

Crosswalk of Key Federal Program Definitions and Program Policies

“Adjudicated Youth”	Dept. of Labor, ETA, WIA	Dept. of Ed	Health & Human Services	Office of Juvenile Justice
				<p>Title 28--Judicial Administration, Chapter I-- Department Of Justice Part 31_OJJDP Grant Programs</p> <p>Juvenile Justice Act Requirements Sec. 31.304 Definitions</p> <p>(e) Juvenile who has been <b>adjudicated</b> as having committed an offense. A juvenile with respect to whom the juvenile court has determined that such juvenile is a juvenile offender, i.e., a criminal-type offender or a status offender.</p> <p>(f) Juvenile offender. An individual subject to the exercise of juvenile court jurisdiction for purposes of <b>adjudication</b> and treatment based on age and offense limitations by defined as State law, i.e., a criminal-type offender or a status offender.</p> <p>(g) Criminal-type offender. A juvenile offender who has been charged with or <b>adjudicated</b></p>

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				for conduct which would, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult. (h) Status offender. A juvenile offender who has been charged with or <b>adjudicated</b> for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.
<b>“Alternative Education”</b>	<p><i>Under JTPA there was a definition of “Alternative education,” when WIA was implemented in 1998, that definition was not included.</i></p> <p>20 CFR 628.803 (h)(2) For purposes of paragraph (h)(1) of this section, a youth who has attained a high school diploma or an equivalency, is habitually truant, as defined by State law, or is attending an <b>alternative</b> school program may be considered out of school. An <b>alternative</b> school program includes an <b>alternative</b> high school, an <b>alternative</b> course of study approved by the local educational agency, or a high</p>			<p>Juvenile Justice and Delinquency Prevention Act of 2002</p> <p>Part C-Juvenile Delinquency Prevention Block Grant Program</p> <p>42 U.S.C. 5651 [Sec. 241.] Authority to make Grants (2) educational projects or supportive services for delinquent or other juveniles- (A) to encourage juveniles to remain in elementary and secondary schools or in <b>alternative learning</b> situations in educational settings;</p> <p>Although this is referred, it is</p>

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	school equivalency program. Such programs may be operated either within or outside of the local public school system, and can offer either a high school diploma or equivalency.			not defined in their definition section
<b>“At-risk Youth”</b>		<p>Public Law, PL 107-1110, No Child Left Behind Act of 2001</p> <p>Part D — Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk</p> <p><b>SEC. 1432. DEFINITIONS.</b></p> <p>(2) AT-RISK- The term <b>at-risk'</b>, when used with respect to a child, youth, or student, means a school aged individual who is at-risk of academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least 1 year behind the expected grade level for the age of the individual, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.</p>		<p>Juvenile Justice and Delinquency Prevention Act of 2002</p> <p>Part C-Juvenile Delinquency Prevention Block Grant Program</p> <p>[42 U.S.C. 5651 [Sec. 241.] Authority to make Grants(a)</p> <p>(1) projects that provide treatment (including treatment for mental health problems) to juvenile offenders, and juveniles who are <b>at risk of becoming juvenile offenders</b>, who are victims of child abuse or neglect or who have experienced violence in their homes, at school, or in the community, and to their families, in order to reduce the likelihood that such juveniles will commit violations of law;</p>

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<p>“Children of Incarcerated Parents”</p>				<p>Delinquency Prevention Act of 2002</p> <p>Part C-Juvenile Delinquency Prevention Block Grant Program</p> <p>42 U.S.C. 5651 [Sec. 241.] Authority to make Grants (a) (4) counseling, training, and mentoring programs, which may be in support of academic tutoring, vocational and technical training, and drug and violence prevention counseling, that are designed to link at-risk juveniles, juvenile offenders, or <b><i>juveniles who have a parent or legal guardian who is or was incarcerated in a Federal, State, or local correctional facility</i></b> or who is otherwise under the jurisdiction of a Federal, State, or local criminal justice system, particularly juveniles residing in low-income and high-crime areas and juveniles experiencing educational failure, with responsible individuals (such as law enforcement officers, Department of Defense</p>

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				personnel, individuals working with local businesses, and individuals working with community-based and faith-based organizations and agencies) who are properly screened and trained;
<b>“Drop-out”</b>	<p>Chapter V--Employment And Training Administration, Department Of Labor, Part 664--Youth Activities Under Title I Of The Workforce Investment Act</p> <p>20 CFR Sec. 664.310 When is <b>dropout status</b> determined, particularly for youth attending alternative schools?</p> <p>A school dropout is defined as an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. A youth's dropout status is determined at the time of registration. A youth attending an alternative school at the</p>	<p>Public Law, PL 107-1110, <i>No Child Left Behind Act of 2001</i></p> <p><b>Sec. 1829. School Dropout Rate Calculation-</b></p> <p>For purposes of calculating an annual school dropout rate under this subpart, a school shall use the annual event <b>school dropout</b> rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistics' Common Core of Data.</p> <p><b><i>Determining Dropout Status.</i></b></p> <p>The Common Core of Data<sup>1</sup> definition determines whether an individual is a dropout by his or her enrollment status at the</p>		

<sup>1</sup> **The Common Core of Data (CCD)**, a program of the U.S. Department of Education's National Center for Education Statistics, is a comprehensive, annual, national statistical database of information concerning all public elementary and secondary schools (approximately 94,000) and local education agencies (approximately 17,000; of these, about 14,500 are regular school districts that operate schools).

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	<p>time of registration is not a dropout. An individual who is out-of school at the time of registration and subsequently placed in an alternative school, may be considered an out-of-school youth for the purposes of the 30 percent expenditure requirement for out-of-school youth. (WIA sec. 101(39).)</p> <p>TEGL 12-01: Attachment B-                      “There is no statutory definition of “attending any school.” State and local area have some flexibility in defining what program of study might be excluded from “attending any school...”</p>	<p>beginning of the school year (the same day used for the enrollment count). Beginning in 1990, National Center for Educational Statistics defined a dropout as an individual who:</p> <ol style="list-style-type: none"> <li>1. was enrolled in school at some time during the previous school year (e.g., 1999-2000); and</li> <li>2. was not enrolled at the beginning of the current school year (e.g., 2000-01); and</li> <li>3. has not graduated from high school or completed a state- or district-approved educational program; and</li> <li>4. does not meet any of the following exclusionary conditions:                             <ul style="list-style-type: none"> <li>• transfer to another public school district, private school, or state- or district-approved educational program (including correctional or health facility programs);</li> <li>• temporary absence due to suspension or school-excused illness; or</li> <li>• death.</li> </ul> </li> </ol>		
“Foster Care			Title 45--Public Welfare	

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Youth”			<p>Chapter XIII Office of Human Development Services, Department Of Health And Human Services</p> <p>PART 1355--GENERAL-- Table of Contents</p> <p>(a) Unless otherwise specified, the following terms as they appear in 45 CFR parts 1355, 1356 and 1357 of this title are defined as follows--</p> <p><b>Foster care</b> means 24-hour substitute <b>care</b> for children placed away from their parents or guardians and for whom the State agency has placement and <b>care</b> responsibility. This includes, but is not limited to, placements in <b>foster</b> family homes, <b>foster</b> homes of relatives, group homes, emergency shelters, residential facilities, child <b>care</b> institutions, and preadoptive homes. A child is in <b>foster care</b> in accordance with this definition regardless of whether the <b>foster care</b> facility is licensed and payments are made by the</p>	

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			<p>State or local agency for the <b>care</b> of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.</p>	
<p>“Homeless Youth “</p>		<p>Public Law, PL 107-1110, No Child Left Behind Act of 2001</p> <p><b>Homeless Education</b></p> <p><b>SEC. 725. DEFINITIONS.</b></p> <p>For purposes of this subtitle:</p> <p>(2) The term <b>homeless children and youths'</b> —</p> <p>(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and</p> <p>(B) includes —</p> <p>(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in</p>	<p>Title 45--Public Welfare, Chapter X--Office of Community Services, Administration for Children and Families, Department Of Health And Human Services</p> <p>Part 1080_Emergency Community Services Homeless Grant Program--</p> <p>Sec. 1080.2 Definitions.</p> <p>(a) <b>Homeless or homeless individual includes:</b></p> <p>(1) An individual who lacks a fixed, regular, and adequate nighttime residence; and</p> <p>(2) An individual who has a primary nighttime residence that is:</p> <p>(i) A supervised publicly or privately operated shelter designed to</p>	

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		<p>emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;</p> <p>(ii) children and youths who have 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 (within the meaning of section 103(a)(2)(C));</p> <p>(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</p> <p>(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).</p>	<p>provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);</p> <p>(ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or</p> <p>(iii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.</p> <p>The term homeless or homeless individual does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.</p>	
“Limited English Proficient “	Title 20--Employees' Benefits, Chapter V--Employment And Training Administration,	Title IX — General Provisions Sec. 9101. Definitions.		Delinquency Prevention Act of 2002

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	<p>Department Of Labor</p> <p>Part 664_Youth Activities Under Title I Of The Workforce Investment Act Subpart B_Eligibility for Youth Services</p> <p>Sec. 664.205 How is the ``deficient in basic literacy skills" criterion in Sec. 664.200(c)(1) defined and documented?</p> <p>(a) Definitions and eligibility documentation requirements regarding the ``deficient in basic literacy skills" criterion in Sec. 664.200(c)(1) may be established at the State or local level. These definitions may establish such criteria as are needed to address State or local concerns, and must include a determination that an individual:</p> <p>(1) Computes or solves problems, reads, writes, or speaks <b>English</b> at or below the 8th grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test; or</p>	<p>(25) LIMITED ENGLISH PROFICIENT- The term <b>limited English proficient</b>', when used with respect to an individual, means an individual —</p> <p>(A) who is aged 3 through 21;</p> <p>(B) who is enrolled or preparing to enroll in an elementary school or secondary school;</p> <p>(C)(i) who was not born in the United States or whose native language is a language other than English;</p> <p>(ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and</p> <p>(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or</p> <p>(iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and</p> <p>(D) whose difficulties in speaking, reading, writing, or</p>		<p>Part C-Juvenile Delinquency Prevention Block Grant Program</p> <p>42 U.S.C. 5651 [Sec. 241.] Authority to make Grants</p> <p>(a)(5) community-based projects and services (including literacy and social service programs) which work with juvenile offenders and juveniles who are at risk of becoming juvenile offenders, including those from families with <b>limited English-speaking proficiency</b>, their parents, their siblings, and other family members during and after incarceration of the juvenile offenders, in order to strengthen families, to allow juvenile offenders to be retained in their homes, and to prevent the involvement of other juvenile family members in delinquent activities;</p>

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	<p>(2) Is unable to compute or solve problems, read, write, or speak <b>English</b> at a level necessary to function on the job, in the individual's family or in society. (WIA secs. 101(19), 203(12).)</p> <p>(b) In cases where the State Board establishes State policy on this criterion, the policy must be included in the State plan. (WIA secs. 101(13)(C)(i), 101(19).)</p>	<p>understanding the English language may be sufficient to deny the individual —</p> <p>(i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);</p> <p>(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or</p> <p>(iii) the opportunity to participate fully in society.</p>		
<p><b>“Migrant Youth”</b></p>	<p>Title 20--Employees' Benefits</p> <p>Chapter V--Employment and Training Administration, Department Of Labor</p> <p>Part 669_National Farmworker Jobs Program Under Title I Of The Workforce Investment Act</p> <p>Sec. 669.670 Who is eligible to receive services under the section 167 MSFW <b>youth</b> program?</p> <p>Disadvantaged <b>youth</b>, ages 14 through 21, who are individually eligible or are</p>	<p>Title 34—Education- Chapter II--Office of Elementary and Secondary Education, Department Of Education</p> <p>Part 200_Title I_Improving The Academic Achievement Of The Disadvantaged Subpart C_Migrant Education Program</p> <p>Sec. 200.81 Program definitions.</p> <p>The following definitions apply to programs and projects operated under subpart C of this part:</p> <p>(a) Agricultural activity means-</p> <p>(1) Any activity directly related</p>	<p>Public Law 104-299- Oct. 11, 1996 “ Health Centers Consolidation Act of 1996”</p> <p>Sec. 330 Health Centers, (g) Migratory and Seasonal Agricultural Workers</p> <p>(3) DEFINITIONS.—For purposes of this subsection:</p> <p>(A) MIGRATORY AGRICULTURAL WORKER.—The term ‘migratory agricultural worker’ means an individual whose principal employment is in agriculture on a seasonal basis, who has been so employed within the last 24 months, and who establishes for the purposes of such employment a temporary abode.</p> <p>(B) SEASONAL AGRICULTURAL</p>	

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	<p>members of eligible families under the WIA section 167 NFJP may receive these services.</p> <p>Public Law 105-220 (WIA) Sec. 167- Migrant and Seasonal Farmworker programs                      (h)(4) Eligible Seasonal Farmworker- The term “eligible seasonal farmworker” means-                      (A) a disadvantaged person who, for 12 consecutive months out of the 24 months priors to application for the program involved, has been primarily employed in agriculture labor that is characterized by chronic unemployment and underemployment; and                      (B) a dependent of the person described in subparagraph (A)</p>	<p>to the production or processing of crops, dairy products, poultry or livestock for initial commercial sale or personal subsistence;                      (2) Any activity directly related to the cultivation or harvesting of trees; or                      (3) Any activity directly related to fish farms.                      (b) Fishing activity means any activity directly related to the catching or processing of fish or shellfish for initial commercial sale or personal subsistence.                      (c) Migratory agricultural worker means a person who, in the preceding 36 months, has moved from one school district to another, or from one administrative area to another within a State that is comprised of a single school district, in order to obtain temporary or seasonal employment in agricultural activities (including dairy work) as a principal means of livelihood.                      (d) Migratory child means a child who is, or whose parent, spouse, or guardian is, a migratory agricultural worker, including a migratory dairy</p>	<p>WORKER.—The term ‘seasonal agricultural worker’ means an individual whose principal employment is in agriculture on a seasonal basis and who is not a migratory agricultural worker.                      (C) AGRICULTURE.—The term ‘agriculture’ means farming in all its branches, including—                      (i) cultivation and tillage of the soil;                      (ii) the production, cultivation, growing, and harvesting of any commodity grown on, in, or as an adjunct to or part of a commodity grown in or on, the land; and                      (iii) any practice (including preparation and processing for market and delivery to storage or to market or to carriers for transportation to market) performed by a farmer or on a farm incident to or in conjunction with an activity described in clause (ii).</p>	

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		<p>worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent, spouse, guardian in order to obtain, temporary or seasonal employment in agricultural or fishing work--</p> <p>(1) Has moved from one school district to another;</p> <p>(2) In a State that is comprised of a single school district, has moved from one administrative area to another within such district; or (3) Resides in a school district of more than 15,000 square miles, and migrates a distance of 20 miles or more to a temporary residence to engage in a fishing activity.</p> <p>(e) Migratory fisher means a person who, in the preceding 36 months, has moved from one school district to another, or from one administrative area to another within a State that is comprised of a single school district, in order to obtain temporary or seasonal employment in fishing activities as a principal means of livelihood.</p>		

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		<p>This definition also includes a person who, in the preceding 36 months, resided in a school district of more than 15,000 square miles, and moved a distance of 20 miles or more to a temporary residence to engage in a fishing activity as a principal means of livelihood.</p> <p>(f) Principal means of livelihood means that temporary or seasonal agricultural or fishing activity plays an important part in providing a living for the worker and his or her family.</p> <p>(Authority: 20 U.S.C. 6391-6399, 6571)</p>		
“Older Youth” & “Younger Youth”	<p>*Under Section 136 Performance Accountability System (b)(2)(A) “Core Indicators of Performance” of WIA, there are eligibility requirements for Youth age 19 through 21, this group of youth are commonly known as “Older Youth,” and eligibility requirements for Youth age 14 through 18, this group of youth are commonly known as “Younger Youth.”</p>			
“Out-of-	Chapter V--Employment And			

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school youth”	<p>Training Administration, Department Of Labor, Part 664--Youth Activities Under Title I Of The Workforce Investment Act</p> <p>20 CFR Sec. 664.300 Who is an “out-of-school youth”? An out-of-school youth is an individual who:</p> <p>(a) Is an eligible youth who is a school dropout; or</p> <p>(b) Is an eligible youth who has either graduated from high school or holds a GED, but is basic skills deficient, unemployed, or underemployed? (WIA sec. 101(33).)</p>			
“Target group served/ Eligible youth “	<p>Chapter V--Employment And Training Administration, Department Of Labor, Part 664--Youth Activities Under Title I Of The Workforce Investment Act</p> <p><b>20CFR 664.200 Who is eligible for youth services?</b> An eligible youth is defined, under WIA sec. 101(13), as an individual who:</p> <p>(a) Is age 14 through 21;</p> <p>(b) Is a low income individual,</p>	<p>Title I — Improving The Academic Achievement Of The Disadvantaged</p> <p><b>SEC. 101. Improving the Academic Achievement of the Disadvantaged.</b></p> <p>Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended to read as follows: TITLE I--IMPROVING THE ACADEMIC ACHIEVEMENT OF THE</p>		

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	<p>as defined in the WIA section 101(25); and                      (c) Is within one or more of the following categories:                      (1) Deficient in basic literacy skills;                      (2) School dropout;                      (3) Homeless, runaway, or foster child;                      (4) Pregnant or parenting;                      (5) Offender; or                      (6) Is an individual (including a youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment. (WIA sec. 101(13).)</p>	<p>DISADVANTAGED</p> <p><b>SEC. 1001. STATEMENT OF PURPOSE.</b></p> <p>The purpose of this title is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments. This purpose can be accomplished by —</p> <p>(1) ensuring that high-quality academic assessments, accountability systems, teacher preparation and training, curriculum, and instructional materials are aligned with challenging State academic standards so that students, teachers, parents, and administrators can measure progress against common expectations for student academic achievement;                      (2) meeting the educational needs of low-achieving children in our Nation's highest-poverty schools, limited English proficient children, migratory</p>		

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		<p>children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance;</p> <p>(3) closing the achievement gap between high- and low-performing children, especially the achievement gaps between minority and nonminority students, and between disadvantaged children and their more advantaged peers;</p> <p>(4) holding schools, local educational agencies, and States accountable for improving the academic achievement of all students, and identifying and turning around low-performing schools that have failed to provide a high-quality education to their students, while providing alternatives to students in such schools to enable the students to receive a high-quality education;</p> <p>(5) distributing and targeting resources sufficiently to make a difference to local educational agencies and schools where needs are greatest;</p> <p>(6) improving and strengthening accountability, teaching, and</p>		

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		<p>learning by using State assessment systems designed to ensure that students are meeting challenging State academic achievement and content standards and increasing achievement overall, but especially for the disadvantaged;</p> <p>(7) providing greater decision making authority and flexibility to schools and teachers in exchange for greater responsibility for student performance;</p> <p>(8) providing children an enriched and accelerated educational program, including the use of school wide programs or additional services that increase the amount and quality of instructional time;</p> <p>(9) promoting school wide reform and ensuring the access of children to effective, scientifically based instructional strategies and challenging academic content;</p> <p>(10) significantly elevating the quality of instruction by providing staff in participating schools with substantial opportunities for professional development;</p>		

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		<p>(11) coordinating services under all parts of this title with each other, with other educational services, and, to the extent feasible, with other agencies providing services to youth, children, and families; and</p> <p>(12) affording parents substantial and meaningful opportunities to participate in the education of their children.</p>		