

WIOA Eligibility Policy

The NWPA Job Connect Board has developed this policy on eligibility and registration to ensure that every Workforce Innovation and Opportunity Act (WIOA) participant who receives WIOA program-funded services is eligible and registered to receive those services. This policy applies to all eligible Adult, Dislocated Worker, and Youth participants and to individuals interested in enrolling in these programs. Program services contractor staff, PA CareerLink[®] staff, and NWPA Job Connect Board staff are responsible for implementing this policy.

Definition of Key Terms

“Basic Skills Deficient” individuals are:

- A youth with English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- A youth or adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

“Individual with a disability,” as per WIOA sec. 3(25) and 42 U.S.C. 12102(3), meets the requirement of “being regarded as having such an impairment” if the individual establishes that he or she has been subjected to a prohibited action because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.

Note: This does not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

“Displaced Homemaker” means an individual who has been providing unpaid services to family members in the home and who:

- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment; and
- Has been dependent on the income of another family member but is no longer supported by that income; or
- Is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member.

“Low-income individuals” meet one or more of the characteristics listed below:

- Recipient of cash public assistance

- Family income that does not exceed the higher of 70% of the Lower Living Standard Income Level (LLSIL)
- Receives food stamps or was determined eligible to receive in the last six months
- Homeless
- Publicly supported foster child
- Individual with a disability and own income at or below 70% of the LLSIL or the poverty line
- Receives, or is eligible to receive, a free or reduced price school lunch
- An individual who resides in a high poverty area, defined as an area that has a poverty rate of at least 30% (set every 5 years, using ACS 5-year estimate)

Requires Additional Assistance

“An individual who requires additional assistance to complete an educational program or to secure or hold employment” is defined by the NWPA WDB as a youth who meets one or more of the following criteria:

- Has an Individualized Education Program (IEP);
- Has a letter from a guidance counselor asserting their need of additional assistance to complete an educational program or to secure or hold employment;
- Is currently credit deficient (i.e. one or more grade levels behind peer group);
- Has a poor work history (been fired from 1 or more jobs within the last six months, OR has a history of sporadic employment, such as “has held 3 or more jobs within the last 12 months, and is no longer employed”);
- Has actively been seeking employment for at least 2 months but remains unemployed or underemployed. This includes a youth with no employment history, with limited work experience, and/or actively seeking full-time employment, but have only achieved part-time employment; or
- Has incarcerated parent(s)

Note: No more than 5% of ISY served in a program year may be deemed eligible based on the “requires additional assistance” criterion. The WIOA Title I program services contractor(s) will include the number of ISY participants determined and documented to be eligible under the “requires additional assistance” criterion on their regular reporting to the LWDB to ensure that this 5% limitation is not exceeded. It will also be included as part of LWDB monitoring of its WIOA Title I program services contractor(s).

“Not attending any school” means a youth not receiving services from a public school, charter school, cyber charter school, career and technical school, sectarian school, or private school. Individuals enrolled in adult basic education/GED or high school equivalency preparation, skills training, or other remedial education programs, including YouthBuild and Job Corps are not considered as attending any school for the purposes of this policy.

“Self-attestation” occurs when an individual states his or her status for a particular data element, and then signs and dates a form acknowledging this status.

“Self-certification” means an individual’s signed attestation that the information said individual submitted to demonstrate eligibility for a program under Title I of WIOA is true and accurate.

Eligibility Requirements

WIOA Adult Eligibility

Adults must meet basic eligibility requirements for WIOA program services. Basic eligibility requirements include:

- Be 18 years of age or older (adults);
- Be a citizen or noncitizen authorized to work in the U.S.; and
- Meet selective service registration requirements (males only) (see below).

See the NWPA Job Connect Board's Priority of Service Policy for additional eligibility requirements for Adults to qualify for priority of service to receive training or career services.

WIOA Dislocated Worker Eligibility

To qualify for services as a Dislocated Worker, job seekers must satisfy the basic WIOA eligibility requirements, which include:

- Be 18 years of age or older (adults);
- Be a citizen or noncitizen authorized to work in the U.S.; and
- Meet selective service registration requirements (males only) (see below).

Also, a Dislocated Worker has to fit in one of the following five categories:

- Terminated/Laid Off; Eligible for UC and Unlikely to Return
- Permanent Closure/Substantial Layoff
- General Announcement of Employer Closure
- Formerly Self-Employed/Currently Unemployed
- Displaced Homemaker

WIOA Youth Eligibility Requirements

Youth must meet basic eligibility requirements to participate in the WIOA Youth Program. Both in-school and out-of-school youth must meet the following eligibility requirements:

Be a citizen or noncitizen authorized to work in the U.S.; and
Meet selective service registration requirements (males only if applicable) (see below)

Additional eligibility requirements for In-School Youth include:

- An individual who is between 14 and 21 years of age;
- An individual who is attending school, including secondary and post-secondary school (as defined by state law);
- A low-income individual (see Definition of Key Terms section); and
- One or more of the following:
 - Basic skills deficient;
 - An English language learner;

- An offender; A homeless individual, a runaway, an individual in foster care, or an individual who has aged out of the foster care system;
- Pregnant or parenting;
- A youth who is an individual with a disability;
- An individual who requires additional assistance to complete an educational program or to secure or hold employment (See above for definition). *No more than 5% of ISY served in a program year may be deemed eligible based on this criterion.*

Additional eligibility requirements for Out-of-School Youth include:

- An individual who is not attending any school (including secondary or post-secondary);
- An individual between the ages of 16 and 24 years of age; and
- One or more of the following:
 - A school dropout;
 - A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
 - A recipient of a secondary school diploma or its equivalent who is a low-income individual and is--
 - Basic skills deficient; or
 - An English language learner.
 - An individual who is subject to the juvenile or adult juvenile justice system;
 - A homeless individual, a runaway, an individual in foster care, or an individual who has aged out of the foster care system;
 - An individual who is pregnant or parenting;
 - A youth who is an individual with a disability;
 - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (see above for definition).

An eligible in-school youth or an out-of-school youth who have their high school diploma or GED/high school equivalency and are basic skills deficient or an English language learner must also meet low-income definition (WIOA Section 3, 36).

Youth 5% Exception

Up to 5% of youth registered may be classified as not low income but meet the other requirements. This eligibility exception rule applies to all ISY, but only to those OSY who are only basic skills deficient; an English Language Learner; and/or requires additional assistance to enter or complete an educational program or to secure and hold employment; and are not low income. Requests to enroll youth who are not low-income must be approved by the NWPA Job Connect Board.

Primary Eligibility Review

It is the subrecipient's responsibility to review and sign off on all registration paperwork for completeness and accuracy. The subrecipient must maintain a centrally controlled file for each program applicant and registrant which contains documents they do not upload in CWDS. The

subrecipient will provide federal, state, and NWSA Job Connect monitors with access to such records given reasonable notice.

Acceptable documentation to verify eligibility can be found in the WIOA Data Element and Acceptable Eligibility Verification Guide, as well as the PA Data Validation Guide found in the Help section of CWDS. To ensure a quick and seamless experience, the subrecipient should focus on the documents needed for WIOA eligibility first. If different items need to be obtained for Data Validation, those can be collected while the participant is receiving WIOA services.

Secondary Eligibility Review

The NWSA WDB requires a documented secondary staff review of eligibility determination for all WIOA participants by the subrecipient. Appropriate data must be entered into the system of record (CWDS) by program services contractor staff for tracking participants' registration and eligibility. The secondary eligibility review must be documented in a case note in CWDS and a paper copy kept in the participant file.

Self-Certification

Self-certification is allowed to verify eligibility items requiring documentation that, in rare cases, may cause undue hardship for applicants to obtain, particularly those with barriers to employment. Except for OSY, the use of self-certification must be limited and only available as a last resort after all other sources of eligibility verification are exhausted. The following criteria elements are allowed to be self-certified: Date of Birth (Adult, Dislocated Worker, Youth)

- Disability (Adult, Dislocated Worker, Youth)
- Eligible Veteran (Adult and Dislocated Worker) (Cannot be used to determine Veteran Priority of Service)
- Long-Term Unemployed (Adult and Dislocated Worker)
- School Status (Adult, Dislocated Worker, Youth)
- Date of Actual Dislocation (Adult and Dislocated Worker)
- Pregnant/Parenting Youth
- Youth Requires Additional Assistance
- Foster Care Youth Status (Adult, Dislocated Worker, Youth)
- Homeless or Runaway Youth (Adult, Dislocated Worker, Youth)
- Ex-Offender (Adult, Dislocated Worker, Youth)
- Low-Income (Adult, Dislocated Worker, Youth)
- English Language Learner (Adult, Dislocated Worker, Youth)
- Single Parent (Adult, Dislocated Worker, Youth)
- Displaced Homemaker (Adult, Dislocated Worker)
- Eligible Migrant and Seasonal Farmworker Status (Adult, Dislocated Worker)
- Rapid Response (Dislocated Worker)
- Unemployment Compensation- (Adult and Dislocated Worker) (ONLY if person exhausted the benefits and not referred to RESEA)

Basic Skills Deficient may not be self-certified under any program, as there are specific definitions and guidelines regarding this barrier.

Program service contractors are encouraged to use telephone verification prior to self-attestation for Adult, Dislocated Worker, and Youth populations where possible. Telephone verification

involves verification of eligibility criteria through phone calls with recognized governmental or social services agencies. Information obtained through this method must be documented on the telephone verification form found in the CWDS Help section and uploaded into CWDS. The document may be saved in the participant file.

Self-Attestation

Self-attestation (also referred to as an applicant statement) occurs when an individual states his or her status for a particular data element, such as “runaway youth,” and then signs and dates a form acknowledging this status. The key elements for self-attestation are:

- (a) The individual identifying his or her status for permitted elements; and
- (b) Signing and dating a form attesting to this self-identification

Random Sampling Methodology

To verify applicant self-certification usage and to monitor self-attestations, NWPA Job Connect will adopt a random sampling methodology. The methodology will verify eligibility in self-attested applications and will be implemented for all Title I programs.

Based on previous experience, NWPA Job Connect estimates that less than 1% of participants report incorrect information when self-attesting on application forms. To ensure the validity of self-attested data, NWPA Job Connect will use a 90% confidence interval and 5% margin of error. A random sample of the population using self-attestation will be selected to verify if the information those individuals reported is correct. The size of the sample depends on the size of the population and is outlined below. Population will be measured by funding stream (e.g., all OSY) and not by individual provider. NWPA Job Connect staff will request a sampling of self-attested items from Title I based on the sampling size listed below. Title I may need to reach out to the participants for additional information to verify the self-attested items. This monitoring will be done once per program year.

Population Size	Random Sample Size
25	8
50	9
75	9
100	10
200	10
300	10
400	10
500	14
750	20
1000	26

If more than 10% of examined participants are found to be ineligible, NWPA WDB will take corrective action, including providing technical assistance to program services contractors using self-certification as a form of eligibility.

Selective Service Requirements

Every male citizen and male permanent resident noncitizen in the United States between the ages of 18 and 26 are required to register with Selective Service. Males who failed to register with

Selective Service by their 26th birthday and can provide written explanation and supporting documentation of any of the following may be eligible for WIOA services:

Over the age of 26 and were willing but unknowing of the requirement to register with Selective Service; Incarceration, institutionalization, or hospitalization between the ages of 18-26; or Noncitizen status and nonpermanent resident status before age 26.

NWPA Job Connect Board staff will monitor Selective Service exceptions to ensure that proper procedures are followed.

REFERENCES

WIOA Section 3(2), (5), (15), (16), (36)

WIOA Section 129(a)(1)(B) and (C)

Workforce System Guidance No 04-2015 (Change 1) and revised policy dated April 8, 2024

PA WIOA Common Measures Data Validation Guide

WIOA Data Element and Acceptable Eligibility Verification

20 CFR §681.250

TEGL No. 10-23

HISTORY

Name	Date	Rev. Level	Description of Change	Effective Date
Deb O'Neil	03/13/2017	A	New policy per state	08/11/2017
Susan Richmond	4/12/2022	B	Update language to include DWG	04/18/2022
Susan Richmond	06/01/2023	C	Updated Self Certification Section based on updated state guidance. Changed WDB to NWPA Job Connect; added references	07/14/2023
Susan Richmond	02/26/2024	D	Updated to cover reduction in administrative barriers and clean up some errors; added definition for an individual with a disability	05/10/2024