WIOA.

Policy: A parent's or guardian's signature is required for youth applicants under the age of 18. In an effort to make eligibility more readily accessible for this population, staff must use the following definition of guardian as it applies to the WIOA application and youth eligibility. For WIOA youth applications, the term "guardian" refers to any adult, 18 years of age or older, who is providing housing and financial support to the youth, regardless of legal status. In order to remain in compliance with WIOA regulations, a Guardianship Form for local use is attached. The form must be completed by the adult guardian at the time of application and maintained in the youth applicant's case file.

NOTE: The definition of guardian authorized to sign the WIOA youth application differs from the definition of guardian as it relates to family size. According to the WIOA definition of family, a guardian's income should not be included in the family income unless documentation of adoption or legal guardianship is provided.

Action: Please ensure that all appropriate staff receive and understand this policy.

Inquiries: Questions may be directed to Policies and Procedures at polnpro@dew.sc.gov.

A handwritten signature in cursive script that reads "Susan M. Boone".

Susan Boone, Chief Legal Officer
SC Department of Employment and Workforce

Attachment: Local Workforce Development Area Guardianship Form

Local Workforce Development Area Guardianship Form

On this day, _____, 20____, _____
(Adult Petitioner)

PERSONALLY appeared before me, _____, to establish
(WIOA Representative)

guardianship for _____ and to attest to the following:
(Youth Applicant)

1. I am a resident of South Carolina, residing at _____.
(Physical Address)

2. The Youth Applicant, born ___/___/_____, has resided with me since ___/___/_____.
The Youth Applicant's relationship to me is _____.

3. I have been providing shelter and financial support to the Youth Applicant since ___/___/_____.

4. The Youth Applicant resides with me as a result of
 - ___ a. the death, serious illness, or incarceration of a parent or legal guardian;
 - ___ b. the relinquishment by a parent or legal guardian of the complete control of the child as evidenced by the failure to provide substantial financial support and parental guidance;
 - ___ c. abuse or neglect by a parent or legal guardian;
 - ___ d. the physical or mental condition of a parent or legal guardian is such that he or she cannot provide adequate care and supervision of the child; and/or
 - ___ e. the child or the child's parent or legal guardian does not have a fixed, regular, and adequate nighttime residence or a nighttime residence that is a shelter or institution that provides temporary living accommodations.

5. The specific circumstances which led to this living arrangement are as follows:

Signature: _____ Date: _____
(Adult Petitioner)

Signature: _____ Date: _____
(WIOA Representative)