

Northwest Workforce Council

POLICY AND PROCEDURE DIRECTIVE

EFFECTIVE DATE: July 1, 2015

SUBJECT: Eligibility Verification and Priority Selection for Title I-B Young Adults (Youth)

REFERENCE #: WIOA 01-15 (Rev. 5 October 23, 2018)

Introduction:

The Northwest Workforce Council (NWC) provides Young Adult (youth) services to those individuals who meet the program and eligibility requirements of the Workforce Innovation and Opportunity Act (WIOA). WIOA eligibility is distinguished by different eligibility requirements for those individuals In-School and those individuals Out-of-School.

Eligibility Requirements:

In-School

Individuals must meet the following eligibility guidelines for the in-school program:

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Attending school as defined by state law;
- Age 14 through 21;
- Selective Service Registration (males 18 or older and born on or after January 1, 1960), unless an exception is justified (see NWC Policy 01-12 for guidance).
- Low income individual
 - (A) Receives, or is a member of a family, that receives cash payments under a federal, state, or local income-based public assistance program;
 - (B) Eligible for or receiving free and reduced lunch;
 - (C) Received an income, or is a member of a family that received a total allowable family income, for the six-months prior to application for the program involved, that in relation to family size does not exceed the higher of: 1) The poverty level for an equivalent period; or 2) Seventy percent (70%) of the lower living standard income level, for an equivalent period (reference NWC Income Guidelines and Includable and Excludable Income);
 - (C) Is a member of a household that receives (or has been determined within the six-month period prior to application for the program involved to be eligible to receive) food stamps;
 - (D) Qualifies as a homeless individual;
 - (E) Is a foster child on behalf of whom state or local government payments are made; OR
 - (F) Is an individual with a disability whose own income meets the requirements with consideration to only his or her own income, but who is a member of a family whose income does not meet such requirements.

AND

- One or more of the following:

Category 1	Basic skills deficient
Category 2	An English language learner
Category 3	An offender

Category 4	A homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth (as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)), a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or in an out of home placement
Category 5	Pregnant or parenting (Providing custodial care for one or more dependents under the age of 18)
Category 6	A youth who is an individual with a disability
Category 7 (No more than 5% of total in-school youth participants)	An individual who requires additional assistance to complete an educational program or to secure or hold employment: <ol style="list-style-type: none"> 1. An individual who is at risk of dropping out of school as identified by school staff. 2. An individual who is at risk of dropping out of school as identified by NWC staff based on one of the following barriers: living in a household where one member has substance use issues, living in a household where one member is affected by domestic violence, living in a household that has exhausted TANF. 3. The individual is attending a post-secondary school, vocational school, but need assistance meeting the prerequisites (e.g. pre-college math) for the vocational program.

Out-of-School

Individuals must meet the following guidelines to be eligible for the Out-of-School program:

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Not attending school as defined by state law. This includes individuals:
 - With a high school diploma or equivalent, but not in post-secondary education;
 - Participating in a GED or high school completion program (but not in an alternative school);
 - Participating in the state’s dropout reengagement program authorized under [RCW 28A.175.100](#) for youth ages 16 to 21 who have dropped out of high school or are not accumulating sufficient credits to reasonably complete a high school diploma in a public school before the age of 21 and are unlikely to re-engage in education by re-enrolling in a traditional or even alternative high school;
 - Age 16 to 17 who have not attended school the most recent (entire) calendar quarter.
- Age 16 through 24;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Section 5.2 for guidance on Selective Service registration);

AND

- One or more of the following:

Category 1	A school dropout - individual no longer attending any school, including those participating in ABE, GED, or state approved drop out re-engagement programs, and has not received a secondary diploma or its equivalent.
Category 2	A youth who is within the age of compulsory school attendance (16 & 17 years old), but has not attended school for at least the most recent complete school year calendar quarter or trimester.
Category 3	A recipient of a secondary school diploma or its recognized equivalent who is a <u>low-income</u> individual <u>and</u> is basic skills deficient <u>or</u> an English language learner

Category 4	An individual who is subject to the juvenile or adult justice system (arrested or convicted)
Category 5	A homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth (as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)), a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or in an out of home placement
Category 6	Pregnant or parenting (Providing custodial care for one or more dependents under the age of 18)
Category 7	A youth who is an individual with a disability
Category 8	A low-income individual who requires additional assistance to enter an educational program or to secure or hold employment: <ol style="list-style-type: none"> 1. The individual has no work history or an insignificant work history. Insignificant work history is defined as the individual has not held a job for more than three (3) months or the individual has recently been fired from a job. 2. The individual needs the prerequisites to enter an appropriate occupational training program.

Priority of Services

The Council has developed the following priorities directing young adult program services to Veterans and other individuals in need of services under the WIOA Title I-B Young Adult (youth) Program.

1. Youth who are Veterans and other covered person (Washington State WIOA System Policy 1009, Rev. 1 and TEG20-09- Priority of Services for Veterans and Spouses).

According to 20 CFR 680.120, 680.130, and 680.210, the above priority requirements do not necessarily mean that only veterans and other covered persons can receive WIOA youth funded career and training services. Other eligible individuals may be served after first serving eligible individuals who meet the established priority selection criteria.

Other Exceptions and Related Requirements

Exemption from low-income requirement. In any single program year, no more than 5 percent (5%) of a local area’s total youth participants can be those who have a low income eligibility requirement (in-school youth category 7 or out-of-school youth in Category 3 or 8), but are not low income. [WIOA Section 129(a)(3)(A)(ii) and proposed 20 CFR 681.250]

Limitation on in-school youth requiring additional assistance. In any single program year, no more than 5 percent (5%) of a local area’s total in-school youth participants can be those who require additional assistance to complete an educational program or to secure or hold employment (Category 7). [WIOA Section 129(a)(3)(B)]

At least 75% of the local area’s total youth funding allocation must be used to provide activities to out of school youth (WIOA Sec. 129c(4)(A).

Program and Eligibility Documentation Requirements

The Northwest Workforce Council is responsible for establishing minimum eligibility verification requirements and maintaining adequate documentation of eligibility to ensure the creditability of the eligibility determination.

Adequate documentation includes a completed application for each applicant and copies of documents to determine eligibility.

The Council determines the specific income verification requirements and what is included or excluded as income. These guidelines can be found on Attachment C to this policy.

The Eligibility Verification and Documentation requirements for the Young Adult WIOA program are found at Attachments A and B to this policy.

Use of Self-Attestation

The NWC is committed to conducting quality eligibility determinations. Whenever possible and within a reasonable effort, the NWC's preferred method for verifying eligibility is to secure copies of original or verifying documents that establish that the individual meets required eligibility criteria.

The NWC recognizes under certain circumstances that original or verifying documents may not be available or cannot be accessed within a reasonable time period. The NWC has identified in Attachment A (Acceptable Documents for Eligibility Determination) of this eligibility determination policy those circumstances where self-attestation may be used locally to verify eligibility. In some situations, the NWC may have required an additional step when using self-attestation. An example of this is requiring, in addition to the self-attestation statement from the applicant, a corroborating statement from an individual that has direct knowledge of the applicant's circumstances.

Based on Federal and State laws and regulations there are specific criteria that must be verified through identified verifying documentation. These include age, selective service registration, low income, and basic skills deficiency.

Attachment A: Acceptable Documentation for Determining Young Adult (youth) Eligibility for WIOA

Eligibility Criteria WIOA Young Adult Services	Conditions	Commonly Used Documentation – WDC Policy may allow for other acceptable documentation
a. Age	14 through 24 years of age as of the date the MIS registration is signed by the applicant MIS registration can either be on line or field application/ registration.	<ul style="list-style-type: none"> ▪ Birth Certificate or hospital record of birth ▪ Driver’s License or DMV Identification ▪ Baptismal Certificate ▪ DD Form 214 (Report of Transfer or Discharge) ▪ Alien Registration Card ▪ Food Stamp Records or Medical Coupons ▪ School enrollment documents ▪ Naturalization Certificate ▪ Public Assistance Records ▪ US Passport ▪ Native American Tribal Document(s)
b. Citizenship or eligible non-citizen	Legally entitled to employment within the U.S. and territories.	<ul style="list-style-type: none"> ▪ Social Security Card ▪ Birth certificate ▪ Any form of documentation as defined by Immigration and Naturalization Service (INS) for work eligibility detailed on Attachment B.
c. Selective Service Registration	<p>Almost all male U.S. citizens, and male aliens living in the U.S., who are 18 through 25, or within 30 days of their 18th birthday, are required to register with Selective Service.</p> <p>This rule applies to applicants who are 18 through 24 years of age or are within 30 days of their 18th birthday at the time of application.</p> <p>When a participant has his 18th birthday while enrolled in WIA, registration for selective service must occur within 30 days of their 18th birthday. All males may register up to 120 days prior to their 18th birthday. (NWC Policy 01-12)</p>	<ul style="list-style-type: none"> ▪ Selective Service Registration Card ▪ Receipt of registration ▪ On-line confirmation or Telephonic verification with Selective Service ▪ DD Form 214 (Report of Transfer or Discharge) ▪ May be waived in accordance with NWC Policy No. 01-12

<p>d. Family Income</p>	<p>To be considered low income, a young adult must meet one or more of the following:</p> <p><i>Low-Income (WIOA Sec. 101(25))</i> <i>Individual includes:</i></p> <ul style="list-style-type: none"> • <i>Public assistance</i> • <i>Income below the Poverty Line http://www.doleta.gov/llsil/ or 70% of Lower Living Standard Income Level, whichever is higher</i> • <i>Food Stamp recipient</i> • <i>Homeless</i> • <i>Foster Child</i> • <i>Person of disability with personal income below poverty/70%</i> <p><i>Low income applicant meets NWC requirements for includable/excludable income. See Attachment B and commonly used documentation column.</i></p> <p>Individuals who are considered “low-income individuals” due to a status may self-attest family income and family size when the specific eligibility status has been documented. These status eligibilities include:</p> <ul style="list-style-type: none"> • a member of a family that receives cash public assistance payments; • a member of a household receiving or eligible to receive food stamps in the previous 6 months; • a member of a household receiving free and reduced lunch; and • foster children 	<ul style="list-style-type: none"> ▪ Pay Stubs ▪ Certificate of State Registered Domestic Partnership (RCW 26,60 and State Policy 1019 and Attachment A, Eligibility Guidelines and Documentation Requirements and Handbook) ▪ Employer Records ▪ Public Assistance Award Letters ▪ Child Support Records ▪ Bank Statements for interest income and Social Security. ▪ Collateral written and telephone contacts with DSHS, ES and previous employers of family members. ▪ For net business receipts: copy of books, or a statement from the accountant for the business; family or business financial records. • W2 and/or Federal Income Tax Return, if applicable. • Award letters from Social Security or a pension plan. • Written confirmation from social service agency verifying foster care status; • Case notes ▪ Self-attestation may be used to document eligibility. If self-attestation is used for an applicant under the legal age of 18, then someone who is 18 or older needs to act as a co-signer. Self-Attesters must be informed that knowingly providing false information will be grounds for immediate exit. ▪ Self-attestation may be allowed to determine low income status for Homeless individuals with an accompanying case note.
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Attachment A: Acceptable Documentation for Determining Young Adult (youth) Eligibility for WIOA		
Documentation for WIOA In School		
Eligibility Criteria WIOA Youth Services	Conditions	Commonly Used Documentation – WDC Policy may allow for other acceptable documentation
g. In-School Young Adult Categories	Category 1 Basic skills deficient	<ul style="list-style-type: none"> Standardized assessment test (CASAS, score below 236) School records
	Category 2 English language learner	<ul style="list-style-type: none"> Standardized assessment test (CASAS) School records Case notes WIOA Self- attestation
	Category 3 Offender	<ul style="list-style-type: none"> Documentation from juvenile or adult criminal justice system Washington State Patrol background check. Documented phone call with court or probation representatives WIOA intake or registration form WIOA Self- attestation
	Category 4 Homeless / runaway youth /foster	<ul style="list-style-type: none"> Written statement from an individual providing residence, shelter, or a social service agency WIOA intake or registration form Case note, Contact with DCFS or Foster parent (name, agency, phone number). **Self-attestation cannot be used to document foster care For homeless/runaway, WIOA Self-attestation with case note
	Category 5 Pregnant or parenting	<ul style="list-style-type: none"> Copy of child’s birth certificate or baptismal record Observation of pregnancy status (supported by a case note) Doctor’s note confirming pregnancy WIOA Self- attestation
	Category 6 Individual with a disability	<ul style="list-style-type: none"> Case note WIOA Self- attestation
	Category 7 At risk of dropping out of school	<ul style="list-style-type: none"> NWC At Risk Young Adult Form Case notes

Attachment B – Lists of Acceptable Documents
for Employment Eligibility Verification

Department of Homeland Security - U.S. Citizenship and Immigration Services
Employment Eligibility Verification
LISTS OF ACCEPTABLE DOCUMENTS

LIST A <i>Documents that establish both identity and employment eligibility</i>	LIST B <i>Documents that establish identity</i>	LIST C <i>Documents that establish employment eligibility</i>
1. U.S. Passport or U.S. Passport Card.	1. Driver's license or ID card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address	1. U.S. Social Security Account Number card issued by the Social Security Administration (<i>other than a card stating it is not valid for employment or only with INS or DHS authorization</i>)
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)	2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address	2. Certification of Birth Abroad issued by the Department of State (<i>Form FS-545 or Form DS-1350</i>)
3. An unexpired foreign passport with a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa.	3. School ID card with a photograph	3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal
4. An unexpired Employment Authorization Document that contains a photograph (Form I-766,)	4. Voter's registration card	4. Native American tribal document
	5. U.S. Military card or draft record	5. U.S. Citizen ID Card (<i>Form I-197</i>)
5. For nonimmigrant alien authorized to work for specific employer: An unexpired foreign passport with an unexpired Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as it has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.	6. Military dependent's ID card	6. ID Card for use of Resident Citizen in the United States (<i>Form I-179</i>)
	7. U.S. Coast Guard Merchant Mariner Card	
	8. Native American tribal document	7. Unexpired employment authorization document issued by DHS (<i>other than those listed under List A</i>)
9. Driver's license issued by a Canadian government authority		

Attachment B – Lists of Acceptable Documents
for Employment Eligibility Verification

LIST A <i>Documents that establish both identity and employment eligibility</i>	LIST B <i>Documents that establish identity</i>	LIST C <i>Documents that establish employment eligibility</i>
<p>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating non-immigrant admission under the Compact of Free Association between the U.S. and the FSM or RMI.</p>	<p>For persons under age 18 who are unable to present a document listed above:</p> <ul style="list-style-type: none"> 10. School record or report card. 11. Clinic, doctor or hospital records. 12. Day care or nursery school record. 	<p>8. Employment authorization document issued by the Department of Homeland Security</p>

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Attachment C

NWC Determination of Includable and Excludable Income

The Northwest Workforce Council is responsible for determining what income is included or excluded when determining if an applicant meets the Workforce Innovation and Opportunity Act (WIOA) definition of low-income. Low income eligibility is based on family size.

Family Size Under WIOA means two or more individuals related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple, and dependent children
- A parent or guardian and dependent children; or
- A married couple.

The Washington State Marriage Equality Act and the State WIOA Policy 1019, Eligibility Guidelines and Documentation Requirements have expanded the definition of a married couple beyond that of a male and female couple.

Applicants, including a disabled individual, may be determined a family of one if certain conditions are met. (Refer to NWC Youth Eligibility Policy 01-15 Revised May 1, 2014 and Adult Eligibility Policy 01-21 Revised May 1, 2014).

Defining Dependent

For the purpose of defining family size for WIOA Title I Young Adults (Youth) Program eligibility, the State has identified three instances, at a minimum, in which a given Young Adult must be considered a dependent. These instances are:

1	Youth not yet 18, who are not emancipated youth nor runaway youth, living “at home” with their parents or legal guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household)
2	Youth age 18-19 who are full-time students in a secondary school or equivalent and are living “at home” with their parents or legal guardians.
3	Youth age 18-24 who are not full-time students and are living “at home” with their parents or legal guardians and who are primarily supported by their parents.

In addition to the above three definitions of a dependent, Young Adults age 18-24 who ***do not live at home*** and are primarily supported by their parents are considered a dependent. The determination of “primarily supported by parents” means the parents provide 50% or more of the individual’s living expenses.

Individuals who do live at home will be considered independent when the individual:

1. Is living independently in the household. “Living independently” means that the parents charge the individual rent and provide only incidental expenses and infrequent meals;
2. Receives SNAP benefits or other welfare payments as an individual;
3. Is living with their own dependent child;
4. Has income from the past six months that was equal to or greater than 30% of the federal poverty level.

Includable Family Income for the local workforce area includes:

- Money wages and salary before any deductions.
- Net Receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expense).
- Net Receipts from farm self-employment (receipts from a farm which one operates as owner, renter, or sharecropper after deductions for farm operating expenses).
- Railroad retirement, strike benefits from union funds, workers' compensation, and training stipends.
- Alimony.
- Military family allotments or other regular support from an absent family member or someone not living in the household.
- Pensions, whether private, government employee (including military retirement pay).
- Regular insurance or annuity payments.
- College or university grants, fellowships, and assistantships (see exclusion for needs-based scholarship assistance).
- Dividends, interests, net rental income, net royalties, periodic receipts from estates or trusts.
- Net gambling or lottery winnings.
- Social security disability income.
- Unemployment Compensation.
- Child support payments, including foster care child payments.
- Regular payments from social security (old-age survivor's insurance).

Attachment C – NWC Determination
of Includable and Excludable Income Continued

Excludable Family Income in the local workforce area excludes:

- Welfare payments (AFDC/TANF, SSI, RCA, GA).
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study. A Stafford and Perkins loan, like any other kind of loan, is debt and not income.
- Financial assistance awarded under the Military Spouse Career Advancement Accounts program.
- Needs-based scholarship assistance.
- Income earned while the Veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and educational assistance.
- Capital gains.
- Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car.
- Tax refunds, gifts, loans, lump sum inheritances, one time insurance payments or other compensation for injury.
- Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, food stamps, school meals, and housing assistance.
- Allowances, earnings, and payments to individuals participating in programs (e.g. OJT) under WIOA