

§ 628.710 Period of program operation.

(a) Except as provided under paragraph (b) of this section, the SYETP shall be conducted during the school vacation period occurring during the summer months.

(b) An SDA operating within the jurisdiction of one or more local educational agencies that operate schools on a year-round full-time basis may offer SYETP activities to participants in such a jurisdiction during the school vacation period(s) treated as the period(s) equivalent to a school summer vacation.

Subpart H—Youth Training Program

§ 628.800 Scope and purpose.

This subpart contains the regulations for the Year-round Youth Program under part C of title II of the Act. The regulations in part 627 of this chapter and subpart E of this part apply to the Year-round Youth program to the extent that they do not conflict with the provisions of this subpart.

§ 628.803 Eligibility.

(a) *Out-of-school youth.* An out of school youth is a youth who does not meet the definition of in-school youth as set forth in paragraph (b) of this section. An out-of-school youth shall be eligible to participate in programs under this subpart, if such individual is:

- (1) Age 16 through 21, and
- (2) Economically disadvantaged.

(b) *In-school youth. Definition.* In-school youth means a youth who has not yet attained a high school diploma and is attending school full time. An in-school youth shall be eligible to participate in programs under this subpart, if such individual is:

- (1)(i) Age 16 through 21, or
- (ii) If provided in the job training plan, age 14 through 21 inclusive; and
- (2)(i) Economically disadvantaged; or
- (ii) Participating in a compensatory education program under Chapter I of title I of the Elementary and Secondary Education Act of 1965; or
- (iii) Has been determined to meet the eligibility requirements for free meals under the National School Lunch Act

during the most recent school year. *Most recent school year* means the current school year unless the eligibility determination is made during an interim period between school terms, in which case the term means the preceding school year.

(c) *Eligibility determination verification.* The SDA may accept the same documentation utilized by the local educational agency for approving free lunch meals or an assurance by school officials concerning the students' participation in the free school lunch program under the National School Lunch Act. The Department shall provide guidance on this verification separate from these regulations.

(d) *Requirement to serve hard-to-serve individuals.* (1) Not less than 65 percent of the in-school youth who participate in the program under this subpart, including those who are not economically disadvantaged, shall have one or more additional barriers to employment, as described in section 263(b) of the Act.

(2)(i) Not less than 65 percent of the out-of-school youth who participate in the program under this subpart, including those who are not economically disadvantaged, shall have one or more barriers to employment, as described in section 263(d) of the Act, in addition to any criterion listed in paragraph (b)(2) of this section.

(ii) All Job Corps participants shall be considered out-of-school and as having a barrier to employment.

(3) The requirement of paragraphs (d)(1) and (2) of this section shall be calculated on the basis of participants for whom services or training have been provided subsequent to the objective assessment on July 1, 1993 or later.

(e) *Addition of barrier.* An SDA may identify and add one additional serious barrier to employment to the categories listed at sections 263(b) and (d) of the Act in accordance with the specific procedures and requirements in section 263(h) of the Act.

(f) *Services to non-economically disadvantaged individuals.* Up to 10 percent of the youth served by an SDA under this subpart may be individuals who are not economically disadvantaged, but such individuals shall face one or