

New Jersey

Workforce Innovation Notice 5-15

TO: Workforce Development Board Directors
One-Stop Operators
Employment Service Managers

FROM: John Bicica, Chief,
Office of WIOA Technical Assistance and Capacity Building

DATE: September 25, 2015

Purpose

To re-issue the Workforce Innovation and Opportunity Act (WIOA) Youth Program Eligibility Determination and Documentation Guidelines and to provide additional guidance on new eligibility determination requirements under WIOA.

Background

These guidelines are being issued pursuant to the WIO legislation, the proposed rules and related guidance from the United States Department of Labor (DOL) These guidelines will serve as the basis for WIOA Youth Eligibility monitoring by the Department of Labor and Workforce Development.

Please note the following:

Out-of-School Youth (page 2)

There are only two categories of out-of-school youth for which the participant must be determined low-income:

- A recipient of a secondary school diploma or its recognized equivalent who is a **low income individual** and is either basic skills deficient or an English language learner
- A **low-income individual** who requires additional assistance to enter or complete an educational program or to secure or hold employment.

None of the other categories of out-of-school youth need to be determined to be low-income:

- 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. School year calendar

quarter is based on how a local school district defines its school year quarters; **Note:** This is a new eligibility category under WIOA.

- An individual who is subject to the juvenile or adult justice system;
- A homeless individual (as defined in the Violence Against Women Act a homeless child or youth as defined in the McKinney-Vento Homeless Assistance Act, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under sec. 477 of the Social Security Act), or in an out-of-home placement; **Note:** The Workforce Investment Act (WIA) only used the definition of homeless under the McKinney-Vento Act; The inclusion the definition under the Violence Against Women Act is new to WIOA. See page 5 for the full definition.
- An individual who is pregnant or parenting;
- An individual with a disability **Note:** Disability is now a stand-alone category under WIOA, and is *not* included with “Requires Additional Assistance” as under WIA.

In-School Youth (page 2-3)

All in-school youth categories require the youth to be determined a low-income individual.

Homeless (Page 5)

The definition of **Homeless** under WIOA is expanded from WIA to include the definition of homeless under the Violence Against Women Act. Also, the foster care placement criterion in this category has been expanded to include youth who have aged out of the system.

Co-Enrollment (Page 8)

WIOA youth may be co-enrolled in adult programs as well as Title II programs, and services may be provided concurrently.

Individual Training Accounts (Page 8)

Out-of-school youth ages 18-24 may be served with WIOA youth funds using Individual Training Accounts. This was allowed through a waiver under WIA but is codified under WIOA, and does not require entry of information into the Waiver Log in AOSOS.

Exceptions and Limitations (Page 8)

No more than five percent of youth served in a local area may be “covered individuals” who are **not** low-income. Covered individuals include all in-school youth and the two categories of out-of-school youth that require low-income status.

Note: A program must calculate the five percent based on the percent of all youth served by the program in the local areas’ WIOA youth program in a given program year. [20 CFR 681.250 (c)]

No more than five percent of in-school youth may be “an individual who requires additional assistance to complete an educational program or to secure or hold employment.

Requires Additional Assistance (Page 10)

Until further notification from the State Employment and Training Commission, local workforce development areas may continue to use their existing local area policies regarding this criterion, with the clarification that “Lack of/Poor Work History” is *not* applicable to **in-school youth**.

Self-Certification Random Sampling Methodology (Page 11)

A random sampling methodology must be used with self-certification.

Selective Service (Page 12)

The Selective Service System has updated their guidelines to address the policy for individuals who have undergone sex change.

Low-income Individuals (Page 14)

The definition of low-income individuals under WIOA includes the following:

- Recipient of Free or Reduced Price Lunch
- Resident of High Poverty Area

The documentation requirements for Recipient of Free or Reduced Price Lunch are provided on page 22. The process for determining residency in a high poverty area is provided on page 25-26.

Common Measures

As a reminder, Common Measures are in effect through Program Year 2015. While all out-of-school youth must be tested to determine their basic skill level, only the WIOA definitions for out-of-school youth are used. Under WIA, the results of a standardized test of basic skills could affect whether certain youth were determined in-school or out-of-school; this does *not* apply under WIOA.

Action Required

This document is to be distributed to all local area staff, partners and contracted youth service providers who are involved in the eligibility determination process.

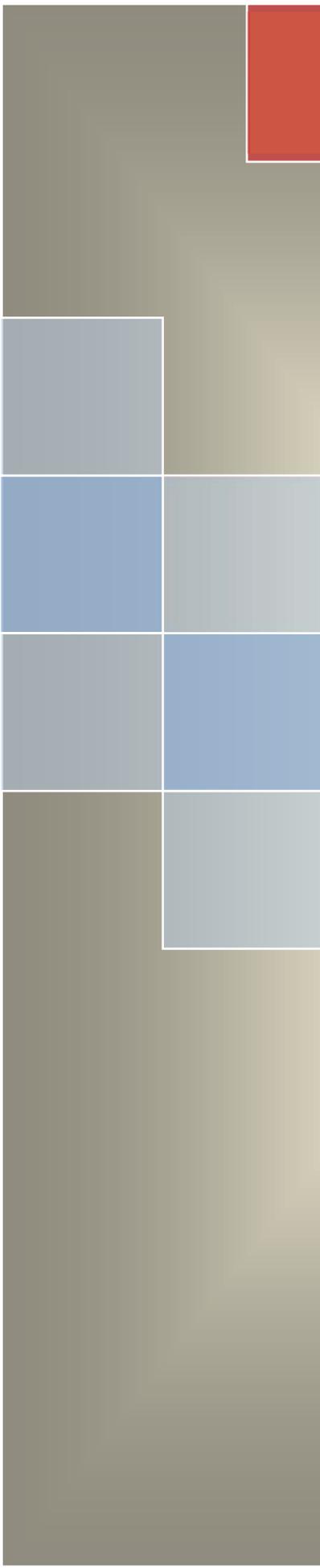
Authority

New Jersey Department of Labor and Workforce Development	X
State Employment And Training Commission	

Questions

For questions regarding this guidance, contact John Bicica, Chief, Office of WIOA Technical Assistance and Capacity Building, at john.bicica@dol.nj.gov

Attachment



WORKFORCE INNOVATION AND OPPORTUNITY ACT TITLE I: YOUTH ELIGIBILITY DETERMINATION and DOCUMENTATION

Guidelines for Local Workforce Development Areas



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YOUTH PARTICIPANT ELIGIBILITY DETERMINATION UNDER TITLE I OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

INTRODUCTION

The following guidelines are being issued pursuant to the Workforce Innovation and Opportunity Act (WIOA) and the proposed rules issued in the Federal Register, Thursday, April 16, 2015. The purpose of the guidelines is to identify requirements relating to certification of participants to be served with Title WIOA I funds used for youth. **These guidelines are subject to revision as additional guidance is issued by the USDOL** Supplemental information, such as the Poverty Guidelines, Lower Living Standard Income Levels, and forms are attached. Local areas are encouraged to copy and use the attachments as necessary. The attachments will be updated as new guidance is issued.

Program Eligibility

Both in-school youth (ISY) and out-of-school youth (OSY), as defined below, are eligible for youth services. (WIOA sec. 3(18))

An out-of-school youth (OSY) is an individual who is:

- (i) Not attending any school (as defined under State law);
 - (ii) Not younger than 16 or older than age 24 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program; and
 - (iii) **One** or more of the following:
 - (I) A school dropout;
 - (II) 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. School year calendar quarter is based on how a local school district defines its school year quarters;
 - (III) A recipient of a secondary school diploma or its recognized equivalent who is a **low income individual** and is either basic skills deficient or an English language learner;
 - (IV) An individual who is subject to the juvenile or adult justice system;
 - (V) A homeless individual (as defined in sec. 41403(6) of the Violence Against Women Act of 1994, a homeless child or youth (as defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under sec. 477 of the Social Security Act), or in an out-of-home placement;
 - (VI) An individual who is pregnant or parenting;
 - (VII) An individual with a disability;
 - (VIII) A **low-income individual** who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA Sec. 3(46) and Sec. 129 (a) (1) (B))
- (20 CFR 681.210)**

In-School Youth

An in-school youth (ISY) is an individual who is:

- (a) Attending school (as defined by State law), including secondary and post-secondary school;
- (b) Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program;

(c) **A low-income individual;** and

(d) **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 sec. 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 sec. 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 sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;

(5) An individual who is pregnant or parenting;

(6) An individual with a disability;

(7) An individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA Sec. 3(27) and Sec. 129 (a) (1) (C))

NOTE: For the purposes of WIOA, providers of Adult Education under title II of WIOA, YouthBuild programs, and Job Corps are *not* considered schools. (**20 CFR 681.230**)

Citizenship/Authorization to Work- To receive WIOA services, participants must be citizens or nationals of the United States, lawfully admitted resident aliens, refugees, asylees and parolees and other immigrants authorized by the Attorney General to work in the United States. [**WIOA Sec. 188 (5)**]

For documents acceptable for verifying these criteria, see the Workforce Innovation and Opportunity Act Youth Eligibility Desk Aid, starting on page 19. See also **WIOA Sec. 188** on page 11

Veterans- Veterans and eligible spouses receive priority of service for all United States Department of Labor funded employment and training programs. See **Priority of Service**, page 13.

Participation and Enrollment

To participate in WIOA Youth programs, a youth must be enrolled. Enrollment requires:

1) The collection of information to support eligibility determination

2) Participation in any of the 14 youth program elements (**20 CFR 681.310**)

NOTE: WIOA Sec. 129 (c) (1) requires local areas to provide each participant with an objective assessment of academic and skill levels and service needs, and to develop an individual service strategy (ISS) directly linked to one or more performance indicators and that identifies career pathways that include education and employment goals. The program elements identified as appropriate for the participant **must** be based on the objective assessment and the plan developed in the ISS. Separate guidance will be issued for assessment and the ISS.

PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the programs described in paragraph (1) shall provide elements consisting of—

(A) tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;

(B) Alternative secondary school services, or dropout recovery services, as appropriate;

(C) Paid and unpaid work experiences that have as a component academic and occupational education, which may include—

(i) Summer employment opportunities and other employment opportunities available throughout school year;

- (ii) Pre-apprenticeship programs;
 - (iii) Internships and job shadowing; and
 - (iv) On-the-job training opportunities;
 - (D) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials aligned with in demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;
 - (E) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
 - (F) Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
 - (G) Supportive services;
 - (H) Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
 - (I) Followup services for not less than 12 months after the completion of participation, as appropriate;
 - (J) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
 - (K) Financial literacy education;
 - (L) Entrepreneurial skills training;
 - (M) Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
 - (N) Activities that help youth prepare for and transition to postsecondary education and training.
- (WIOA Sec. 129 (c) (2)).**

Definitions

The following section provides terms related to eligibility determination under WIOA. Where a youth meets a criterion provided below, or a definition is otherwise relevant to eligibility determination, refer to the WIOA Eligibility Desk Aid for the required documentation.

Alternative Education Program- means a comprehensive educational program designed to address the individual learning, behavior, and health needs of students who are not succeeding in the general education program or who have been mandated for removal from general education, pursuant to NJAC. 6A:16-5.5, 5.6 and, as appropriate, 5.7. The alternative education program shall provide a variety of approaches to meet the State-adopted standards, such as, through non-traditional programs, services, and methodologies to ensure curriculum and instruction are delivered in a way that enables students to demonstrate the knowledge and skills specified for all students in NJAC. 6A:8. **(NJAC 6A:16-1.3)**

Basic Skills Deficient – A youth is basic skills deficient if they:

- (1) Have English reading, writing, or computing skills at or below the 8th grade level (at or below 8.9 grade level) on a generally accepted standardized test or a comparable score on a criterion-referenced test.

--- OR ---

- (a) Are unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family or in society. **[WIOA Sec. 3(5)]**

NOTE: Local boards may select an assessment to determine an individual’s inability to “compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individuals’ family, or in society.” They must then set benchmarks for assessment results that determine basic skills deficiency.

Dropout - An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. A youth attending an alternative school is not a school dropout. [**WIOA Sec. 3(54)**]

English Language Learner.—The term “English language learner” when used with respect to an eligible individual, means an eligible 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. [**WIOA Sec. 3 (7)**]

Family - The term "family" means two or more persons 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) a husband, wife, and dependent children; (b) a parent or guardian and dependent children; (c) a husband and wife. **NOTE:** Training and Employment Letter (TEGL) 26-13 states “*Consistent with the Supreme Court’s Windsor decision and the ETA’s policy of treating all individuals equally, regardless of sexual orientation, ETA interprets gender specific terms of marriage, such as “widow, “widower,” “husband,” and “wife,” to include married same-sex spouses.*” For additional information, TEGL 26-13 can be accessed here:

http://wdr.doleta.gov/directives/attach/TEGL/TEGL_26-13.pdf

Homeless – Under WIOA Sec. 3(46) (c) (5) (Out-of-school Youth) and Sec. 3 (27) (d) (4) ((In-school Youth), a homeless individual is:

A homeless individual (as defined in Sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), Pursuant to the Violence Against Women Act, the terms “homeless,” “homeless individual”, and “homeless person”—

(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and includes—

(i) an individual who—

(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

(II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;

(III) is living in an emergency or transitional shelter;

(IV) is abandoned in a hospital; or

(V) is awaiting foster care placement;

(ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

(iii) migratory children (as defined in section 6399 of title 20) who qualify as homeless under this section be

The term “migratory child” means a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent or spouse, in order to obtain, temporary or seasonal employment in agricultural or fishing work—

(A) has moved from one school district to another;

(B) in a State that is comprised of a single school district, has moved from one administrative area to another within such district; or

(C) resides in a school district of more than 15,000 square miles, and migrates a distance of 20 miles or more to a temporary residence to engage in a fishing activity

A homeless child or youth (as defined in Sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), Pursuant to the Stewart B. McKinney Homeless Act, an individual who lacks a fixed, regular, and adequate nighttime residence. It also includes persons whose primary nighttime residence is one of the following:

- (a) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (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.
- (c) A public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings.

Runaway; (Pursuant to the Runaway and Homeless Youth Act, individual under 18 years of age who absents himself or herself from home or place of legal residence without permission of the parent(s) or legal guardian.)

In foster care or has aged out of the foster care system;

A child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement; (Sec. 477 of the Social Security Act covers individuals served under the John H. Chafee Foster Care Independence Program) *NOTE: The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.*

Individual who requires additional assistance to complete an educational program, or to secure and hold employment-See “Requires Additional Assistance” on page 10.

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). [**WIOA Sec. 3 (25)**]

Low-Income Individual - The term "low-income individual" means an individual who—

(i) 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 (7U.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;

(ii) is in a family with total family income that does not exceed the higher of—

(I) the poverty line; or

(II) 70 percent of the lower living standard income level;

(iii) 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 youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B Russell National School Lunch Act

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(2) SPECIAL RULE-For the purpose of this subsection, the term “low-income,” used with respect to an individual, also includes a youth living in a high-poverty area. [**WIOA Sec. 3 (36) (A)**]

High Poverty Area- 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 30 percent as set every 5 years using American Community Survey 5-Year data. **(20 CFR 681.260)** A list of the relevant census tracts and information on documenting and recording low income status are provided on **pages 23-25**.

Lower Living Standard Income Level - That income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary based on the most recent lower living family budget issued by the Secretary [**WIOA Sec 36 (B)**]. The State forwards the Lower Living Standard Income Levels to the local areas when they are issued (usually in the spring).(**Attachment A**)

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 applicable to a family of the size involved [**WIOA Sec. 3 (49)**]. The State forwards the Poverty Guidelines (**Attachment B**) when they are issued (usually in January). The poverty guidelines would generally be used for a family of one; for larger families, the Lower Living Standard Income Level should be used.

Offender – An adult or juvenile-

- (A) Who is or has been subject to any stage of the criminal justice process, and for whom service under this Act may be beneficial; or
- (B) Who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction [**WIOA Sec. 3 (38)**]

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. [**WIOA Sec. 3 (50)**]

Registration - The process of collecting information necessary to make a determination of eligibility for WIOA Title I. All youth participants must be registered for WIOA Title I and determined eligible.

Self-Certification-An individual's signed attestation that the information they submit to demonstrate eligibility for a program under Title I of WIOA is true and accurate. **(20 CFR 673.500)** **NOTE:** May also be referred to as *Applicant Statement* or *Self Attestation*. [See **Self-Certification** on page 10 and **Attachment D**]

Supportive Services - Services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under this Act. [**WIOA Sec. 3 (59)**]

Training Services – Training services may include-:

TRAINING SERVICES.—Training services may include—

- (i) occupational skills training, including training for nontraditional employment;
- (ii) on-the-job training;
- (iii) incumbent worker training in accordance with subsection (d)(4);
- (iv) programs that combine workplace training with related instruction, which may include cooperative education programs;
- (v) training programs operated by the private sector;
- (vi) skill upgrading and retraining;
- (vii) entrepreneurial training;

(viii) transitional jobs in accordance with subsection (d)(5);
(ix) job readiness training provided in combination with services described in any of clauses (i) through (viii);
(x) adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (i) through (vii); and
(xi) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

Unemployed Individual - An individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job, for purposes of this paragraph, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed. [WIOA Sec. 3 (61)]

Co-Enrollment

Individuals who meet the respective program eligibility requirements may participate in adult and youth programs concurrently. Such individuals must be eligible under the youth or adult eligibility criteria applicable to the services received. Local program operators may determine, for these individuals, the appropriate level and balance of services under the youth and adult programs. Local program operators must identify and track the funding streams which pay the costs of services provided to individuals who are participating in youth and adult programs concurrently, and ensure no duplication of services. Individuals who meet the respective program eligibility requirements for WIOA youth title I and title II may participate in title I youth and title II concurrently. **(20 CFR 681.430)** When determining in which program(s) to enroll a participant, the decision must be based on the service needs of the participant, and if they are career ready based on an objective assessment of their occupational skills, prior work experience, employability and needs as required in WIOA Sec. 129 (c) (1) (A). **(20 CFR 481.440)**

Individual Training Accounts

Out-of-school youth ages 18-24 may be served with WIOA youth funds using Individual Training Accounts (ITA) **(20 CFR 681.550)**. Boards should develop criteria for determining appropriate provision of ITAs to youth. A high school diploma or its equivalent is a primary goal for out-of-school youth who have not yet attained one. An employability development plan (EDP) must be developed for youth receiving an ITA. Where a high school diploma, its equivalent, or basic skills are lacking, the EDP must address steps to resolve the deficiency.

Exceptions and Limitation

Exceptions-WIOA Sec. 129 (a) (3) defines in-school youth and the following two categories of out-of-school youth as “covered individuals:”

- A recipient of a secondary school diploma or its recognized equivalent who is a low income individual and is either basic skills deficient or an English language learner;
- A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

No more than five percent of youth served in a local area may be “covered individuals” who are **not** low-income. [WIOA Sec. 129 (a) (3) (A) (ii)] This is calculated based on the percent of all youth served by a program in a given program year. [20 CFR 683.250(c)]

Limitation- No more than five percent of the in-school youth served in a local area may be “an individual who requires additional assistance to complete an educational program or to secure or hold employment. [WIOA Sec. 129 (a) (3) (B)]

Documentation of Eligibility

General Documentation Principles

Documentation consists of records, certificates, documents, identification cards, and other items, which can be photocopied and included in the participants’ files. Source documents include documents issued by a governmental entity, i.e. driver’s license, library card, and private documents such as utility bills, paycheck stubs, or termination notices. Other evidence that would be completed could include telephone/document inspection forms, and a signed self-certification (See Attachment D), the local application form, or WIOA Registration form. (An AOSOS registration form is available in the “Workforce “section of the ToWork portal).

Written statements from government, education, judicial, human services or other appropriate sources may be used to document eligibility. Staff may document eligibility through oral contact with the same resources that could provide written statements. In documenting oral contact, the following information should be included: (a)date of contact; (b)person/agency contacted including name, address, and phone number; (c)information provided ensuring the potential participant’s name is noted; and (d)signature/initials of person making contact..

NOTE: Photocopies or other “hard” documentation of the following elements must be maintained:

- Age
- Citizenship/authorization to work
- Social Security number
- Income
- Youth Eligibility Criteria (See Documentation of Youth Criteria and Disability below).

All elements used to determine a youth as eligible for the WIOA Youth program must be documented, and the documentation **must** be kept in the customer’s record. Case notes **must** be recorded directly into AOSOS.

Documentation of Disability

Under WIOA, "individual with a disability" means an individual with any disability as defined in Section 3 of the Americans with Disabilities Act (ADA) as follows: (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. A letter or Individual Education Plans (IEP) from a child study team is often used as documentation of disability. However, these documents are only acceptable for this purpose if they contain a specific diagnosis that meets the definition provided above. The ADA defines disability as "a physical or mental impairment that substantially limits one or more of the major life activities of an individual." The ADA lists specific learning disabilities as one possible physical or mental impairment, and learning is included as a major life activity. A document providing a diagnosis of emotional problems only is **not** accepted as proof of disability. Other items that are acceptable documentation of disability can be found in the WIOA Youth Eligibility Desk Aid.

Notes on Disabilities

A participant’s disability is considered protected personal information. Any hard copy document that includes a specific diagnosis **must** be kept in a confidential file. Counselors may enter information about a participant’s disability on the “Counseling Statement” tab, within the Comprehensive Assessment window of the customer’s record in AOSOS. The Counseling Statement tab can only be accessed by authorized personnel. Participant records can include a notation that a participant has a disability, but to refer to the confidential file or the

Counseling Statement tab for the specific diagnosis. The youth's Individual Service Strategy **must** include a plan to address each issue that is recorded, including the provision of supportive services as necessary.

Requires Additional Assistance

Any local area utilizing the criterion "An individual who requires additional assistance to complete an educational program, or to secure and hold employment" must document their policy for defining and documenting the criteria in their local plan. A hard copy of the document(s) used to verify this criterion (see the WIOA Eligibility Desk Aid) **must** be provided and kept in the participant's folder. This criterion is recorded in AOSOS by selecting "Yes" from the drop-down list on the **Employment** tab in the **Comprehensive Assessment** window. The assistance needed and justification must be documented in the fields below "Job Behavior and Skills." The two types of justifications are: (1) to complete an educational program, and (2) to secure and hold employment. The specific issue **must** be recorded.

Other Agencies - A written statement from another governmental, educational, judicial, human service or other agency may be used to document appropriate eligibility criteria under certain circumstances. For example, a statement from a public assistance agency could be used to verify age, **if that agency requires that the individual provide the documentation.** A printout from an interface with the database of an agency mentioned above can be used to document appropriate eligibility criteria, such as low-income status and SSN.

English Language Learner-To be eligible as an English Language Learner, a participant must meet two components: Has Limited Ability to Read, Write, Speak, or Comprehend English criterion AND either "(A) Native Language Other than English" OR (B)Lives in Family/or Community Environment Where Language Other Than English is Dominant Language." Acceptable documentation of "Has Limited Ability To Read, Write Speak, or Comprehend English" would be an objective assessment or school records. Each local area should develop a policy that defines "Limited Ability" as it pertains to this criterion. A Self-certification could be used for components (A) or (B).

Self-Certification (Applicant Statement)

A statement attesting to the veracity of certain eligibility criteria may be used under certain circumstances. The statement must be signed by the customer and a local area representative. A self-certification **must** be done on a standardized form (*Attachment D*), preferably with the letterhead of the one-stop and signed by a staff person. Any form used by a local area **must** include the certification statements provided in the attached sample.. The following are the **only eligibility criteria** that may be documented with a self-certification:

- **Dropout**
- **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**
- **Homeless/Runaway**
- **Pregnant or Parenting**
- **Individual Subject to the Juvenile Justice System**
- **Requires Additional Assistance (as applicable based on local policy)**

Also, the (A) Native Language Other than English" OR (B)Lives in Family/or Community Environment Where Language Other Than English is Dominant Language components of the English Language Learner criterion can be documented through self-certification.

Using self-certification for income status-The following elements of determining if a participant is a low-income individual may be verified through self-certification:

Proof of Income for Individuals with Little or No Income - Statement should indicate means of support:
Dependent Status- Used if a person would normally be included in the definition of a family, but is claiming to no longer be a dependent. A statement must be made by the head of the household, not the applicant.

Random Sampling Methodology-A random sample methodology **must** be used with self-certification. For example, a local area can determine what percentage of participants (in a program year) can utilize self-certification for the eligibility determination.

Telephone Verification – The Telephone Verification Form (*Attachment E*) may be used when eligibility criteria are verified through telephone contact with agencies that could provide a written statement. Telephone verification should include the following: (a)date of contact; (b)person/agency contacted, including name address and telephone number; (c)potential participant’s name; (d)signature/initials of person making contact.

Birth Certificates Issued in Puerto Rico - The government of Puerto Rico enacted Law 191 of 2009 (“Act to Prohibit the Retention, Keeping on Record, and Keeping Under Custody of Certified Copies of Birth Certificates by Public and Private Entities”), which went into effect on January 1, 2010, and affects the validity and issuance of birth certificates from Puerto Rico. The law also includes changes that will affect the acceptance of birth certificates as date of birth documentation for WIOA program purposes. Law 191 invalidates all birth certificates issued before July 1, 2010, by the Puerto Rico Health Department through its Vital Statistics Record Office. On July 1, 2010, the Vital Statistics Record Office started issuing new birth certificates that incorporate state-of-the-art technology for improved security.

Policy: Acceptance of birth certificates issued by the Puerto Rico Health Department is governed by the date the birth certificate is presented to WIOA staff and the date the birth certificate was issued. WIOA staff must adhere to these criteria when accepting birth certificates from the Puerto Rico Health Department as proof of date of birth for WIOA purposes:

BIRTH CERTIFICATE ISSUE DATE	RULE
Issued prior to July 1, 2010	Do NOT accept
Issued on or after July 1, 2010	Accept

Please note that other forms of documentation besides birth certificates may be accepted as proof of date of birth for WIOA purposes. See WIOA Eligibility Desk Aid, attached.

Additional information regarding Law 191 of 2009 can be found on the website of the Puerto Rico Federal Affairs Administration at <http://www.prfaa.com/birthcertificates/>.

WIOA Sec. 188

WIOA Sec. 188 (a) (5) states “Participation in programs and activities or receiving funds under this title shall be available 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.**” Therefore, applicants must provide documents verifying citizenship or legal alien status and authorization to work in the United States. Citizenship can be documented with one of the following: undamaged US Passport, Certified Birth Certificate Consular Report of Birth Abroad, Naturalization Certificate, or Certificate of Citizenship. For additional information see http://www.travel.state.gov/passport/get/first/first_830.html.

The documentation used for non-citizens authorized to work in the United States are found on the I-9 Employment Eligibility Verification Form. The allowable documents are sometimes modified by the Department of Homeland

Security. As these changes are issued, the State will provide guidance to the local areas. For additional information see <http://uscis.gov/graphics/formsfee/forms/i-9.htm>. See “Citizen Unable to Present Documents Listed Above and Legal Alien Authorized to Work” in the WIOA Eligibility Desk Aid.

Selective Service Registration

(The information provided on this page can be found at www.sss.gov)

All male United States (US) Citizens and male aliens living in the US born on or after January 1, 1960, aged 18 to 25, **must** register with Selective Service. Below is a list of registration requirements for various circumstances. Selective Service Registration requirements can be found at www.sss.gov click on "Registration Info". To check a registration, go to www.sss.gov/must.htm and click on “Check a Registration.” Registration may be completed online at <https://www.sss.gov/RegVer/wfRegistration.aspx> .

CATEGORY	REQUIRED TO REGISTER
Military-Related	
Members of the Armed Forces on active duty (active duty for training does not constitute “active duty” for registration purposes)	No
Cadets and Midshipmen at the Service Academies or Coast Guard Academy	No*
Cadets at the Merchant Marine Academy	Yes
Students in Officer Procurement Programs at the Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University	No*
National Guardsmen and Reservists not on active duty	Yes
Delayed Entry Program enrollees	Yes
ROTC Students	Yes
Separates from Active Military Service, separated for any reason before age 26	Yes*
Men rejected for enlistment for any reason before age 26	Yes
Immigrants**	
Lawful non-immigrants on visas (diplomatic and consular personnel and families, foreign students, tourists with unexpired Form I-94, or Border Crossing Document DSP-150)	No
Permanent resident immigrants (USCIC Form I-551)/undocumented immigrants	Yes
Special agricultural workers	Yes
Special agricultural workers (H-2A Visa)	No
Refugee, parolee, and asylee aliens.	Yes
Dual National US Citizens	Yes
Confined	
Incarcerated, hospitalized, or institutionalized for medical reasons.	No*
Handicapped Physically or Mentally	
Able to function in public with or without assistance	Yes
Continually confined to a residence, hospital, or institution	No
Sex Gender Change/Transexual	
US Citizens or immigrants born male and have a sex change	Yes
Individuals who are born female and have a sex change	No

*Must register within 30 days of release, or already registered when released, or unless exempt during entire period age 18 through 25.

**Residents of Puerto Rico, Guam, Virgin Islands, and Northern Mariana Islands are US Citizens. Citizens of American Samoa are nationals and must register when they are habitual residents in the United States. Habitual residence is presumed

whenever a national or a citizen of the Republic of the Marshall Islands or the Federated States of Micronesia resides in the US more than one year in any status, except as a student or employees of the government of his homeland. **NOTE:** Immigrants who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after they were 26 years old, were never required to register.

Immigrants born before 1960 who did not enter the US or maintained their lawful non-immigrant status by continually remaining on a valid visa until after March 29, 1975, were never required to register.

Requirements for Youth Who Turn 18 While Enrolled in a WIOA Youth Program

TEGL 11-11 states the following: “If a male turns 18 while participating in WIOA-funded services, registration with Selective Service **must** be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA-funded services. If a man under the age of 26 refuses to register with the Selective Service, WIOA-funded services **must** be suspended until he registers.” For additional information see the TEGL at http://wdr.doleta.gov/directives/corr_doc.cfm?docn=9313. It is possible for a youth to submit registration information early, as long he is **at least 17 years and 3 months old**. Selective Service will keep his information on file and process it automatically later in the year, when the man is within 30 days of reaching his 18th birthday. An acknowledgment card will be mailed when this registration is processed. To submit early registration information, the youth follows the same procedures as men who are 18 through 25 years old.

Determining Eligibility for Priority of Service under the Jobs for Veterans Act

Public Law 107-288, The Jobs for Veterans Act (JVA), requires that otherwise eligible veterans be given priority of service for federal job training programs. The following are used to determine eligibility for priority of service over non-veterans for receipt of services (covered person). This priority is only used if the person is already eligible under one of the WIOA programs.

1. Veteran
2. Spouse of any of the following:
 - a. Any veteran who died of a service connected disability.
 - b. Any member of the Armed Forces on active duty, who at the time of application for assistance under this section, is listed in one of the following categories for at least 90 days: missing in action; captured in the line of duty by hostile force; forcible detained or interned in line of duty by a foreign government or power.
 - c. Any veteran who has a total disability resulting from a service-connected disability.
 - d. Any veteran who died while a disability so evaluated was in existence.

Priority of Service- This means that a veterans or eligible spouse either receives access to a service earlier in time than a non-covered person, or, if the resource is limited the veteran or eligible souse receives access to the service instead of the non-covered person. **(TEGL 10-09)**

Veteran-A person who served at least one day in active military, naval or air service and who discharged or released under conditions other than dishonorable.

Eligible Spouse-means the spouse of any of the following:

- a. Any veteran who died of a service-connected disability;
- b. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - i. Missing in action;
 - ii. Captured in the line of duty by a hostile force; or

- iii. Forcibly detained or interned in the line of duty by a foreign government or power;
- c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- d. Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b. or c. above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member. **(TEGL 10-09)**

Any discharge that is not dishonorable qualifies the individual as a veteran who is eligible for priority of service. TEGL 10-09 provides additional information on the Jobs for Veterans Act and may be accessed at: <http://wdr.doleta.gov/directives/attach/TEGL/TEGL10-09.pdf>

Training Employment Notice (TEN) 15-10 includes a document titled *A Protocol for Implementing Priority of Service for Veterans and Eligible Spouses*. The TEN may be accessed at <http://wdr.doleta.gov/directives/attach/TEN/ten2010/ten15-10.pdf> The Veterans' Priority applies to **all** WIOA programs (Adult, Dislocated Worker and Youth).

When past income is an eligibility determinant for Federal employment or training programs, any amount received as military pay or allowance by any person who served on active duty and certain other specified benefits must be disregarded for the veteran and for other individuals for whom the amounts would normally be applied in making and eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members for this priority **(TEGL 3-15)**.

Applying Priority of Service under WIOA

Any discharge that is not dishonorable qualifies the individual as a veteran who is eligible for priority of service. **TEGL 10-09** states that when a program is required by law to provide a priority or preference for a particular group, priority is provide on the basis provided below:

- 1) Veterans and eligible spouses who meet the mandatory priorities must receive the highest level of priority for the program or service;
- 2) Non-covered persons who meet the program's mandatory priority or spending requirement or limitation receive the second level of priority for the program or service;
- 3) Veterans and eligible spouses outside the program-specific mandatory priority or spending requirement or limitation then receive the third level of priority for the program or service; and
- 4) Non-covered persons outside the program-specific mandatory priority or spending requirement or limitation then receive the fourth level of priority for the program or service.

See **TEGL 10-09** at <http://wdr.doleta.gov/directives/attach/TEGL/TEGL10-09.pdf> Training Employment Notice (TEN) 15-10 includes a document titled *A Protocol for Implementing Priority of Service for Veterans and Eligible Spouses*. See **TEN 15-10** at <http://wdr.doleta.gov/directives/attach/TEN/ten2010/ten15-10.pdf>

Note on Veteran Status: If an individual is already recorded in AOSOS as a veteran when seeking WIOA individualized career or training services, but there is no documentation of their veteran status in their record, it must be obtained and kept on file. (See WIOA Youth Program Documentation Desk Aid).

Low-Income Determination Guidelines

Low-Income Definitions

Two categories of out-of-school youth (A Recipient of a Secondary School Diploma or its Recognized Equivalent Who is a Low Income Individual and is Either Basic Skills Deficient or an English Language Learner; and A Low-Income Individual who Requires Additional Assistance to Enter or Complete an Educational Program or to Secure or Hold Employment) and all in-school youth must be determined low income in order to be eligible for WIOA Youth services. This section is to be used when establishing that a youth is a low-income individual.

Low-Income Individual - The term "low-income individual" means an individual who—

(i) 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 (7U.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;

(ii) is in a family with total family income that does not exceed the higher of—

(I) the poverty line; or

(II) 70 percent of the lower living standard income level;

(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994, or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act

(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act);

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(2) SPECIAL RULE-For the purpose of this subsection, the term “low-income,” used with respect to an individual, also includes a youth living in a high-poverty area. [**WIOA Sec. 3 (36) (A)**]

High Poverty Area- 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 30 percent as set every 5 years using American Community Survey 5-Year data. (**20 CFR 681.260**)-*See New Jersey Census Tracts with a Poverty Rate of 30% or Greater on pages 23-25*. An intake worker determines if a youth is a resident of such a census tract by entering their address into the US Census Bureau’s American Fact Finder website (instructions are provided starting on **page 25**).

Family Income-Family income is the income received from included sources of income of all members of the “family” as defined on page 5. It includes total annual cash receipts before taxes from all sources; the list of “Included Income” and “Excluded Income” are provided below. Family size shall be the maximum number of family members during the income determination period. For separated or divorced applicant, income is prorated depending on the length of time during the last six months the applicant lived with the other wage earner.

Disabled Youth-Even if the family of a disabled youth does not meet the income eligibility criteria, the disabled youth is to be considered a low-income individual if the youth's own income:

(a) Does not exceed the higher of the poverty or 70% of the lower living standard income level for the 6-month period prior to application. (*See definition section below for details*)

(b) Meets the income eligibility criteria for cash payments under any Federal, State, or local public assistance program. [**20 CFR 680.640**] **NOTE:** *The participant’s income must still be documented.*

Income can be calculated using one of the methods described in pages 17-18. An income worksheet (**Attachment C**) **must** be completed when calculating income and the information must be recorded on the appropriate America’s One-Stop Operating System (AOSOS) screen. Self-employment income is to be determined on the

basis of the most recently submitted federal income tax return or on the basis of annualized proceeds posted in more up-to-date acceptable accounting records. All other income is to be annualized based on receipts during the past six months. The income is then compared to the higher of the Poverty Guidelines (**Attachment B**) or the 70% Lower Living Standard Income Level (**Attachment A**).

Income Inclusion and Exclusions

Included Income

- Monetary wages, salaries, commissions and tips, before any deductions
- Net receipts from non-farm 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 an owner, renter, or sharecropper, after deductions for farm operating expenses)
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation and training stipends
- Alimony (excludes one-time property settlements)
- Financial assistance from outside the household-regular payments received from non-household members or absent family members (excludes gifts or sporadic assistance)
- Military family allotments (voluntary/automatic deduction from military member's pay check which is sent home to family members)
- Pensions, whether private or government employee (including military retirement pay)
- Regular insurance or annuity payments
- College or university grants, fellowships, and assistantships, other than needs-based
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts
- Net gambling or lottery winnings
- Terminal leave pay, severance pay or a cash out of accrued vacation leave
- Disaster Relief Employment Wages
- On-the-job training wages

Excluded Income

- Unemployment compensation
- Strike benefits received from union funds
- Old Age and Survivors insurance benefits received under Social Security Act Section 202

- Social Security Disability Insurance Payments
- Cash Welfare payments (including Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Refugee Cash Assistance (RCA), and General Assistance (GA))
- Child Support payments including foster care child payments
- Financial assistance under Title IV of the Higher Education Act, (Pell Grants, Federal Supplemental Educational Opportunity Grants, Federal Work Study, State grants for higher education. PLUS, Stafford and Perkins loans, like any other loan, are debt, not income.)
- Needs-based scholarship assistance
- Income earned while on active military duty and certain other veterans' benefits (compensation of service-connected disability, family compensation for service-connected death, vocational rehabilitation, and educational assistance)
- Allowances received while serving on active military duty (cost of living, overseas cost of living, clothing, dislocation, housing, travel, per diem, and subsistence)
- Capital gains
- Any assets withdrawn from a financial institution, or proceeds from the sale of property, a house or a car
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or 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 made to participants of Federally Assisted Needs-Based Employment and Training Programs, including WIOA (except on the job training wages)
- Job Corps payments
- Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparents, Retired Senior Volunteer Program, AmeriCorps, and NJ Youth Corps
- National Flood Insurance Payments
- Black Lung payments received under the Benefits reform Act of 1977

When a federal statute specifically states that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments are excluded when determining eligibility for WIOA programs.

METHODS FOR CALCULATING INCOME

When calculating income, States and local workforce development areas are encouraged to use any one of the following methods. The examples are illustrative only, and local workforce development areas should obtain as many pay stubs as possible.

STRAIGHT PAY OR SALARY METHOD

Under the Straight Pay or Salary Method, the individual supplies a sample of pay stubs covering the most recent six months of family income. There is no variation in the wages for any of the pay stubs submitted for the income verification; therefore, the intake worker calculates the income based upon the wages indicated on one of the pay stubs. The gross income is multiplied by the number of pay periods in the six-month determination period (26, 13, 12, or 6 respectively). The result is multiplied by two, to get the annualized income used to determine eligibility.

Example: Five pay stubs are provided indicating gross wages of \$991.00 each. The pay frequency is biweekly (13 times in six-months). The intake worker multiplies the gross wages indicated on the paystub by the frequency of the pay periods to get income for the six-month determination period. The six months income is multiplied by two to get annualized income.

$$\$991.00 \times 13 = \$12,883.00 \times 2 = \$25,766.00 \text{ Annualized Gross Income}$$

AVERAGE PAY METHOD

Under the Average Pay Method, a sample of six pay stubs are submitted which show variation in the gross earnings. The variation may result from overtime, lost time or work for a different employer. In calculating the annualized income, the intake worker must determine the average gross earnings based upon the number of pay stubs provided. To determine the average gross earnings, the intake worker must total the gross earnings of: all pay stubs provided and divide the result by the number of pay stubs. The result will be the average gross earnings per pay period. After determining average gross earnings the intake worker will then determine the pay frequency and multiply the average gross earnings by the number of pay periods in a year.

Example: Participant provides intake worker with six pay stubs with gross earnings of: \$534.00, \$475.00, \$398.00, \$534.00, \$498.00, and \$534.00. The pay frequency is weekly. The intake worker should do the following:

$$\begin{aligned} \$534.00 + \$475.00 + \$398.00 + \$534.00 + \$498.00 + \$534.00 &= \$2,973.00 \\ \$2,973.00 / 6 &= \$495.50 \text{ Average Gross Earnings} \\ \$495.50 \times 52 &= \$25,766.00 \text{ Annualized Gross Income} \end{aligned}$$

YEAR-TO-DATE METHOD

Under the Year-To-Date method of calculating annualized gross income, the individual provides recent pay stubs with cumulative year-to-date gross earnings indicated on the pay stub. The cumulative year-to-date gross earnings indicate the gross earnings up to the date of the pay period ending date on the pay stub. To compute the annualized income, the intake worker counts the number of pay periods that have occurred since January 1 or from the date of employment if after January 1. The intake worker divides the number of pay periods into the gross year-to-date earnings indicated on the pay stub. The result of this computation (average gross income per pay period) is then multiplied by the number of pay periods in the six-month determination period. The result is then multiplied by two, to determine the annualized gross earnings.

Example: Individual provides the intake worker with a recent pay stub indicating year-to-date earnings of \$18,829. The pay period ended September 30. The pay frequency is biweekly and the individual has been employed since January 1. Nineteen pay periods have occurred since January 1. The intake worker should do the following:

$$\$18,829.00 / 19 = \$991.00 \text{ Average Biweekly Earnings.}$$

\$991.00 x 13 (pay periods) = \$12,883.00 x 2 = \$25,766.00 Annualized Gross Income.

INTERMITTENT WORK METHOD

When an individual has not had steady work with one or more employers, the individual shall supply as many pay stubs as possible and complete an Applicant Statement explaining all missing pay stubs and non-work periods during the last six-months. In this case the intake worker totals all wages for the six-month period and multiplies the result by two to annualize the Gross Income. If the individual reports little or no includable income, the individual shall indicate other resources relied upon for life support during the last six months on the Applicant Statement. Resources may include such things as gifts, loans, unemployment compensation, etc.

Personal Identifiable Information

The United States Department of Labor Employment and Training Administration (ETA) issued **TEGL 39-11**; which provides guidance on the handling and protection of Personal Identifiable Information (PII). **PII** is information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. **Protected PII** is information that, if disclosed, could result in harm to the individual whose name or identity is linked to that information. Examples of protected PII include, but are not limited to, social security numbers (SSNs), credit card numbers, bank account numbers, home telephone numbers, ages, birthdates, marital status, spouse names, educational history, biometric identifiers (fingerprints, voiceprints, iris scans, etc.), medical history, financial information and computer passwords. The TEGL also provides following procedures:

- Grantees acknowledge that all PII data obtained through their ETA grant shall be stored in an area that is physically safe from access from unauthorized individuals at all times and will be processed using grantee issued equipment, managed information technology services and designated locations approved by ETA. Accessing, processing or storing grant PII data on personally owned equipment, at off-site locations e.g. employee's home, and non-grantee managed IT services is strictly prohibited unless approved by ETA.
- Before collecting PII or sensitive information from participants, have participants sign releases acknowledging the use of PII for grant purposes only.
- Whenever possible, ETA recommends the use of unique identifiers for participant tracking instead of SSNs. While SSNs may initially be required for performance tracking purposes, a unique identifier could be linked to each individual record. Once the SSN is entered for performance tracking, the unique identifier would be used in place of the SSN for tracking purposes. If SSNs are to be used for tracking purposes, they must be stored or displayed in a way that is not attributable to a particular individual, such as a truncated SSN.

Note: *For the purposes of the above policy, the AOSOS Identification Number can be used in place of Social Security Numbers.* Specific requirements are addressed in detail in the TEGL which can be accessed through the following link: http://wdr.doleta.gov/directives/attach/TEGL/TEGL_39_11_Acc.pdf The attachment to the TEGL, an appendix of Federal laws and policies related to data security, can be accessed here http://wdr.doleta.gov/directives/attach/TEGL/TEGL_39_11_Att.pdf

Note: *original* documents used for eligibility documentation **must** be returned to the customer.

WIOA YOUTH ELIGIBILITY DOCUMENTATION DESK AID

General Eligibility

Age/Birth Date (any one)

Baptismal Record
Birth Certificate
DD-214 Report of Transfer or Discharge Paper
Driver's License
Federal, State, or Local Government Identification Card
Hospital record of Birth
Passport
Public Assistance/Social Service records or ID card
School Records/Identification Card
Work Permit (Youth)
Report of Transfer or Discharge Paper
Cross Match with Department of Vital Statistics or tribal records

Citizen (any one)

US Passport (Undamaged)
Certified Birth Certificate, issued by city, county or state -A certified birth certificate has registrars raised, embossed, impressed or multicolored seal, registrar's signature, and date certificate was filed w/ the registrar's office, which must be within 1 year of your birth.
Consular Report of Birth Abroad
Naturalization Certificate
Certificate of Citizenship

Citizen Unable to Present Documents Listed Above and Legal Alien Authorized to Work

(All documents must be unexpired) Any one verification document that satisfies List A of the I-9 or Verification document(s) that satisfy List B AND List C of the I-9 (must provide at least one from each list)

List A (Documents that establish both identity and employment eligibility)

U.S. Passport or U.S. Passport Card
Permanent Resident Card or Alien Registration Receipt Card (Form I-551)
Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa.
Employment Authorization Document that contains a photograph (Form I-766)
In the case of non-immigrant alien authorized to work for a specific employer incident to status, a foreign passport w/ Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and proposed employment is not in conflict w/ restriction or limitations identified in form.
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 nonimmigrant admission under the Compact of Free Association between the United States and the FSM or RMI.

List B (Documents that establish identity)

AND

List C (Documents that establish authorization to work)

Driver's license or ID issued by a State or outlying possession of the US provided it contains a photo or information such as name, date of birth, gender, height, eye color, and address.	Original or Certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
School ID card with a photograph	US Citizen ID Card (Form I-197)
Voter's registration card	Certification of Birth Abroad, issued by the Dept. of State (Form FS-545)
ID card issued by federal/State/local government agency or entity w/ photo or same identifying info as specified above.	Certification of Report of Birth issued by Dept. of State (Form DS-1350)
US Military card or draft record	Social Security account number card, if it does not specify that the card does authorize employment
Military dependent's ID card	Native American tribal document
US Coast Guard Merchant Mariner Card	ID Card for Use of Resident Citizen in the U.S. (Form I-179)
Native American tribal document	Employment Authorization issued by Dept. of Homeland Security
Canadian driver's license	
For persons under 18: a. school record / report card b. clinic, doctor, or hospital record c. day care/nursery school record	

WIOA YOUTH ELIGIBILITY DOCUMENTATION DESK AID

Except where specified, only one document per criteria is required

School Dropout

Record from Education Institution
Telephone Verification from Official
Self-certification

Has Not Attended School for at Least Most Recent Complete School Year Calendar Quarter

Record from Education Institution
Telephone Verification from Official
Self-certification

Basic Skills Deficient

Objective Assessment (Must in file and scores entered into AOSOS)
School Records

English Language Learner -Requires documentation of two criteria. All participants certified as “English Language Learner” must meet the Limited Ability to Read, Writer, Speak, or Comprehend English criterion AND either “Native Language Other than English” OR “Lives in Family/or Community Environment Where Language Other Than English is Dominant Language.”

Limited Ability to Read, Write, Speak or Comprehended the English Language
Objective Assessment (Must in file and scores entered into AOSOS) OR
School Records

And

Native Language is Language Other than English
School Records
Self-certification

OR

Lives in Family or Community Environment Where Language Other Than English Dominant Language
School Records
Self-certification

Homeless or Runaway

Written Statement from an Individual Providing Temporary Residence
Written Statement from Shelter
Written Statement from Social Service Agency
Self-Certification

Foster Child

Written Confirmation From Social Services Agency
--

Pregnant or Parenting

Copy of Child’s Birth Certificate
Copy of Baptismal Record
Observation of Pregnancy Status
Self-certification

Individual Subject to the Juvenile or Adult Justice System/Offender

Documentation from juvenile or adult criminal justice system
Documented phone call with court or probation representative (See Attachment E)
Self-certification

Disability

Letter from Drug or Alcohol Rehabilitation Agency
Letter/Individual Education Plan from Child Study Team Stating Specific Disability
Medical Records
Observable Condition (Applicant Statement needed)
Physician's Statement/Psychologist's Diagnosis
Rehabilitation Evaluation
School Records
Sheltered Workshop Certification
Social Security Administration Disability Records
Social Service Records/Referral
Veterans Administration Letter/Records
Vocational Rehabilitation Letter
Workers Compensation Records

Requires Assistance to Complete an Educational Program or Secure and Hold Employment

To be identified by the WDB in the local plan

Assessment/Test Results (as applicable)
School Records (as applicable)
Self-certification (as applicable)
Other Documentation Pertinent to the Criterion as established by local board policy

Selective Service Registration

Selective Service Acknowledgment Letter
Form DD-214 "Report of Separation"
Screen printout of Selective Service Verification site
Selective Service Registration Card
Selective Service Verification Form (Form 3A)
Stamped Post Office Receipt of Registration

Social Security Number (data validation)

Social Security Account Number Card
Passport
Military ID
Other Federal or State ID with SSN
Items below can only be used for purposes of establishing Social Security Number, not for authorization to work.
DD-214, Report of Transfer or Discharge
Employment Records
IRS Form Letter 1722
Social Services Agency Database Screenshot (GAAS/FAMIS)
Pay Stub
Social Security Benefits
W-2 Form

For additional information regarding policies related to the collection of Social Security numbers, see TEGL 5-08. The TEGL can be accessed here: <http://wdr.doleta.gov/directives/attach/TEGL/TEGL05-08.pdf>

Income Documentation

Supplemental Nutrition Assistance Program (SNAP) Recipient

Public Assistance Records
Telephone Verification
Letter from SNAP Disbursing Agency
Public Assistance Records/Printout

Temporary Assistance to Needy Families (TANF)

TANF Record
TANF Database Screenshot

WIOA YOUTH ELIGIBILITY DOCUMENTATION DESK AID

Supplemental Security Income (SSI)

Social Security Benefits Record
Public Assistance Record
Public Assistance Database Screenshot

Other Public Assistance

Public Assistance Records
Public Assistance Database Screenshot

Family Size

Birth Certificate(s)
Court/Divorce Decree
Landlord Statement
Lease
Marriage Certificate
Medical Card
Most Recent Tax Return Supported by IRS Documents (e.g. Form 1722)
Public Assistance/Social Service Agency Records
Alien Registration Cards
Written Statement from a Publicly Supported 24-hour Care Facility.
Self-Certification

Income - Individual and Family

Alimony Agreement
Applicant statement (Individual with little or no income, only)
Award Letter from Veterans Administration or copy of check
Bank Statements (Direct Deposit)
Compensation Award Letter
Court Award Letter
Employer Statement/Contact
Farm or Business Financial Records
Housing Authority Verification
Pay Stubs
Pension Statement
Public Assistance Records
Quarterly Estimated Tax for Self-Employed Persons (Schedule C)
Social Security Benefits
Unemployment Insurance Documents and/or Printout (LOOPS)
Residency in Census Tract identified as High Poverty Area (see below)

Free or Reduced-Price Lunch

School Records Showing Eligibility for Free/Reduced-price Lunch-
Records Showing Entire School. District Eligible for Free/Reduced-price Lunch

Resident of High Poverty Area

Proof of residence in census tract with poverty rate of 30% or greater*

*See list of relevant census tracts and instructions that follow.

New Jersey Census Tracts with a Poverty Rate of 30% or Greater by County

Census Tract	County	Census Tract	County
Census Tract 3	Atlantic	Census Tract 201	Cumberland
Census Tract 5	Atlantic	Census Tract 203	Cumberland
Census Tract 12	Atlantic	Census Tract 205.03	Cumberland
Census Tract 14	Atlantic	Census Tract 301	Cumberland
Census Tract 15	Atlantic	Census Tract 411	Cumberland
Census Tract 23	Atlantic	Census Tract 3	Essex
Census Tract 24	Atlantic	Census Tract 7	Essex
Census Tract 25	Atlantic	Census Tract 9	Essex
Census Tract 119	Atlantic	Census Tract 10	Essex
Census Tract 6002	Camden	Census Tract 11	Essex
Census Tract 6004	Camden	Census Tract 13	Essex
Census Tract 6007	Camden	Census Tract 14	Essex
Census Tract 6008	Camden	Census Tract 15	Essex
Census Tract 6009	Camden	Census Tract 17	Essex
Census Tract 6013	Camden	Census Tract 19	Essex
Census Tract 6014	Camden	Census Tract 24	Essex
Census Tract 6015	Camden	Census Tract 26	Essex
Census Tract 6016	Camden	Census Tract 31	Essex
Census Tract 6017	Camden	Census Tract 39	Essex
Census Tract 6018	Camden	Census Tract 42	Essex
Census Tract 6019	Camden	Census Tract 44	Essex
Census Tract 6020	Camden	Census Tract 46	Essex
Census Tract 6103	Camden	Census Tract 48.01	Essex
Census Tract 6104	Camden	Census Tract 48.02	Essex
Census Tract 214	Cape May	Census Tract 50	Essex
Census Tract 221.01	Cape May	Census Tract 53	Essex
Census Tract 54	Essex	Census Tract 10	Mercer
Census Tract 57	Essex	Census Tract 14.01	Mercer

Census Tract	County	Census Tract	County
Census Tract 62	Essex	Census Tract 14.02	Mercer
Census Tract 67	Essex	Census Tract 15	Mercer
Census Tract 68	Essex	Census Tract 16	Mercer
Census Tract 75.02	Essex	Census Tract 19	Mercer
Census Tract 82	Essex	Census Tract 20	Mercer
Census Tract 87	Essex	Census Tract 45	Middlesex
Census Tract 89	Essex	Census Tract 48	Middlesex
Census Tract 91	Essex	Census Tract 51	Middlesex
Census Tract 92	Essex	Census Tract 52	Middlesex
Census Tract 94	Essex	Census Tract 53	Middlesex
Census Tract 96	Essex	Census Tract 58	Middlesex
Census Tract 9802	Essex	Census Tract 93	Middlesex
Census Tract 5004	Gloucester	Census Tract 8056	Monmouth
Census Tract 5014.04	Gloucester	Census Tract 8070.03	Monmouth
Census Tract 7	Hudson	Census Tract 8071	Monmouth
Census Tract 17.01	Hudson	Census Tract 8072	Monmouth
Census Tract 18	Hudson	Census Tract 8073	Monmouth
Census Tract 44	Hudson	Census Tract 8076	Monmouth
Census Tract 62	Hudson	Census Tract 7153.01	Ocean
Census Tract 67	Hudson	Census Tract 7153.02	Ocean
Census Tract 78	Hudson	Census Tract 7154.02	Ocean
Census Tract 166	Hudson	Census Tract 7155	Ocean
Census Tract 169	Hudson	Census Tract 7156	Ocean
Census Tract 170	Hudson	Census Tract 7157	Ocean
Census Tract 177	Hudson	Census Tract 1752	Passaic
Census Tract 324	Hudson	Census Tract 1753.01	Passaic
Census Tract 9	Mercer	Census Tract 1753.02	Passaic
Census Tract 1754.02	Passaic	Census Tract 1820	Passaic
Census Tract 1755	Passaic	Census Tract 1821	Passaic

Census Tract	County	Census Tract	County
Census Tract 1758.02	Passaic	Census Tract 1822	Passaic
Census Tract 1759	Passaic	Census Tract 1823.01	Passaic
Census Tract 1802.02	Passaic	Census Tract 1823.02	Passaic
Census Tract 1806	Passaic	Census Tract 1829	Passaic
Census Tract 1807	Passaic	Census Tract 1832	Passaic
Census Tract 1808	Passaic	Census Tract 2239	Passaic
Census Tract 1809	Passaic	Census Tract 2642	Passaic
Census Tract 1812	Passaic	Census Tract 203	Salem
Census Tract 1813	Passaic	Census Tract 220	Salem
Census Tract 1814	Passaic	Census Tract 221	Salem
Census Tract 1815	Passaic	Census Tract 306	Union
Census Tract 1817.02	Passaic	Census Tract 389	Union
Census Tract 1818	Passaic	Census Tract 393	Union

How to use Census Tract Data-Go the US Census Bureau’s American Fact Finder website at: <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t> See Screenshots below

1. Click “Advanced Search”



2. Click “Geographies”

The screenshot shows the top navigation bar with 'ADVANCED SEARCH' selected. Below it is a search instruction: 'Search - Use the options on the left (topics, geographies, ...) to narrow your search results'. The left sidebar contains 'Your Selections' (Congressional District 12, New Jersey) and 'Search using the options below:' with categories: Topics, Geographies (circled), Race and Ethnic Groups, Industry Codes, and EEO Occupation Codes. The main area shows 'Search Results: 1-25 of 7,489 tables and other products match 'Your Selections''. A 'Select Geographies' panel is open with tabs for List, Name, Address, and Map. Below the tabs, there are radio buttons for 'most requested geographic types' (selected) and 'all geographic types', and a dropdown menu for 'Select a geographic type:'.

3. After clicking “Geographies” a menu will appear to the right; Click “Address.” Enter the youth’s address under “Street Address,” then click “GO.” The results will appear, including the census tract number and county for the address. If that **census tract number and county combination** appears on the list provided in Section A.6 of this attachment, it is a high poverty area. Note that census tract numbers are not unique-i.e there may be a Census Tract 62 in more than one county.

This screenshot shows the 'Select Geographies' panel with the 'Address' tab selected and circled. The input fields are: 'street address' (1 John Fitch Plaza), 'city' (Trenton), 'state' (New Jersey), and 'zip' (08625). The 'GO' button is also circled. Below the input fields, it says 'Geographies containing 1 John Fitch Way, TRENTON, NJ, 08611:'. The 'Geography Results' table is shown below.

Geography Name	Geography Type	Geography Code
New Jersey	State	040
Mercer County, New Jersey	County	050
Trenton city, Mercer County, New Jersey	County Subdivision	060
Block 1012, Block Group 1, Census Tract 11.01, Mercer County, New Jersey	Block	100
Census Tract 11.01, Mercer County, New Jersey	Census Tract	140

Attachment A

2015 Lower Living Standard Income Levels

70% LOWER LIVING STANDARD INCOME LEVELS (LLSIL) Effective: March 27, 2015

Family Size	New York-Northeastern NJ Bergen, Essex, Hudson, Jersey City, Mercer, Middlesex, Monmouth, Morris/Sussex/Warren, Newark, Ocean, Passaic, Somerset/Hunterdon, Union	Northeast Metro Atlantic/Cape May, Burlington, Camden, Cumberland/Salem, Gloucester
1	(\$11,355)*	(\$10,576)*
2	\$18,612	\$17,334
3	\$25,780	\$23,790
4	\$31,537	\$29,368
5	\$37,214	\$34,660
6	\$43,529	\$40,530
For each additional person add:	\$6,3151	\$5,970

*Amount in parentheses is lower than the Poverty Level, which is \$11,770 for a family size of one.

TABLE 3:SELF-SUFFICIENCY LEVELS-EMPLOYED WORKERS

100% LOWER LIVING STANDARD INCOME LEVELS (LLSIL) Effective: March 27, 2015

(Used to determine the minimum level for establishing self-sufficiency criteria for the eligibility of employed workers)

Family Size	New York-Northeastern NJ Bergen, Essex, Hudson, Jersey City, Mercer, Middlesex, Monmouth, Morris/Sussex/Warren, Newark, Ocean, Passaic, Somerset/Hunterdon, Union	Northeast Metro Atlantic/Cape May, Burlington, Camden, Cumberland/Salem, Gloucester
1	\$16,222	\$15,109
2	\$26,588	\$24,763
3	\$36,494	\$33,986
4	\$45,053	\$41,954
5	\$53,163	\$49,514
6	\$62,184	\$57,900
For each additional person add:	\$9,021	\$8,386

Source: Federal Register, Vol. 80, No. 59, pp. 17186-17188

Attachment B

2015 Health and Human Services Poverty Guidelines

2014 Poverty Guidelines for the 48 Contiguous States and the District of Columbia

Persons in family/household	Poverty guideline
1	\$11,770
2	\$15,930
3	\$20,090
4	\$24,250
5	\$28,410
6	\$32,570
7	\$36,730
8	\$40,890
For families/households with more than 8 persons, add \$4,160 for each additional person.	

Source: Federal Register, Vol. 80, No. 14, January 22, 2015, pp. 3236-3237.

Attachment C

INCOME WORKSHEET

CUSTOMER NAME: _____ **AOSOS ID #:** _____

Please list all individuals living in your house. For any individual listed who is related to you please show the gross income the individual has received (if any) in the past six (6) months and the source of that income. If the individual has zero income or not employed, please indicate if the individual is in school, unemployed, or not in the labor force, retired, etc. Any family member employed during the previous six (6) months MUST indicate the GROSS EARNINGS FOR THE PAST 6-MONTH PERIOD.

NAME	RELATIONSHIP TO CUSTOMER	AGE	DATES (6 MONTHS)	SOURCE OF INCOME	AMOUNT (\$)

TOTAL INCOME FOR PAST SIX (6) MONTHS: _____

TOTAL ANNUALIZED FAMILY INCOME: _____

FAMILY SIZE - TOTAL NUMBER IN FAMILY UNIT: _____

**POVERTY GUIDELINE or
70% LOWER LIVING STANDARD INCOME LEVEL FOR THIS FAMILY SIZE: \$** _____

CERTIFICATION: *I certify that the information provided is true to the best of my knowledge and there is no intent to commit fraud. I am also aware that eligibility is subject to review and verification and I may be required to document its accuracy. Participants are subject to immediate termination if found ineligible after enrollment. Knowingly falsifying information will subject me to prosecution for fraud. I hereby give permission to verify my income by contacting my place of employment or agency from which I received benefits.*

CUSTOMER'S SIGNATURE: _____ **DATE:** _____

PARENT/GUARDIAN SIGNATURE*: _____ **DATE:** _____
*Required for Customers under 18 years of age.

CERTIFIER'S SIGNATURE: _____ **DATE:** _____

REVIEWER'S SIGNATURE: _____ **DATE:** _____

Attachment D

**WORKFORCE INNOVATION AND OPPORTUNITY ACT ELIGIBILITY
Self-Certification**

APPLICANT NAME: _____ **AOSOS ID #:** _____

I hereby certify, under penalty of perjury, that the following information is true:

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

APPLICANT SIGNATURE: _____ **DATE:** _____

PARENT/GUARDIAN SIGNATURE*: _____ **DATE:** _____

*Required for Applicants under 18 years of age.

----- THIS SECTION FOR ELIGIBILITY INTAKE STAFF USE ONLY -----

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

FUNDING SOURCE: _____

INTAKE STAFF SIGNATURE: _____ **DATE:** _____

Attachment E

WIOA TELEPHONE VERIFICATION FORM

Identifying Information

Applicant Name: _____
Last First M.I.

Last Four Digits of Social Security Number (SSN)_____

Certification of Applicant: I attest that the information provided for this document is true and accurate, and understand that the information, if misrepresented, or incomplete, may be grounds for immediate termination and/or penalties as specified by law. _____

Eligibility Verification by Telephone

Eligibility Criterion to be Verified_____

Agency Providing Information_____

Date and Time of Verification_____

Telephone Number of Agency Providing Verification_____

I attest that the information recorded by me on this document is accurate, and was obtained through telephone contact on the above date. As indicated, all information was obtained from data previously determined and recorded in the applicant's records at the agency providing the eligibility verification.

Signature of Staff Person Staff Person Printed Name Date
