

WORKFORCE INNOVATION AND OPPORTUNITY ACT
YOUNG ADULT ELIGIBILITY CRITERIA, GLOSSARY, AND DOCUMENTATION CHECKLIST
All Workforce Innovation and Opportunity Act and Other New or Revised Items are
Highlighted in Yellow
ALL JUNE 2016 REVISIONS ARE HIGHLIGHTED IN GREEN
ALL OCTOBER 2016 (CHANGE 2) REVISIONS HIGHLIGHTED IN BLUE

Documentation verifying the eligibility of participants of the Workforce Innovation and Opportunity Act (WIOA) is mandatory. Eligibility determination shall be made prior to enrollment in WIOA and receipt of any framework or program element services. Each program shall provide employment and training opportunities to those who may benefit from these career services and to those who are most in need of such opportunities. This determination is required as WIOA is not an entitlement program.

Veterans and eligible spouses covered by Public Law 107-288 (Jobs for Veterans Act), who otherwise meet the eligibility requirements for enrollment, are to be given priority over non-veterans for the receipt of employment, training, and placement services provided under the WIOA program. Additionally, citizenship or legal immigration status must be determined prior to provision of program services to individuals 18 years of age or older per Colorado HB1023.

The following eligibility elements must be documented for each applicant. For additional guidance, refer to the comprehensive checklist of allowable forms of eligibility documentation contained in this attachment. All photocopies of documentation kept on file must be legible.

1. **Citizenship/Eligible to Work:** Participation shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States. **Exception:** Per TEG 09-12 (see [Attachment 9](#)), operators may not deny WIOA-funded services to victims of severe forms of human trafficking based on their immigration status.

Note: If a Social Security number is being used to document **citizenship in conjunction with a driver's license**, or if the participant is being entered into a paid work experience activity, the original signed card needs to be presented along with a picture ID. Both documents should be copied so that signatures and Social Security numbers are legible. If the Social Security number is simply being used as the unique identifier in Connecting Colorado, the number does not need to be verified. If the client prefers not to provide a Social Security number, a pseudo number can be created for use in Connecting Colorado. A picture ID is not required as long as other appropriate documents are available to document eligibility. WIOA can pay for a picture ID as a supportive service if the client is enrolled in the program. (Additional types of documentation that can be used to demonstrate citizenship are listed in the Documentation Checklist.)

2. **Selective Service/Military Status:** All participants shall be in compliance with the Selective Service Act requirements. All males who are at least 18 years old and born after December 31, 1959 and who are not in the armed services on active duty shall be registered.

3. **Age at enrollment must be 18 or older; AND**

4. **Lawful Presence** - Applicants shall also prove lawful presence in the United States in accordance with the Colorado Revised Statutes 24-76.5. They shall possess one of the acceptable forms of identification (ID) listed in the Documentation Checklist below, and complete the Affidavit of Immigration Status form, for all applicants 18 years and older. If the applicant does not possess one of the forms of ID listed and does not provide the requested information, application to the program must be denied.

Note: Deferred Action for Childhood Arrivals (DACA) participants may not possess a lawful presence document, and also may have been issued a driver's license or ID not valid for public benefits. USDOL TEGL 02-14 requires that we serve these individuals even though they will not be able to demonstrate lawful presence. As a result, an Affidavit of Immigration is not required for eligibility.

In addition to the criteria above, staff making eligibility determinations must verify that the applicant qualifies as either an out-of-school young adult or an in-school young adult, as follows:

OUT-OF-SCHOOL YOUNG ADULT: An individual is an out-of-school young adult if they are:

- A. **Not attending any school** (as defined under State law) - **must meet one of the following:**
1. **Colorado Department of Education (CDE) Post - Secondary Out-of-School Definition:** Out-of-school means young adults up through age 21, who are entitled to a free public education in the State but are not currently enrolled in a K-12 institution. This could include students who have dropped out of school, young adults who are working on a GED outside of a K-12 institution, and
 2. **CDLE Post-Secondary Out-of-School Definition:** To be considered out-of-school, a youth must not be enrolled in any post-secondary classes, whether remedial or regular.
 3. **Additional Out-of-School Categories:**
 - a. **Adult Basic Education:** WIOA young adult programs may consider a young adult to be out-of-school young adult for purposes of WIOA young adult program eligibility if they are attending Adult Education provided under title II of WIOA, YouthBuild, or Job Corps.
 - b. **SWAP:** Young adults participating in the School to Work Alliance Program, **who are no longer enrolled in secondary school**, would be considered out-of-school. These individuals may have dropped out, aged out at 21, or obtained their diploma or certificate of completion.
 - c. **GED, HiSET, or TASC Classes:** Youth enrolled in GED, HiSET or TASC prep classes outside of the K-12 system would be considered out-of-school.
 - d. **Dropout Reengagement Program:** Youth enrolled in one of these programs would be considered out-of-school.
 - e. **Transition Program:** Youth enrolled in one of these programs would be considered out-of-school.

Note Regarding School Activities During Participation: An individual who is out-of-school at the time of enrollment and subsequently placed in a school program during participation may still be considered an out-of-school young adult.

- B. **Age:** Not younger than age 16 or older than age 24 at the time of enrollment; **AND**
- C. **Must meet one or more of the following:**
1. **A school dropout** (an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent). There is no time limit regarding this requirement; example: a 22 year old young adult who dropped out of high school several years ago, has no diploma or GED, and also is currently not attending any school. **Dropout status is determined at enrollment and does not change with any education activities that occur during participation.**

Note Regarding Alternative Schools: Per WIOA, a young adult attending an alternative school at the time of enrollment is **not** considered to be a dropout; and, therefore would **not** be considered out-of-school.

2. **Not Attending Secondary School:** A young adult 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 (three consecutive months within a single complete school year and not split between 2 school years).

Note Regarding Colorado Compulsory School Attendance Age:

- In General: A child who has attained the age of six years on or before August 1 of each year and is under the age of seventeen (17) years
 - Home-Schooled: A child who is home-school is covered under the Compulsory School Attendance Act up to age sixteen (16).
3. A recipient of a secondary school diploma or its recognized equivalent who is a **low-income** individual and is—
 - i. basic skills deficient; or
 - ii. an English language learner;
 4. **Offender:** An individual who is subject to the juvenile or adult justice system;
 5. **A homeless/Runaway individual:** ~~(as defined in section 1403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or young adult (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 the 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; A homeless individual (as defined in section 1403(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))), or a runaway~~
 6. **Foster Care:** In foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), in an out-of-home placement, or an individual who has attained 16 years of age and left foster care for kinship guardianship or adoption
 7. **Pregnant or parenting,** including those who are married and custodial or non-custodial parents
 8. **Disabled:** A young adult who is an individual with a disability;
 9. **Low-income** individual who **requires additional assistance** to enter or complete an educational program or to secure or hold employment.

Note Regarding Low Income: Low income is not required for all out-of-school young adults; low income is only required if category 3 or 8 above is used for eligibility.

IN-SCHOOL YOUNG ADULT: An individual is an in-school young adult if they are:

- A. **Attending school** (as defined by State law) – **must meet one of the following:**
 1. **CDE In-School Definition:** Young adults up through age 21, who are entitled to a free public education in the State and are currently enrolled in a K-12 institution, or meet one of the following exceptions to compulsory school attendance:
 - a. Home-schooled (consisting of at least 172 hours of class time per year, averaging 4 hours per day, with course transcripts developed)
 - b. Completing an on-line high school curriculum (consisting of at least 90 hours of class time per semester)
 - c. Attending a private secondary school
 - CDLE Post-Secondary In-School Definition:** Under the WIOA youth program eligibility requirements the term "school" refers to both secondary and postsecondary school. Therefore, an individual attending any class at a postsecondary school is considered an in-school youth.
 2. **Attending an alternative education program:** (per WIOA definition that an individual attending an alternative education program is not considered to be a dropout and is in-school.)
 3. Attending GED, HiSET, or TASC Classes offered by the K-12 system – such individual would be considered in-school
 4. **SWAP:** Young adults participating in the School to Work Alliance Program, **who are still enrolled in secondary school**, up to age 21, would be considered in-school.

5. **Transition Programs:** Young adults that are in transition programs (“receiving 18-21 services”) are considered in-school. They are still obtaining Free Appropriate Public Education, until the age of 21, or until their exit prior to age 21.
- B. **Age:** Not younger than age 14 or not older than age 21: **AND**
- C. **Low income** individual; **AND**
- D. **Must meet one or more of the following:**
1. **Basic skills deficient;**
 2. **An English language learner;**
 3. **An offender;**
 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 young adult (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)) or a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or an out-of-home placement;
 5. **Foster Care:** In foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), an out-of-home placement, or an individual who has attained 16 years of age and left foster care for kinship guardianship or adoption
 6. **Pregnant or parenting** – includes married, and custodial or non-custodial parents
 7. **Disabled:** A young adult who is an individual with a disability. (For an individual with a disability, income level for eligibility purposes is based on the individual’s own income rather than his or her family’s income. WIOA sec. 3(36)(A)(vi) states that an individual with a disability whose own income meets the low-income definition (income that does not exceed the higher of the poverty line or 70 percent of the lower living standard income level), but who is a member of a family whose income exceeds this income requirement is eligible for young adult services.); or
 8. An individual who **requires additional assistance** to complete an educational program or to secure or hold employment.

IN-SCHOOL LIMITATION: Not more than 5% of in-school young adults newly enrolled each program year may be young adults “who require additional assistance to complete an educational program or to secure or hold employment.”

LOW INCOME EXCEPTION: WIOA allows a low-income exception where 5% of all WIOA young adult participants may be participants who ordinarily would be required to be low-income for eligibility purposes and who meet all other eligibility criteria for WIOA young adult except the low-income criteria. The 5% may be out-of-school young adults under categories 3 or 8, in-school young adults, or a combination of both, not to exceed 5% of all newly enrolled WIOA young adult participants each program year.

Note Regarding Co-enrollment: Individuals ages 18 through 24 may be eligible for the adult and/or dislocated worker and young adult programs if they meet the respective eligibility requirements for each program, and may be co-enrolled.

GLOSSARY

Local program staff making eligibility determinations for the young adult program should make use of the following definitions:

APPLICANT: An individual who applies to a WIOA Grant recipient or sub-recipient for employment, training and/or services provided under WIOA.

BASIC SKILLS DEFICIENT: Is an individual

- a. Who is a young adult, who has English reading, writing, or computing skills at or below the 8th grade level, **no higher than 8.9** on a generally accepted standardized test; or,
- b. Who is a young adult 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. **This may also include lack of computer literacy.**

Note on Standardized Tests: When using formal assessment tests to determine basic skills deficient, local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. In addition, if a standardized test is used to assess basic skills, the test should include reading, writing, or computing skills. Lacking soft skills or specific skills needed for a particular job may not be used to assess otherwise high-functioning individuals as basic skills deficient. As a result, tests such as Prove-It are not appropriate for determining basic skills deficient or computer literacy as they are focused on occupational skills rather than basic skills.

CITIZENSHIP: Designation of an applicant as a citizen of the United States or a lawfully admitted permanent resident alien, lawfully admitted refugee or parolee, and other individuals authorized by the Attorney General to work in the United States. If the applicant indicates that he/she is not a citizen or an "eligible non-citizen," the applicant is ineligible for WIOA. (Per state statute, an Affidavit of Immigration Status shall be completed along with every WIOA application for applicants 18 years or older, effective August 1, 2006).

CONCURRENT ENROLLMENT: Young adults may participate in both the young adult and adult or dislocated worker programs concurrently if they are: 1) Eligible young adults who are 18 through 24 years of age; and 2) are also eligible under the adult or dislocated worker eligibility criteria applicable to the services received. Arapahoe/Douglas Works! shall identify and track the funding streams that pay the costs of services provided under each program and will ensure that services are not duplicated.

ENGLISH LANGUAGE LEARNER: The term "English language learner" means an individual who has limited ability in reading, writing, speaking, or comprehending the English language; and,

- a. Whose native language is a language other than English; or,
- b. Who lives in a family or community environment where a language other than English is the dominant language.

FAMILY: Two or more persons related by blood, marriage (**common law or ceremonial**), or civil union, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- a. **A married couple and dependent children**
- b. A parent or guardian and dependent children
- c. **A married couple, meaning:**
 - A husband and wife; or
 - Two individuals of the same sex, who are legally married, or in a civil union, and their dependent children

DEPENDENT CHILD: A child, related by blood, marriage, or decree of court, living in a single residence with his/her parent(s) or guardian. **When determining up to what age an out-of-school young adult could be considered a dependent child of a parent or guardian, the IRS definition of dependent will be used.**

GUARDIAN: An individual related by blood, marriage, or decree of court, living in a single residence, where the parents are not present in the residence.

LIVING IN A SINGLE RESIDENCE

- a. Temporary, voluntary residence elsewhere – an individual is included in a single residence if they are temporarily and voluntarily living outside of the residence. This may include individuals attending school or college, or visiting relatives. It does not include involuntary temporary residence elsewhere (i.e., incarceration or placement as a result of a court order).

Note: If a college student is not claimed as a dependent on anyone else’s tax return, they are NOT a dependent child.

- b. Temporary, involuntary residence elsewhere – an individual is NOT included in a single residence if they are temporarily and involuntarily living outside of the residence. This may include individuals who are incarcerated or placed as a result of a court order.

Note: A person not meeting the definition of family is considered to be an individual (family of one). Individuals ordinarily included in the definition of family, but no longer claiming to be dependent shall complete an applicant statement attesting to individual status. Such statements should be corroborated by the head of household in which the individual resides. (S)He shall also show source of his/her support. The individual shall provide over 50% of his/her support to be considered a family of one. Income tax records are also a good source of documentation to support that the young adult is not claimed by the parents. Young adults aged 18 years and more, see “Individual” definition.

FAMILY INCOME: Family income includes total 6 months cash receipts before taxes (i.e. gross wages) from all sources as defined in “Family” above, except:

If the applicant reports little or no includable income, s/he shall indicate other resources relied upon for life support during the last six months on the Applicant Statement. Such resources may include such things as unpaid debts, gifts, loans, unemployment compensation, etc.

Additionally, when a Federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for and the level of benefits received under any other federal statute, such income or payments shall be excluded in WIOA eligibility determinations.

FOSTER CHILD: A young adult 14-18 years of age on whose state or local government payments (excluding OASI) are made. This may include young adults who have been made a ward of the state by a court, including those in the following categories:

- a. Young adult in State institutions;
- b. Young adult in Community Group Homes
- c. Young adult in Foster Homes

HIGH POVERTY AREA: A young adult who lives in a high poverty area is automatically considered to be a low-income individual. A high-poverty area is a Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-Year data. See [Attachment 14](#) for instructions regarding accessing and using this map to determine young adult program low income eligibility.

HOMELESS PERSON: An individual who lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodation (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (B) an institution that provides a temporary residence for individuals

intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

EXCLUSION: The term “homeless” or “homeless individual” does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State law.

A homeless individual who meets the above criteria is presumed to be low income for purposes of eligibility under the WIOA unless demonstrated otherwise. ***Refer to the Steward B. McKinney Assistance Act (PL100-77).

INCOME (Includable):

- i. Money wages and salaries (gross wages) before any deductions;
- ii. Net receipts from non-farm self-employment (receipts from a person’s own unincorporated business, professional enterprise, or partnership after deductions for business expense);
- iii. Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- iv. Regular payments from Social Security, including SSDI, railroad retirement, strike benefits from union funds, worker’s compensation, training stipends, and **death benefits**;
- v. Alimony;
- vi. Military family allotments (including Hazardous Duty Incentive Pay) or other regular support from an absent family member or someone not living in the household;
- vii. Pensions (retirements) whether private, government employee (including military retirement pay);
- viii. Regular insurance or annuity payments;
- ix. College or university grants, fellowships and assistantships;
- x. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts;
- xi. Net gambling or lottery winnings.

INCOME (Excludable):

- i. Unemployment compensation;
- ii. Child support payments, including foster care child payments;
- iii. Welfare payments (including Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Refugee Cash Assistance (RCA). (Note: General Assistance (GA) became obsolete with welfare reform, therefore is not an eligible category);
- iv. Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Education Opportunity Grants and Federal Work Study. PLUS, Stafford and Perkins loans like any other kind of loan are debt and not income;
- v. Needs-based scholarship assistance; state & private grant aid;
- vi. Income earned while the veteran was on active military duty and certain other veteran’s benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance;
- vii. Capital gains;
- viii. Assets drawn down as withdrawals from a bank, the sale of property, a house or a car;
- ix. Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
- x. Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, USDA Food Stamps, school meals, and housing assistance;
- xi. ALL WIOA payments, excluding on-the-job training.

INDIVIDUAL – (Family of one) – A person not meeting the definition of family is considered to be an individual. Young adults aged 18 years and older living with parents or other family member(s) shall document individual status by completing the Applicant Statement form verifying that status.

INDIVIDUAL WITH A DISABILITY – The term “individual with a disability” means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), as follows:

1. **Disability:** The term “disability” means, with respect to an individual—
 - a. a physical or mental impairment that substantially limits one or more major life activities of such individual;
 - b. a record of such an impairment; or
 - c. being regarded as having such an impairment (as described in paragraph (3)). (2)
2. **Major life activities**
 - a. **In general:** For purposes of paragraph (1), major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
 - b. **Major bodily functions:** For purposes of paragraph (1), a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
3. **Regarded as having such an impairment:** For purposes of paragraph (1)(C):
 - a. An individual meets the requirement of “being regarded as having such an impairment” if the individual establishes that he or she has been subjected to an action prohibited under this chapter 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.
 - b. Paragraph (1)(C) shall not apply to impairments that are transitory & minor. A transitory impairment has an actual or expected duration of 6 months or less.

(For use as one of the barriers of young adult not meeting the income eligibility test who may be served under the 5% category.) Any individual who has a physical or mental disability, which for such individual, constitutes or results in a substantial handicap to employment. Suggested definition for substantial disability to employment – a loss of occupational choice of a class or group of jobs due to the disability, i.e., significant diminishment of occupational choices.

An Individual with a Disability may be eligible based on the family of one income guideline. Connecting Colorado data entry shall still include the accurate dollar amounts for individual 6 month and (estimated) family 6 month as well as the accurate number of family members. Do **not** leave the family 6 month income field blank and do not enter 01 for number in family unless the Individual with a Disability meets the criteria of an “Individual” as shown above. Connecting Colorado will use the fields necessary to figure the individual income for the Individual with a Disability.

LOW-INCOME INDIVIDUAL:

- A. The term “low-income individual” means an individual who
1. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income- based public assistance;
 2. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received LEAP, Section 8 Housing, or CCAP (Child Care Assistance Program) payments;

3. Is in a family with total family income that does not exceed the higher of
 - a. the poverty line; or,
 - b. 70 percent of the lower living standard income level;
4. Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or young adult (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
5. **Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.). (The Community/School/School District Eligibility Provision of the Act may not be utilized; only the individual eligibility provision may be used.)**
6. Is a foster child on behalf of whom State or local government payments are made; or,
7. Is an individual with a disability whose own income meets the income requirement of #2, but who is a member of a family whose income does not meet this requirement.
8. **SPECIAL RULE: The term "low-income," used with respect to an individual, also includes a young adult living in a high-poverty area. See Attachment 14 for instructions regarding accessing and using this map to determine young adult program low income eligibility.**

LOWER LIVING STANDARD INCOME LEVEL: The term "lower living standard income level" means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary of Labor in the Federal Register. (The latest was issued in Federal Register Volume 80, Number 59 (Friday, March 27, 2015, pages 16450-16456 and a correction was issued in July 2015).

NEEDS ADDITIONAL ASSISTANCE: An individual (including a young adult with a disability) who requires additional assistance to enter/complete an educational program or to secure and hold employment. WIOA final rules make a distinction between Needs Additional Assistance for In-School and Out-of-School Young Adults, as follows:

- In-School Young Adult Needs Additional Assistance – requires additional assistance to complete an educational program, or to secure and hold employment
- Out-of-School Young Adult Needs Additional Assistance – requires additional assistance to enter or complete an educational program, or to secure and hold employment

NOTE: Not more than 5% of In-School Young Adults newly enrolled in a given program year may be determined eligible using this category. No such limitation exists for Out-of-School Young Adults.

Because the State has not chosen to issue a policy that defines "additional assistance" as it relates to WIOA Young Adult program eligibility, ADW! has determined its own definition of this eligibility category in addition to delineating what conditions must be met for an in-school young adult or out-of-school young adult to require additional assistance and the requisite documentation. See ADW!'s Young Adult 8th Barrier Policy.

OFFENDER: Any adult or juvenile who is or has been subject to any stage of the criminal justice process for
 ADWB-02-2016 Attachment C: WIOA Eligibility Determination and Documentation - Young Adult, Change 2
 Page 9 of 20

whom services may be beneficial; or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

PARTICIPANT: An individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services) under a program authorized by this Act. Participation shall be deemed to commence on the day the participant receives his first participation service as defined in PGL 12-06-WIA: Data Integrity and the Customer Participation Cycle. Customers receiving self-service or informational activities are not considered to be participants in the WIOA programs. **In addition, in order to be considered a youth program participant and be counted in WIOA performance measures, a youth must have received all of the following:**

- Eligibility Determination
- Objective Assessment
- Individual service strategy
- At least 1 of the 14 youth program elements

POST SECONDARY EDUCATION: A program at an accredited degree-granting institution that leads to an academic degree (e.g., A.A, A.S, B.A., B.S).

POVERTY LINE: The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved

PREGNANT OR PARENTING YOUNG ADULT: A young adult who is 24 years of age or less at the time of enrollment and who is pregnant; **all parents age 24 or less, whether custodial or non-custodial;** or a male or female who is providing custodial care for one or more dependents under age 18.

PUBLIC ASSISTANCE: The term "public assistance" means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test. (i.e. TANF, Refugee Cash Assistance, Supplemental Security Income, **LEAP, Title 8 Housing, and CCAP- Child Care Assistance Program**)

Note: Supplemental Security Disability Income (SSDI) is not considered cash welfare and does not make a person automatically eligible for WIOA.

RUN-AWAY YOUNG ADULT: A person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of parents or legal guardian

SCHOOL: In general, the applicable State law for secondary and post-secondary institutions defines a "school." However, for purposes of WIOA, USDOL does not consider providers of Adult Education under title II of WIOA, YouthBuild programs, and Job Corps programs to be schools. Therefore, WIOA Young Adult programs may consider a young adult to be out-of-school young adult for purposes of WIOA young adult program eligibility if they are attending Adult Education provided under title II of WIOA, YouthBuild, or Job Corps. **In addition, high school equivalency programs (other than those funded by the K-12 system) and dropout reengagement programs are not considered to be schools. Therefore youth attending high school equivalency programs (other than those funded by the K-12 system) or dropout reengagement programs are considered to be out-of-school.**

SCHOOL DROPOUT: The term "school dropout" means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. A young adult's dropout status is determined at the time of enrollment **and does not change with any educational activity that occurs during participation.**

SELECTIVE SERVICE: Only those males who are subject to, and have complied with, the registration requirements of Military Selective Service Act (MSSA) are eligible for participation in WIOA funded programs and services. Every male citizen and every other male residing in the United States shall register with the Selective Service System (SSS) between their 18th and 24th birth dates, for WIOA Young Adult program applicants.

A person may not be denied a right, privilege or benefit under Federal law by reason of failure to present himself for and submit to registration under section 3 [50 U.S.C/ App. 453] if:

- a. The requirement for the person to so register has terminated or become inapplicable to the person; **AND**
- b. The person shows by a preponderance of the evidence that the failure of the person to register was **not** a knowing and willful failure to register.

This provision was added "in order not to penalize an individual with an obvious disqualifying handicap, such as total paralysis of the limbs, or an individual who has been honorably discharged from the armed services."

For complete guidance regarding the Selective Service requirements for participation in WIOA programs and grants, regions are to review [Attachment 8: TEGL 11-11, Change 2, Selective Service Registration Requirements for Employment and Training Programs, dated May 16, 2012](#)

In addition to guidance provided in TEGL 11-11, Change 2, the following documentation may be used for persons eligible to register but who neglected to register and are now over 26 years old:

- a. **Incarcerated, hospitalized, or institutionalized** – A copy of a statement from the Department of Corrections, or other institution, indicating the duration of the stay can be used to demonstrate that the individual was not available to register with Selective Service during his period of Selective Service eligibility.
- b. **Veteran** – A copy of a DD214 showing other than a dishonorable discharge can be used in lieu of a Selective Service registration. In addition, the veteran can provide a Selective Service waiver document (obtainable by the Selective Service System).
- c. **Homeless** – A letter from a homeless shelter or a statement signed by the applicant can be utilized to attest to the applicant's inability to register for Selective Service while he was still eligible.
- d. **Non-citizen** – An alien registration card or other immigration document showing the date of entry into the United States, and demonstrating that this date was beyond the date of his 26th birthday.

The Conference Report to the amendment clarified "that a non-registrant is not to be denied any Federal benefit if he can demonstrate that his failure to register was not knowing or willful." This provision was added "in order not to penalize an individual with an obvious disqualifying handicap, such as total paralysis of the limbs, or an individual who has been honorably discharged from the armed services.

DOCUMENTING ELIGIBILITY WITH SELF-ATTESTATION

Documenting eligibility with self-attestation is a method of last resort when no other source of documentation can be found or accessed. Self-attestation can also be used to clarify documentation that is considered insufficient by itself. However, the basic WIOA eligibility data elements of **age and immigration status cannot be self-attested**. Please review the most current or relevant Data Validation PGL to assist in determining when it is appropriate to use self-attestation; or consult with a member of Leadership if the data element in question is not addressed by the PGL. An acceptable self-attestation statement should be a signed document (such as a signed WIOA application), attesting to the truthfulness and accuracy of

ADWB-02-2016 Attachment C: WIOA Eligibility Determination and Documentation - Young Adult, [Change 2](#)

all answers, that includes information clearly addressing the eligibility criteria you are trying to capture, and should adhere to local self-attestation policy guidelines. A copy of this document should be retained in the customer case file (hard copy or electronic file.)

Reporting on young adult(s) with multiple barriers: It is common for young adult applicants to fit within more than one of the eligibility barrier categories. Only one barrier category is needed for eligibility, but all applicable barriers should be reported on the WIOA application screen in Connecting Colorado. In the case where a Young Adult application indicates more than one barrier, staff shall ensure that at least one barrier is documented according to the standards set forth in this PGL, with deference to the allowability of self-attestation only as a method of last resort, as described above. All other applicable barriers shall be reported, and documented in accordance with the requirements stated in the federal and state Data Validation guidance published annually, which lists self-attestation as allowable source documentation. As stated above, an acceptable self-attestation statement should be a signed document (such as a signed WIOA application), attesting to the truthfulness and accuracy of all answers, that includes information clearly addressing the eligibility criteria you are trying to capture, and should adhere to local self-attestation policy guidelines. A copy of this document should be retained in the customer case file (hard copy or electronic file.)

To view/access ADW!'s Applicant Statement Attestation Form, please see next page.



APPLICANT STATEMENT ATTESTATION

I hereby certify, under penalty of perjury that I, _____, attest to the fact that:

The information stated above is true and accurate, and I understand that the above information, if represented, or incomplete, may be grounds for immediate termination and/or penalties as specified by law.

Applicant's Name (please print)

Corroborating Witness (please print)

Applicant's Signature

Corroborating Witness Signature

Date

Date

Applicant's Address

Witness' Relationship to Applicant

Office Use Only

The above applicant statement is being utilized for documentation of the following eligibility criteria:

_____ Arapahoe/Douglas Works! Representative	_____ Date	_____ Program
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WIOA ELIGIBILITY DOCUMENTATION CHECKLIST – YOUNG ADULT PROGRAM

Eligibility	Required Documentation	Comments
<p>Citizenship/Alien Status/Eligible to Work (at least 1 document is required)</p> <p>(See Attachment 12 for sample Star licenses and IDs)</p>	<p>___ REAL-ID Compliant Driver’s License or State ID with a Star in upper right corner (no Social Security Card required) (See Attach 12: Samples of New Drivers Licenses)</p> <p>___ Soc. Security Card AND non-Star DL/ID Card</p> <p>___ U.S. Passport</p> <p>___ Birth Certificate</p> <p>___ Baptismal Certificate (if place of birth is shown)</p> <p>___ Consular Report of Birth Abroad issued by the U.S. Dept. of State (Form DS-1350, or FS-545)</p> <p>___ DD-214, Report of Transfer or Discharge (if place of birth is shown)</p> <p>___ Foreign Passport stamped “Eligible to Work” (not expired) or accompanied by I-94, stamped, with class code indicating authorization to work</p> <p>___ Hospital Record of Birth</p> <p>___ Alien Registration Card (I-551) (not expired)</p> <p>___ INS Form I-94 or I-94A, stamped, with class code indicating authorization to work (not expired)</p> <p>___ INS Form I-179, I-197, or I-766 (not expired)</p> <p>___ T-visa issued to victims of human trafficking (See Attachment 9: TEGL 09-12)</p> <p>___ Naturalization Certification</p> <p>___ Native American Tribal Document</p> <p>___ Certificate of Degree of Indian Blood</p> <p>___ SAVE Verification Printout AND non-Star Driver’s License or State ID. No SSN card required.</p> <p>___ Self-Attestation as a last resort if DACA eligible (See Attachment 10: TEGL 02-14)</p>	<p>CO license or ID card must <u>not</u> say: “not valid for federal identification, voting, or public benefits purposes.”</p>
<p>Selective Service (1 is required for those required to register)</p>	<p>___ On-line verification at www.sss.gov</p> <p>___ Acknowledgement Letter from Selective Service</p> <p>___ Selective Service Verification Form</p> <p>___ Selective Service Registration Card</p> <p>___ Selective Service Advisory Opinion Letter</p> <p>___ Selective Service Registration Record (Form 3A)</p> <p>___ Selective Service Waiver Document (for veterans)</p> <p>___ Stamped Post Office Receipt of Registration</p> <p>___ DD-214</p> <p>___ Cross match with Veterans data</p>	
<p>Social Security Number (Not required for eligibility – create pseudo SSN instead).</p> <ul style="list-style-type: none"> • Does not have to be signed. • SSN may be required for participation in paid 	<p>___ DD-214, Report of Transfer or Discharge</p> <p>___ IRS Form Letter 1722</p> <p>___ Letter from Social Security Agency</p> <p>___ Pay Stub</p> <p>___ Social Security Benefits</p> <p>___ Social Security Card</p> <p>___ W-2 Form</p>	

<p>work experiences, internships, or wage subsidy programs</p>		
<p>Affidavit of Immigration Status (Signed affidavit required in conjunction with one of the listed forms of ID for age 18 & older)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Colorado Driver's License or ID Card (except if the license or ID clearly states "not valid for federal identification, voting, or public benefit purposes"), not expired <input type="checkbox"/> U.S. Military Card <input type="checkbox"/> Military Dependent ID Card <input type="checkbox"/> U.S. Coast Guard Merchant Mariner Card <input type="checkbox"/> Native American Tribal Document <input type="checkbox"/> U.S. Passport <input type="checkbox"/> Copy of birth certificate filed with a state office of vital statistics or equivalent agency in applicant's state of birth <input type="checkbox"/> Consular Report of Birth Abroad issued by the U.S. Dept. of State (Form DS-1350, or FS-545) <input type="checkbox"/> Certificate of Naturalization issued by DHS (Form N-550 or N-570) <input type="checkbox"/> Certificate of Citizenship issued by DHS (Form N-560 or N-561) <input type="checkbox"/> Valid immigration document demonstrating lawful presence and verified through the SAVE system. <input type="checkbox"/> Other valid State's driver's license/State ID card, from a "lawful presence" state <p>Note: All states are considered to be "lawful presence" states including the District of Columbia with the exception of Hawaii, Illinois, Maryland, Nebraska, New Mexico, Utah, and Washington. If the face of the license or ID card states that it is an Enhanced Driver's License or ID Card, then it can be accepted as a lawful presence document.</p> <p>Note: Deferred Action for Childhood Arrivals (DACA) participants may not have a lawful presence document listed above and also may have been issued a driver's license or ID not valid for public benefits. Federal policy requires that we serve these individuals even though they will not be able to demonstrate lawful presence. As a result, an Affidavit of Immigration is not required for eligibility.</p>	<p>CO license or ID card must <u>not</u> say: "not valid for federal identification, voting, or public benefits purposes."</p>

Element	Required Documentation	Comments
Age / Date of Birth	<input type="checkbox"/> Baptismal Record <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Driver's License <input type="checkbox"/> Federal, State, or Local photo ID <input type="checkbox"/> DD-214 <input type="checkbox"/> Passport <input type="checkbox"/> Hospital record of birth <input type="checkbox"/> Public assistance/social service record <input type="checkbox"/> School records or ID card <input type="checkbox"/> Work permit <input type="checkbox"/> Cross match with Dept. of Vital Statistics <input type="checkbox"/> Tribal records	
Element	Required Documentation	
Low Income (1 is required) <input type="checkbox"/> Cash Public Assistance <input type="checkbox"/> Family Size/Income <input type="checkbox"/> Food Stamps <input type="checkbox"/> Homeless <input type="checkbox"/> Foster Child <input type="checkbox"/> Disability (Treat as family of 1) <input type="checkbox"/> Eligible for Free or Reduced Price School Lunch <input type="checkbox"/> Lives in High Poverty Area (See Attachment 14 for how to access and use the Map)	<input type="checkbox"/> Family size & income calculation <input type="checkbox"/> Pay stubs for all family members <input type="checkbox"/> Public assistance records / CDHS Quest card not allowed <input type="checkbox"/> Social Security benefits records <input type="checkbox"/> UI documents <input type="checkbox"/> Housing authority verification <input type="checkbox"/> Quarterly estimated tax (for self-employed) <input type="checkbox"/> Pension statement <input type="checkbox"/> Family / business financial records <input type="checkbox"/> Employer statement / contact <input type="checkbox"/> Court award letter / document (for alimony) <input type="checkbox"/> Compensation award letter <input type="checkbox"/> Bank statements <input type="checkbox"/> Alimony agreement <input type="checkbox"/> Refugee assistance records <input type="checkbox"/> Free/reduced lunch (individual, not community/school/school district) eligibility status letter (most recent) <input type="checkbox"/> Children in Poverty Interactive Map screen capture <input type="checkbox"/> Other _____ _____ <input type="checkbox"/> SSN Cards for all family members <input type="checkbox"/> Tax records <input type="checkbox"/> Marriage license, divorce decree, or other court records <input type="checkbox"/> Other _____	
Disability	<input type="checkbox"/> Medical records <input type="checkbox"/> Letter from drug / alcohol rehabilitation agency <input type="checkbox"/> Case notes regarding an observable condition	

	<input type="checkbox"/> Physician's statement <input type="checkbox"/> Psychiatrist's statement <input type="checkbox"/> Psychologist's diagnosis <input type="checkbox"/> Rehabilitation evaluation <input type="checkbox"/> School records; e.g. IEP no older than one year <input type="checkbox"/> Sheltered workshop certification <input type="checkbox"/> Social Service records / referrals <input type="checkbox"/> Social Security Administration disability records <input type="checkbox"/> Veterans Administration letter / records <input type="checkbox"/> Vocational Rehabilitation letter <input type="checkbox"/> Worker's Compensation record <input type="checkbox"/> Other _____
<p>Out of-School Status and Categories</p> <p>In addition to being age 16-24 at enrollment, must meet "Not Attending Any School" per the definition on p. 2, and must meet at least one of the Categories listed</p>	<p>OUT-OF-SCHOOL STATUS</p> <p><input type="checkbox"/> NOT ATTENDING ANY SCHOOL</p> <p><input type="checkbox"/> School Records</p> <p><input type="checkbox"/> Self-attestation (<u>signed</u> WIOA application or self-attestation document)</p> <p><input type="checkbox"/> Other _____</p> <hr/> <p>CATEGORIES</p> <p><input type="checkbox"/> SCHOOL DROPOUT</p> <p><input type="checkbox"/> School Records</p> <p><input type="checkbox"/> Self-attestation (<u>signed</u> WIOA application or self-attestation document)</p> <p><input type="checkbox"/> Other _____</p>
<p>Element</p>	<p>Required Documentation</p>
<p>Out-of-School Categories (continued)</p>	<p><input type="checkbox"/> NOT ATTENDING SECONDARY SCHOOL</p> <p><input type="checkbox"/> School Records</p> <p><input type="checkbox"/> Self-attestation (<u>signed</u> WIOA application or self-attestation document)</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> RECEIVED DIPLOMA OR EQUIVALENT AND BASIC SKILLS DEFICIENT OR ENGLISH LANGUAGE LEARNER (PLUS LOW INCOME)</p> <p><input type="checkbox"/> Standardized assessment test</p> <p><input type="checkbox"/> School records</p> <p><input type="checkbox"/> Case manager observation and case notes</p> <p><input type="checkbox"/> Adult Basic Education program referral or records</p> <p><input type="checkbox"/> Other _____</p> <p>FOSTER CARE OR AGED OUT/OUT OF HOME PLACEMENT</p>

	<input type="checkbox"/> Written statement from social service agency <input type="checkbox"/> Written statement from individual/agency providing residence <input type="checkbox"/> Other _____
	<input type="checkbox"/> HOMELESS/RUNAWAY <input type="checkbox"/> Written statement from a shelter <input type="checkbox"/> Written statement from individual/agency providing residence <input type="checkbox"/> Other _____
	<input type="checkbox"/> OFFENDER <input type="checkbox"/> Juvenile/criminal justice document <input type="checkbox"/> CM direct contact with juvenile / criminal justice representative <input type="checkbox"/> Other _____
	<input type="checkbox"/> DISABLED (see Element on p.15 for required documentation)
	<input type="checkbox"/> PREGNANT / PARENTING <input type="checkbox"/> Copy of child's birth certificate <input type="checkbox"/> Baptismal record <input type="checkbox"/> Doctor's note <input type="checkbox"/> Observation <input type="checkbox"/> Other _____
	<input type="checkbox"/> REQUIRES ADDITIONAL ASSISTANCE (<u>PLUS LOW INCOME</u>) <input type="checkbox"/> ISS <input type="checkbox"/> signed WIOA application form <input type="checkbox"/> Case notes <input type="checkbox"/> Other _____

SEE NEXT PAGE FOR IN-SCHOOL

Element	Required Documentation
<p>In-School Status and Categories</p> <p>In addition to being age 14 to 21 at enrollment AND low income, must meet "In-School" status per the definition on p.3 AND must meet one of the Categories listed</p>	<p>IN-SCHOOL STATUS</p> <p><input type="checkbox"/> ATTENDING SECONDARY OR POST SECONDARY SCHOOL, OR</p> <p><input type="checkbox"/> HIGH SCHOOL EQUIVALENCY PROGRAM FUNDED BY THE K-12 SCHOOL SYSTEM, OR</p> <p><input type="checkbox"/> ALTERNATIVE EDUCATION PROGRAMS, OR</p> <p><input type="checkbox"/> SWAP, OR</p> <p><input type="checkbox"/> TRANSITION PROGRAMS</p> <p><input type="checkbox"/> School Records</p> <p><input type="checkbox"/> Self-attestation (<u>signed</u> WIOA application or self-attestation document)</p> <p><input type="checkbox"/> Other _____</p> <hr/> <p>CATEGORIES</p> <p><input type="checkbox"/> BASIC SKILLS DEFICIENT</p> <p><input type="checkbox"/> Standardized assessment test</p> <p><input type="checkbox"/> School records</p> <p><input type="checkbox"/> Case manager observation and case notes</p> <p><input type="checkbox"/> Adult Basic Education program referral or records</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> ENGLISH LANGUAGE LEARNER (ELL)</p> <p><input type="checkbox"/> Case manager observation and case note</p> <p><input type="checkbox"/> Appropriate assessment test</p> <p><input type="checkbox"/> ELL provider referral or records</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> OFFENDER</p> <p><input type="checkbox"/> Juvenile/criminal justice document</p> <p><input type="checkbox"/> CM direct contact with juvenile / criminal justice representative</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> FOSTER CARE OR AGED OUT/OUT OF HOME PLACEMENT</p> <p><input type="checkbox"/> Written statement from social service agency</p> <p><input type="checkbox"/> Written statement from individual/agency providing residence</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> HOMELESS/RUNAWAY</p> <p><input type="checkbox"/> Written statement from a shelter</p> <p><input type="checkbox"/> Written statement from individual/agency providing residence</p> <p><input type="checkbox"/> Other _____</p>

	<p>___ PREGNANT / PARENTING</p> <p>___ Copy of child's birth certificate</p> <p>___ Baptismal record</p> <p>___ Doctor's note</p> <p>___ Observation</p> <p>___ Other _____</p> <p>___ DISABLED (see Element on p.15 for required documentation)</p> <p>___ REQUIRES ADDITIONAL ASSISTANCE</p> <p>___ ISS</p> <p>___ signed WIOA application form</p> <p>___ Case notes</p> <p>___ Other _____</p> <p>Note: Not more than 5% of the number of in-school youth newly enrolled each program year may fall into the "Requires Additional Assistance" category</p>
Element	Required Documentation
<p>5% Exception to Low Income Requirement not more than 5% of all newly enrolled youth each program year (any combination of the in-school or out-of-school youth eligibility categories listed to the right is allowed)</p>	<p>___ OUT-OF-SCHOOL YOUTH – either of the following</p> <ol style="list-style-type: none"> 1. Has diploma or equivalency, is low income, but is basic skills deficient or an English Language Learner (see above for documentation) 2. Is low income and requires additional assistance (see above for documentation) <p>___ IN-SCHOOL YOUTH: any category (see pp.3-4 for categories) and see above for documentation</p>