

# WIOA PRIORITY OF SERVICES

This directive is effective on the date of SELACO WDB Board Approval.

## **PURPOSE**

This policy provides guidance and establishes the procedures regarding priority of service for recipients served with *Workforce Innovation and Opportunity Act* (WIOA) adult funds.

## **SCOPE**

This policy applies to all SELACO Staff administering, managing, and implementing WIOA funded programs.

## **REFERENCES**

- *WIOA* (Public Law 113-128) Sections 3 and 134
- *Workforce Development Act* (WIOA) Section 134
- Title 20 *Code of Federal Regulations* (CFR) "WIOA, Notice of Proposed Rule Making" (NPRM), Sections 680.150, 680.600, 680.610, and 680.650

## **POLICY AND PROCEDURES**

### Priority of Service Requirement

As stated in the WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA adult funds, priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation.

Veterans and eligible spouses continue to receive priority of service among all eligible individuals; however, they must meet the WIOA adult program eligibility criteria and meet the criteria under WIOA Section 134(c)(3)(E). As described in TEGl 10-09, when programs are statutorily required to provide priority, such as the WIOA adult program, then priority must be provided in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low income individuals, or individuals who are basic skills deficient.
2. Individuals who are the recipient of public assistance, other low income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Priority Populations established by the Governor and /or SELACO WDB.
5. Other Individuals not included in WIOA's priority groups.

For additional guidance on providing priority of service to veterans through the SELACO WDB AJCC system, please refer to the SELACO WDB Priority of Service for Veterans and Eligible Spouses Policy.

### **Definitions**

For purposes of this directive, the following definitions apply:

*Basic Skills Deficient:* An individual that 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. ***Criteria used to determine whether an individual is basic skills deficient includes the following:***

- ***Enrolled in a Title II Adult Education/Literacy program.***
- ***English, reading, writing, or computing skills at an 8.9 or below grade level.***
- ***Determined to be Limited English Skills proficient through staff-documented observations.***
- ***Lacks a high school diploma or high school equivalency and is not enrolled in post- secondary education***

*Case Notes:* Paper or electronic statements by the case manager that identifies, at a minimum,

(1) a participant's status for a specific data element, (2) the date on which the information was obtained, and (3) the case manager who obtained the information. If case notes are used as a documentation source, the case notes must provide an auditable trail back to the source of information verified. The case manager does not need to keep a hard copy of the information verified in the participant's case file.

*Low-Income:* An individual that meets one of the four criteria below:

1. Receives, or in the past six months has received, or is a member of a family that is receiving, or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance For Needy Families (TANF),

program supplemental security income program, or state or local income-based public assistance.

2. In a family with total family income that does not exceed the higher of the following:
  - a. The poverty line.
  - b. 70 percent of the Lower Living Standard Income Level.
3. A homeless individual.
4. An individual with a disability whose own income does not exceed the income requirement, but is a member of a family whose total income does.

*Public Assistance Recipient:* An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

*Self-Attestation:* When a participant states his or her status for a particular data element, such as low income, and then signs and dates a form acknowledging this status. The key elements for self-attestation are (1) the participant identifying his or her status for permitted elements, and (2) signing and dating a form attesting to this self-identification. The form and signature can be on paper or in the Local Area management information system, with an electronic signature. Self-attestation is not to be used as the primary method of gathering documentation to verify data elements. Self-attestation as a documentation source is only to be used when the preferred options of paper documentation or third party corroboration are not available.

For purposes of allowable self-attestation documentation, follow the procedures established in the SELACO WDB ***General Eligibility Determination and Documentation Policy and Procedure***.

#### **Forms**

- Priority of Service Criteria and Acceptable Documentation Chart