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## **POLICY: WIOA ADULT AND DISLOCATED WORKER ELIGIBILITY**

**EFFECTIVE DATE: DECEMBER 8, 2016**

**POLICY NUMBER: 2016-06**

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### **PURPOSE**

The policy on eligibility ensures that every Workforce Innovation and Opportunity Act (WIOA) participant who receives WIOA Program funded services is eligible and registered to receive those services.

### **BACKGROUND**

WIOA provides resources, services, and leadership tools for the workforce system to help individuals find and maintain good jobs and improves employer prospects for success in the global marketplace. WIOA Title I provides authority for three programs: Adult, Dislocated Worker, and Youth programs. WIOA focuses effort on targeted populations and expands the priority of service requirements.

### **CANCELLATIONS**

All previous policies on Title I eligibility requirements remain active for individuals enrolled during that policy's effective date.

### **ACTION REQUIRED**

It is the program operator's (e.g., sub-contractors, partners) responsibility to inform all staff of the policy and ensure adherence and accountability of its contents.

### **QUESTIONS**

Questions relating to this policy should be directed to the VP of Industry Engagement & Job Services at [policy@worksourcemontgomery.com](mailto:policy@worksourcemontgomery.com) or 240.403.4102.

### **ATTACHMENTS**

- Attachment A: Required Documentation for All WIOA Participants
- Attachment B: Allowable Eligibility and Data Verification Sources
- Attachment C: Eligibility Checklist for WIOA Adult Programs
- Attachment D: Definitions of Key Terms

## WIOA ELIGIBLE INDIVIDUALS

To participate in the WIOA Adult or Dislocated Worker program, an individual must meet basic eligibility requirements as defined by federal mandate and the local plan to participate in WIOA Adult programs.

To be eligible for WIOA Adult or Dislocated Worker funding, an individual must:

- be 18 years of age or older;
- be a U.S. citizen or noncitizen authorized to work in the U.S.; **AND**
- meet Military Selective Service registration requirements, if applicable.

Additional eligibility or priority of service requirements apply depending on the WIOA funding source.

Montgomery County residents receive priority for enrollment into WIOA programs. Non-Montgomery County residents may be enrolled on a case-by-case if approved by a WIOA Program Manager. Enrollment of non-Montgomery County residents will require coordination with the Workforce Development Board (WDB) of residency. Management approval and coordination with the WDB must be documented in the participant's file.

Underemployed individuals are eligible to receive employment and training services under WIOA as either Adult or Dislocated Workers per guidance below.

### **WIOA Dislocated Worker Eligibility**

The WIOA dislocated worker program offers employment and training services for eligible workers who are unemployed through no fault of their own or who have received an official layoff notice.

To be eligible to receive WIOA services as a dislocated worker as defined in WIOA Sec. 3(15), an individual must meet at least one of the following six criteria:

1. *General Dislocation* – The individual:
  - has been terminated or laid off, or has received a notice of termination or layoff, from employment;
  - is eligible for or has exhausted entitlement to unemployment compensation OR has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state's Unemployment Insurance law; **and**
  - Is unlikely to return to a previous industry or occupation.
2. *Dislocation from Facility Closure* – The individual:
  - has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;

- is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; **or**
  - for purposes of eligibility to receive services other than training services, career services, or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.
3. *Self-Employment Dislocation* – The individual was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.
  4. *Displaced Homemaker* – The individual as defined in WIOA Sec. 3(16) was providing unpaid services to family members in the home and:
    - has been dependent on the income of another family member but is no longer supported by that income; **or**
    - is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member; **and**
    - is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
  5. *Dislocated/Separating Military Service Members* – The individual is a separated service member with a discharge other than dishonorable, who has received a notice of separation from the Department of Defense and is unlikely to return to a previous industry or occupation.
  6. *Dislocated Spouse of a Military Service Member* – The individual is the spouse of a member of the Armed Forces on active duty as defined in Sect. 10(d)(1) of Title 10, U.S. Code, and who:
    - has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such members; **or**
    - is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

For employed individuals seeing WIOA-funded services, dislocated workers must meet one of the following two criteria:

1. Employment is “interim,” identified as:
  - Employment less than full-time if the individual desires full-time employment
  - Short-term contract-based employment, or
  - Employment through a temporary or staffing agency.
2. Employment is at a level below the self-sufficiency standard or below a level commensurate with previous experience, identified as:

- A level not commensurate with the individual’s demonstrated level of education and/or skill achievement;
- A wage that is less than the self-sufficiency standard, or
- Current job earnings that are less than 80% of their previous job earnings.

Workers who have received a notice of layoff, but who have not yet been laid off and have no other sources of employment are not subject to a review of underemployment status.

**WIOA Adult Priority of Service Requirements**

Individualized career services and training services under WIOA Adult funding must be given on a priority basis, regardless of funding levels, as outlined in WIOA Sec. 134(c)(3)(E) and Sec. 133(b)(2)(A). The Workforce Development Board (WDB) will ensure that participants in the WIOA Adult program meet the federal, state, and local priority of service guidelines, and as such, that the targeted Adult populations can access the WIOA system on a priority basis.

WIOA law has identified the following populations as targeted under Adult priority of service:

- public assistance recipients,
- low-income adults; **and/or**
- individuals who are basic skills deficient.

The Maryland Department of Labor, Licensing and Regulation (DLLR) has identified the following targeted populations in Maryland under WIOA Adult funding:

<b>Target Populations: Individuals with Barriers to Employment</b>
Displaced Homemakers
Eligible migrant and seasonal farmworkers
Ex-offenders
Homeless individuals
Individuals facing substantial cultural barriers
Individuals with disabilities, including youth with disabilities
Individuals within two years of exhausting lifetime eligibility under Part A of the Social Security Act <sup>1</sup>
Individuals who are English language learners
Individuals who are unemployed, including the long-term unemployed
Individuals who have low levels of literacy
Individuals without a High School Diploma

<sup>1</sup> This refers to the TANF program. Each State defines lifetime eligibility for TANF. In Maryland, individuals can receive TANF benefits for up to five years. If individuals reach year four and five of receipt of TANF benefits, these individuals become a targeted population according to WIOA, irrespective of the fact that after year five, individuals may continue to receive TANF benefits due to hardship.

Low income individuals (including TANF and SNAP recipients)
Native Americans, Alaskan Natives, and Native Hawaiians
Older individuals
Single parents (including single pregnant women and non-custodial parents)
Veterans
Youth who are in or have aged out of the foster care system

The local board may add additional populations due to changes in economic or county conditions if based on local demographic data and a vote by the WDB.

Priority to targeted populations will be given in the following order for services under WIOA Adult funding:

<b>First Priority</b>	Veterans and eligible spouses who are also low-income, recipients of public assistance and/or basic skills deficient
<b>Second Priority</b>	Individuals who meet criteria to be considered a target population (including veterans)
<b>Third Priority</b>	Eligible spouses who did not meet "first priority" conditions
<b>Fourth Priority</b>	Individuals who are not veterans and do not meet criteria to be considered a target population

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. For the purposes of program eligibility, priority of service will be implemented through priority of intake. Out of a group of individuals who have applied for WIOA enrollment, individuals who are eligible for first priority must be served and processed first, followed by individuals who are eligible for second priority, and so forth. In addition, targeted programs and initiatives operated through WIOA Adult funding will be focused on priority populations where feasible.

Program operators are encouraged to identify barriers to obtaining and retaining employment of customers to inform service delivery and to effectively track individuals. Any barriers identified for priority of service purposes must be verified through allowable documentation outlined in Attachment B. Participant files must show indication of priority status on the outside of the file. Priority of service implementation will be tracked by WSM and program operators.

For employed Adult individuals seeing WIOA-funded services, employment status must meet one of the following criteria:

1. Less than full-time if the individual desires full-time employment,
2. A position that is inadequate with respect to their skills and training,
3. Wages are below the self-sufficiency standard or are less than 80% of previous wages.

Individuals who are underemployed and meet the definition of a low-income individual or other state-identified barrier may receive career and training services under the Adult program on a priority basis.

### VETERAN PRIORITY OF SERVICE

The Jobs for Veterans Act (JVA) of 2008 and the Veterans' Benefits, Health Care, and Information Technology Act of 2006 provides that covered veterans and eligible spouses receive "Priority of Service." Program operators must give first consideration for program participation to covered veterans and eligible spouses who meet the eligibility criteria of a U.S. Department of Labor (DOL) training, employment, or placement service in any workforce preparation program.

Veterans' priority is required under federal law; however, it is not intended to displace existing eligibility requirements for WIOA. An individual must first qualify for WIOA before a priority of service can be applied. Program operators must use the following guidelines when determining priority for DOL-funded services:

- If the existing provisions are mandatory, a veteran must meet both the existing provisions and the veterans' provisions to receive priority. A non-veteran receives priority over a veteran who does not meet the mandatory provisions.
- If the existing provisions are optional, a veteran receives priority.

At the point of entry, staff will inform covered persons that by identifying as a veteran or an eligible spouse, they are entitled to Priority of Service. In addition, staff must inform covered persons of the full array of employment training and placement services available, as well as the applicable eligibility requirements for programs and services.

### **Verifying Veteran Status**

Any individual self-identifying as a covered person should be provided immediate priority in the delivery of employment and training services. No covered person should be denied access on a priority basis to any services provided by program staff in order to verify covered person status.

It is neither necessary nor appropriate for any staff to require verification of the status of a veteran or eligible spouse at the point of entry, unless the individual who self-identifies as a covered veteran or eligible spouse:

1. Is to immediately undergo eligibility determination and must be registered or enrolled in a program; or,
2. The applicable federal program rules require verification of covered Veteran or eligible spouse status at that time.

When a veteran does not have verifying documentation of veteran or eligible veteran status, the veteran or eligible spouse should be enrolled (providing other required documentation is provided) and provided immediate priority. They should be permitted to follow-up subsequently with any required verification of covered status.

Program operators must develop and implement processes to identify veterans and eligible spouses who access service delivery points in order to provide veterans and eligible spouses with timely and useful information on priority of service at point of entry. Point of entry may include entry into an American Job Center, as part of an application process for a employment and training program, or other methods either physically or virtually.

To receive training services under WIOA, veteran status must be verified. This can be done by reviewing the original or a photocopy of the customer's Certificate of Release or Discharge from Active Duty, which is commonly known as the —DD-214 Form.

### **Exemption of Military Service-Related Income**

Many types of income related to military service should not be included when determining if an veteran or eligible spouse meets "low income" eligibility standards.

Forms of exempted military service-related income per Title 38 U.S.C. 4213:

- Pay and/or financial allowances earned while a veteran was on active duty
- Any financial benefits received by a covered person under the following Chapters of Title 38 of the U.S. Code:
  - 11. Compensation for service-connected disability or death
  - 13. Dependency and indemnity compensation for service-connected deaths
  - 30. All-volunteer force educational assistance program
  - 31. Training and rehabilitation for veterans with service-connected disabilities
  - 35. Survivors' and dependents' educational assistance
  - 36. Administration of educational benefits
- Benefits received under Chapter 106 of Title 10 U.S. Code, Educational assistance for members of the selected reserve

Pension payments authorized by Title 10 U.S. Code, such as those received by military retirees whether or not their retirement was based on disability, are not exempt and are to be included in "low income" calculations. Also not exempt are pension benefits paid under Chapter 15 of Title 38 U.S. Code.

### **Serving Separating Service Members with Dislocated Worker Funds**

Under TEGL 22-04, service members exiting the military, including, but not limited to, recipients of Unemployment Compensation for Ex-Military members (UCX), generally qualify as dislocated workers. Generally, a separating service member needs a notice of separation, either a DD-214 from the Department of Defense, or other appropriate documentation that shows a separation or imminent separation from the Armed Forces qualifies as the notice of termination or layoff, to meet the required dislocated worker definition. U.S. DOL policy generally dictates that a separating service member meets the dislocated worker requirement that an individual is unlikely to return to his or her previous industry or occupation.

In the case of separating service members, because they may be on a terminal leave from the military, it may make sense to begin providing career services while the service member may still be part of the Active Duty military, but has an imminent separation date. It is appropriate to provide career services to separating service members who will be imminently separating from the military, provided their discharge will be anything other than dishonorable.

## SELECTIVE SERVICE REQUIREMENTS

The law requires males born on or after January 1, 1960 and residing in the U.S. to register with Selective Service within 30 days of their 18<sup>th</sup> birthday. For WIOA eligibility, every applicable male must be registered with the Selective Service.

This includes males who are:

- Citizens of the U.S.;
- Non-citizens, including undocumented individuals, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. before their 26<sup>th</sup> birthday; **AND/OR**
- Dual nationals of the U.S. and another country regardless of whether they live in the U.S.

For U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:

- Men who are serving in the military on full-time active duty;
- Men attending the service academies;
- Disabled men who are continually confined to a residence, hospital or institution; **AND/OR**
- Men who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, they must register within 30 days after being released if they have not yet reached their 26<sup>th</sup> birthday.

For non-U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:

- Non-U.S. male who came into this country for the first time after his 26<sup>th</sup> birthday with documentation.
- Non-U.S. male who entered the U.S. illegally after his 26<sup>th</sup> birthday. He must provide proof that he was not living in the U.S. from age 18 through 25.
- Non-U.S. male on a valid non-immigrant visa.

Before being enrolled in WIOA Title I-funded services, all males who have not registered with the Selective Service and have not yet reached their 26<sup>th</sup> birthday must register through the Selective Service website at [www.sss.gov](http://www.sss.gov). If a man under the age of 26 refuses to register with the Selective Service, WIOA Title I-funded services must be suspended until he registers.

If a male over 26 that was required to register failed to register, they must show documentation establishing that their failure to register was not knowing and willful as outlined in Department of Labor Training and Employment Guidance Letter (TEGL) No. 11-11, Change 2.

Individuals who are born female and changed their gender to male are not required to register. U.S. citizens or immigrants who are both male and changed their gender to female are still required to register.

### CO-ENROLLMENT IN WIOA CORE PROGRAMS

WorkSource Montgomery (WSM) encourages co-enrollment in youth and adult programs (Title I) and across all WIOA core programs where appropriate. Individuals who meet the respective program eligibility requirements may participate in core WIOA youth programs concurrently. (20 CFR 681.430) Such individuals must be eligible under the respective program's eligibility criteria applicable to the services received.

Program operators may determine, for these individuals, the appropriate level and balance of services under the youth and adult programs. 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. When determining in which program(s) to enroll a participant, the decision must be based on the service needs of the participant.

### ELIGIBILITY VERIFICATION

When registering a for WIOA services, service providers must ensure that the individual is eligible in accordance with the eligibility requirements for WIOA (age, selective service registration, and citizenship). Each file must include a completed application for each applicant and documentation that confirms general WIOA eligibility and any additional Dislocated Worker eligibility or WIOA Adult Priority of Service data elements. All questions on the intake form must be answered, and both the applicant and intake staff must sign the intake form.

### Documents for Verifying WIOA Eligibility

Required WIOA eligibility documentation must be in every participant's file and available for review by WSM. Required documentation sources for general WIOA eligibility are included in Attachment A; at least one document from every applicable category must be provided. Documentation sources for all data verification elements that may be used to verify Dislocated Worker eligibility or Adult priority of service elements are included in Attachment B. A WIOA Eligibility Checklist is included in Attachment C. The applicant must be informed that all information is subject to verification and that false information is grounds for termination and possible prosecution under the law.

The order of priority for methods of verification is:

1. Documentary evidence identified in Attachment B.
2. WIOA Intake or Registration Form, where allowable.

3. Case Notes in the Maryland Workforce Exchange (MWE) by WIOA staff, where allowable.

### **WIOA Intake or Registration Form**

The WIOA intake form and MWE registration form are allowed as a viable source for documenting eligibility for certain WIOA Title I data elements. The intake or registration should not be the first avenue for verification of data elements but may be used if documentary evidence is not available or if it cannot be provided when time is of the essence. The WIOA Intake or Registration Form can also count as a self-attestation form as long as the individual identifies his or her status for the permitted criteria and signs and dates the registration form attesting to this self-identification.

The WIOA Intake or Registration Form may be used for the following eligibility elements:

- Disability
- Displaced Homemaker
- Ex-Offender
- Family Size
- Homeless Individual
- Low Income
- Migrant or Seasonal Farm Worker
- Native American, Alaskan Native, or Native Hawaiian
- Substantial Cultural Barriers
- Single Parent
- Substantial Cultural Barriers
- Without a High School Diploma

To qualify as WIOA intake and registration, the applicable section must be completed and signed. Documentation through WIOA Intake and Registration/self-attestation should not be overused. USDOL and DLLR will monitor for overuse of self-attestation when determining program eligibility.

For low-income status, individuals must outline the sources and amount of family income by month on a self-attestation worksheet.

### **Case Notes**

Case notes in MWE by staff are allowed as a viable source for documenting eligibility for certain WIOA Title I data elements. Case notes should not be the first avenue for verification of data elements but may be used for the following eligibility elements:

- Foster Care Youth
- Pregnant
- Unlikely to Return to Previous Industry or Occupation

To qualify as case notes for eligibility documentation, case note must include a description of the customer's eligibility status, how the information was obtained, date information obtained and the case manager who obtained the information. The case note must be printed in the participant's file.

### **Primary Eligibility Review**

It is the program operator's responsibility to ensure all registration paperwork is complete and accurate prior to WIOA enrollment. The program operator must maintain a secured file for each program applicant and registrant which contains copies of all documents collected. If individuals are not enrolled in WIOA, files must be maintained for six months. The program operator will provide Federal, State, and WDB monitors with access to such records given reasonable notice.

It is the responsibility of the sub-recipient to enter the appropriate eligibility data into the Maryland Workforce Exchange (MWE) system within 14 calendar days.

### **MONITORING**

WSM acknowledges that the U.S. Department of Labor and the State of Maryland have the authority to monitor and assess performance and eligibility verification processes for WIOA Title 1 programs. To ensure that policies are being followed and expectations are being met, WSM staff or designee will review a sample of files periodically to ensure completeness and accuracy. Compliance with the priority of service requirements will be reviewed as part of program monitoring. Both paper files and electronic files will be reviewed. It will be the responsibility of the program operator to make any corrections and to conduct an internal review of all files if areas of concern are found.

### **DISCLAIMER**

This policy is based on WSM's interpretation of the statute, along with the Workforce Investment and Opportunity Act, Final Rule released by the U.S. Department of Labor, and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

### **REFERENCES**

#### **Law**

- [Workforce Innovation and Opportunity Act of 2014 \(WIOA\)](#).

#### **Federal Guidance**

- [Workforce Innovation and Opportunity Act Labor Only Final Rule](#): 20 CFR Part 680-681.
- Training and Employment Guidance Letter WIOA (TEGL) 22-04 – [Serving Military Spouses as Dislocated Workers Under the Workforce Investment Act Dislocated Worker Formula Grant](#).
- TEGL 05-08 – [Policy for Collection and Use of Workforce System Participants' Social Security Numbers](#).

- TEGL 10-09 – [Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor \(DOL\).](#)
- TEGL 11-11 Change 2 – [Selective Service Registration Requirements for Employment and Training Administration Funded Programs.](#)
- TEGL 3-15 – [Operating Guidance for the Workforce Innovation and Opportunity Act.](#)
- TEGL 22-15 – [Program Year \(PY\) 2015/Fiscal Year \(FY\) 2016 and PY 2014/FY 2015 Data Validation and Performance Reporting Requirements and Associated Timelines.](#)

#### **State Guidance**

- [Maryland Workforce Innovation and Opportunity Act \(WIOA\) State Plan.](#)
- Policy Issuance (PI) 2016-04 – [Employment Services for Veterans.](#)
- PI 2016-07 – [2016 Federal Poverty Guidelines and 2016 Lower Living Standard Income Levels.](#)
- PI 2016-10 – [Workforce Innovation and Opportunity Act \(WIOA\) Title 1 Program Eligibility Requirements.](#)

#### **Approved by**

CEO of WorkSource Montgomery, Inc.

Montgomery County Workforce Development Board

ATTACHMENT A: Required Documentation for WIOA Participants

## WIOA Documentation Requirements & Sources

- ✓ Before enrollment, eligibility criteria must be met and documented.
- ✓ You only need to show **one** form of documentation for each **category**.

Eligibility Category	Acceptable Documentation <i>(Only one per category is required, preferred document is highlighted)</i>
<b>Birth Date/Age</b>	<ul style="list-style-type: none"> <li>• Baptismal Record</li> <li>• Birth Certificate</li> <li>• DD-214, Report of Transfer or Discharge Paper</li> <li>• <b>Driver's License</b></li> <li>• Federal, State or Local Government Identification Card</li> <li>• Hospital Record of Birth</li> <li>• Letter from Montgomery County Department of Health and Human Services Verifying Age/Birth Date</li> <li>• School Records/Identification Card</li> <li>• U.S. Passport or U.S. Passport Card (unexpired)</li> <li>• Work Permit</li> </ul>
<b>Social Security Number</b> <i>(Selected documents <b>must</b> include a full social security number to be accepted as WIOA documentation)</i>	<ul style="list-style-type: none"> <li>• DD-214, Report of Transfer or Discharge Paper</li> <li>• Employment Records</li> <li>• IRS Form Letter 1722</li> <li>• Military ID</li> <li>• Passport</li> <li>• Pay Stub</li> <li>• Social Security Benefits</li> <li>• <b>Social Security Card</b></li> <li>• W-2 Form</li> </ul>
<b>Citizenship/Alien Status</b>	<ul style="list-style-type: none"> <li>• Alien Registration Card indicating Right to Work (INS Forms: I-94, I-94A, I-551, I-766, I-179, I-197)</li> <li>• Baptismal Certificate (if place of birth is shown)</li> <li>• <b>Birth Certificate</b></li> <li>• Consular Report of Birth Abroad</li> <li>• DD-214, Report of Transfer/Discharge (if place of birth shown)</li> <li>• Supplemental Nutrition Assistance Program (SNAP) Records</li> <li>• Foreign Passport Stamped Eligible to Work (unexpired)</li> <li>• Hospital Record of Birth (if place of birth is shown)</li> <li>• Naturalization Certification</li> <li>• Public Assistance Records</li> <li>• U.S. Passport or U.S. Passport Card (unexpired)</li> <li>• Voter Registration Verification</li> </ul>
<b>Selective Service Registration</b> <i>Required for <b>male</b> applicants</i>	<ul style="list-style-type: none"> <li>• DD-214, Report of Separation</li> <li>• <b>Print-Out, Check Status or Register on-line at: <a href="http://www.sss.gov">www.sss.gov</a></b></li> <li>• Selective Service Registration Card</li> </ul>
<b>Additional documentation may be needed to determine eligibility or priority of service.</b>	

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

**ALLOWABLE ELIGIBILITY AND DATA VERIFICATION SOURCES**  
**WIOA Adult Programs**

Eligibility Criteria	References	Acceptable Documentation
<b>Basic Skills Deficiency</b> <i>(academic or language literacy)</i>	<ul style="list-style-type: none"> <li>• WIOA Section 3(5)</li> <li>• TEGL 22-15</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• National Reporting System (NRS) Approved Standardized Assessment Test Score</li> <li>• School Records</li> </ul>
<b>Birth Date/Age</b>	<ul style="list-style-type: none"> <li>• TEGL 22-15</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Baptismal Record</li> <li>• Birth Certificate</li> <li>• Cross-Match with Department of Vital Statistics</li> <li>• DD-214, Report of Transfer or Discharge Paper</li> <li>• Driver's License</li> <li>• Federal, State or Local Government Identification Card</li> <li>• Hospital Record of Birth</li> <li>• Letter from Montgomery County Department of Health and Human Services Verifying of Age/Birth Date</li> <li>• School Records/Identification Card</li> <li>• Tribal Records</li> <li>• U.S. Passport or U.S. Passport Card (unexpired)</li> <li>• Work Permit</li> </ul>
<b>Citizenship/Alien Status</b>	<ul style="list-style-type: none"> <li>• WIOA Section 188(a)(5)</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Alien Registration Card indicating Right to Work (DHS/USCIS Forms: I-94, I-94A, I-551, I-766, I-179, or I-197)</li> <li>• Baptismal Certificate (if place of birth is shown)</li> <li>• Birth Certificate</li> <li>• Consular Report of Birth Abroad</li> <li>• DD-214, Report of Transfer or Discharge (if place of birth is shown)</li> <li>• Supplemental Nutrition Assistance Program (SNAP, formerly known as Food Stamp) Records</li> <li>• Foreign Passport Stamped Eligible to Work (unexpired)</li> <li>• Hospital Record of Birth (if place of birth is shown)</li> <li>• Native American Tribal Documentation</li> <li>• Naturalization Certification</li> <li>• Public Assistance Records</li> <li>• U.S. Passport or U.S. Passport Card (unexpired)</li> <li>• Voter Registration Verification</li> </ul>

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

<p><b>Disability</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Developmental Disabilities Administration (DDA) certificate for long term supports</li> <li>• Letter from Maryland Department of Health and Mental Hygiene (DHMH) Behavioral Health Administration (BHA), Administrative Services Organization, or another Core Service Agency attesting that the individual receives specialty services within the Public Health System</li> <li>• Physician, Psychiatrist or Psychologist or other Licensed Clinical Professional Diagnosis or Statement</li> <li>• Public Assistance to Adults (PAA) Approval Letter</li> <li>• School Records (Individualized Education Plan, 504 Plan, exit documents, or other documentation stating disability)</li> <li>• Self-Attestation Applicant Statement</li> <li>• Social Security Administration Disability Records</li> <li>• Temporary Disability Assistance Program Approval Letter</li> <li>• Veterans Administration Letter/Records</li> <li>• Letter from a Vocational Rehabilitation Agency, such as MD Division of Rehabilitative Services (DORS) verifying a disability</li> <li>• Worker’s Compensation Records/Statement</li> </ul>
<p><b>Dislocated Spouse of a Military Service Member</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• DD-214 of Spouse (if dislocated is based on the spouse’s discharge from the military)</li> <li>• Military orders of Spouse Showing Service Member Permanent Change of Military Station resulting in dislocation</li> </ul>
<p><b>Dislocation from Facility Closure</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Layoff Notice</li> <li>• Letter from Employer</li> <li>• Media Announcement with Employment Verification</li> <li>• Unemployment Insurance (UI) Compensation Award Letter (if names of both company and participant are stated)</li> </ul>
<p><b>Displaced Homemaker</b></p>	<ul style="list-style-type: none"> <li>• WIOA Sec. 3(16)</li> <li>• TEGL 22-15</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Bank Records</li> <li>• Court Records</li> <li>• Divorce Papers</li> <li>• Public Assistance Records</li> <li>• Self-Attestation Applicant Statement</li> <li>• Spouse’s Death Record</li> <li>• Spouse’s Layoff Notice</li> </ul>
<p><b>Eligible for Free or Reduced Lunch</b> (under the Richard B. Russell National School Lunch Act)</p>	<ul style="list-style-type: none"> <li>• WIOA Section 3(36)(A)(iv)</li> </ul>	<ul style="list-style-type: none"> <li>• Notification Letter from the School</li> <li>• Notification of Eligibility</li> <li>• Statement from the School</li> </ul> <p><i>sources must reflect most recent school year</i></p>

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

<p><b>Eligible for/ Exhausted UI or Ineligible for UI</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Letter from Employer Noting Not Subject to UI Law</li> <li>• Maryland Automated Benefit System (MABS) Z03 “Weeks Claimed History” screen, with a payment code of 01, 03, 08, 15, 16, 19, or 39</li> <li>• Reemployment Opportunity Workshop (ROW) Workshop Letter</li> <li>• Reemployment Services and Eligibility Assessments (RESEA) Workshop Letter</li> <li>• UI Compensation Award Letter</li> <li>• UI Documentation Indicating Not Eligible Due to Insufficient Earnings</li> <li>• UI Notice of Available Weekly Claim Certification</li> <li>• UI Webcert Payment History Printout Including Participant’s Name</li> <li>• “Verification of MD UI Benefit Status” Letter Addressed to UI Claimant</li> </ul>
<p><b>Ex-Offender</b> <i>(includes offenders)</i></p>	<ul style="list-style-type: none"> <li>• WIOA Section 3(38)</li> <li>• TEGL 22-15</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Documentation from Juvenile or Adult Criminal Justice System</li> <li>• Case Noted Phone Call with Court of Probation Representatives</li> <li>• WIOA Intake or Registration Form (if signed)</li> <li>• Self-Attestation Applicant Statement</li> </ul>
<p><b>Family Size</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Birth Certificates</li> <li>• Court/Divorce Decree</li> <li>• Landlord Statement</li> <li>• Lease</li> <li>• Marriage Certificate</li> <li>• Medical Card</li> <li>• Most Recent Tax Return Supported by IRS Documents (e.g. Form Letter 1722)</li> <li>• Public Assistance/Social Service Agency Records</li> <li>• Public Housing Authority Documentation (showing residency or on the waiting list)</li> <li>• Self-Attestation Applicant Statement</li> <li>• Written Statement from a Publicly Supported 24-Hour Care Facility or Institution</li> </ul>
<p><b>Foster Care Youth</b> <i>(current or aged out)</i></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Written Confirmation from Social Services Agency</li> <li>• Case Notes</li> </ul>
<p><b>General Dislocation</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Layoff Letter from Employer</li> <li>• Rapid Response List (if includes employer name)</li> <li>• MABS F04 Printout with a Determination Code of 50 or 99</li> <li>• DD-214 (if dislocation is based on the participant discharge from the military)</li> </ul>

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

<p><b>Homeless Individual</b></p>	<ul style="list-style-type: none"> <li>• TEGL 22-15</li> <li>• WIOA Section 3(24)(G)</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Self-Attestation Applicant Statement</li> <li>• Statement from Shelter or Social Service Agency</li> <li>• WIOA Intake or Registration Form (if signed)</li> <li>• Written Statement from an Individual Providing Temporary Residence</li> </ul>
<p><b>Low Income</b></p>	<ul style="list-style-type: none"> <li>• WIOA Section 3(36)</li> <li>• TEGL 22-15</li> </ul>	<ul style="list-style-type: none"> <li>• Alimony Agreement</li> <li>• Award Letter from Veterans Administration</li> <li>• Bank Statements</li> <li>• Compensation Awards Letter</li> <li>• Court Award Letter</li> <li>• Documented Family Size in Relation to Low Income Status</li> <li>• Employer Statement/Contact</li> <li>• Family or Business Financial Records</li> <li>• Food Supplement Eligibility Determination Notice</li> <li>• Housing Authority Verification</li> <li>• Pay Stubs</li> <li>• Pension Statement</li> <li>• Public Assistance Eligibility Determination Notice</li> <li>• Quarterly Estimated Tax for Self-Employed Persons</li> <li>• Self-Attestation Applicant Statement</li> <li>• Supplemental Security Income Benefits</li> <li>• UI Documents</li> </ul>
<p><b>Migrant and Seasonal Farmworker</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Self-Attestation Applicant Statement</li> </ul>
<p><b>Native Americans, Alaskan Natives, and Native Hawaiians</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• WIOA Intake or Registration Form (if signed)</li> </ul>
<p><b>Older Workers</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Baptismal Record</li> <li>• Birth Certificate</li> <li>• Cross-Match with Department of Vital Statistics</li> <li>• DD-214, Report of Transfer or Discharge Paper</li> <li>• Driver's License</li> <li>• Elderly Simplified Application Project approval</li> <li>• Federal, State or Local Government Identification Card</li> <li>• Hospital Record of Birth</li> <li>• Letter from Public Assistance/Social Service Agency</li> <li>• Tribal Records</li> <li>• U.S. Passport or U.S. Passport Card (unexpired)</li> </ul>

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

<p><b>Selective Service Registration</b> <i>Required for male applicants</i></p>	<ul style="list-style-type: none"> <li>• WIOA Section 189(h)</li> <li>• TEGL 11-11, Change 2</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• DD-214, Report of Separation</li> <li>• Screen Print-Out of the Selective Service Verification Site: <a href="http://www.sss.gov/RegVer/wfVerification.aspx">http://www.sss.gov/RegVer/wfVerification.aspx</a></li> <li>• Selective Service Acknowledgement Letter</li> <li>• Selective Service Registration Card</li> <li>• Selective Service Verification Form (Form 3A)</li> <li>• Stamped Post Office Receipt of Registration</li> </ul>
<p><b>Selective Service Exemption</b> <i>(Non-U.S. Male who Entered U.S. after 26th Birthday)</i></p>	<ul style="list-style-type: none"> <li>• TEGL 11-11, Change 2</li> </ul>	<ul style="list-style-type: none"> <li>• Date of Entry Stamp in Passport</li> <li>• I-94 with Date of Entry Stamp</li> <li>• Letter from U.S. Citizenship and Immigration Services (USCIS) with Date of Entry with Documentation of Age</li> </ul>
<p><b>Self-Employment Dislocation</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Court Documents</li> <li>• Disaster Insurance Claim</li> <li>• Evidence of Failure of Business Supplier or Business Customer</li> <li>• Federal or State Declaration of Disaster</li> <li>• Insurance Claims, or Other Proof of Income Loss</li> <li>• Proof of Eligibility for Disaster Unemployment Assistance (DUA) from DLLR Division of Unemployment Insurance</li> </ul>
<p><b>Single Parent</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Baptismal Record</li> <li>• Child Support Enforcement or Administration Records</li> <li>• Copy of Child’s Birth Certificate</li> <li>• Doctor’s Note Confirming Pregnancy</li> <li>• Observation of Pregnancy Status in Case Notes</li> <li>• Self-Attestation Applicant Statement</li> <li>• Temporary Cash Assistance (TCA) Approval Notice</li> </ul>
<p><b>Social Security Number (SSN)</b> <i>(Per TEGL 5-08, WIOA staff should request a SSN from all applicants, but services cannot be denied to anyone refusing to provide their SSN when status can be documented via other means)</i></p>	<ul style="list-style-type: none"> <li>• TEGL 05-08</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Cross-match with UI Records</li> <li>• DD-214, Report of Transfer or Discharge (if SSN is listed)</li> <li>• Employment Records (if full SSN is listed)</li> <li>• Federal or State ID (if full SSN is listed)</li> <li>• IRS Form Letter 1722</li> <li>• Military Identification</li> <li>• Passport</li> <li>• Pay Stub (if full SSN is listed)</li> <li>• Social Security Card</li> <li>• W-2 Form</li> </ul>
<p><b>Substantial Cultural Barriers</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Self-Attestation Applicant Statement</li> <li>• WIOA Intake or Registration form (if signed)</li> </ul>

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

<p><b>Unemployed</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• “Verification of MD UI Benefit Status” Letter Addressed to UI Claimant</li> <li>• DD-214 (if dislocation is based on the participant discharge from the military)</li> <li>• Layoff Letter from Employer</li> <li>• Letter from Employer Noting Not Subject to UI Law</li> <li>• Maryland Automated Benefit System (MABS) Z03 “Weeks Claimed History” Screen, With a Payment Code of 01, 03, 08, 15, 16, 19, or 39</li> <li>• MABS F04 Printout with a Determination Code of 50 or 99</li> <li>• Rapid Response List Including Employer Name</li> <li>• Reemployment Opportunity Workshop (ROW) Workshop Letter</li> <li>• Reemployment Services and Eligibility Assessments (RESEA) Workshop Letter</li> <li>• UI Compensation Award Letter</li> <li>• UI Documentation Indicating Not Eligible Due to Insufficient Earnings</li> <li>• UI Notice of Available Weekly Claim Certification</li> <li>• UI Webcert Payment History Printout Including Participant’s Name</li> </ul>
<p><b>Unlikely to Return to Previous Industry or Occupation</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Case Notes Documenting “unlikely to return to a previous industry or occupation”</li> <li>• Current Labor Market Information (LMI) Showing Industry and/or Occupation is in Decline</li> <li>• Printout from O*Net</li> <li>• Printout of State or Local LMI Data</li> </ul>
<p><b>Veteran Status</b></p>	<ul style="list-style-type: none"> <li>• TEGL 22-15</li> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Cross-Match with Veterans Data</li> <li>• DD-214 Copy 4, “Veteran’s Certificate of Release or Discharge from Active Duty”</li> <li>• Letter from the Veterans’ Administration Certifying Veteran Status</li> </ul>
<p><b>Within Two Years of Exhausting Lifetime SSA Part A Eligibility</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Letter from the Montgomery County Department of Health and Human Services verifying number of months that benefits have been received</li> <li>• Printout of Payments Received</li> </ul>
<p><b>Without a High School Diploma</b></p>	<ul style="list-style-type: none"> <li>• PI 2016-10</li> </ul>	<ul style="list-style-type: none"> <li>• Records from an Educational Institution (diploma, GED, transcripts, withdrawal letter, or school documentation)</li> <li>• Self-Attestation Applicant Statement</li> <li>• WIOA Intake or Registration Form (if signed)</li> </ul>

ATTACHMENT C: ELIGIBILITY CHECKLIST

**ELIGIBILITY CHECKLIST FOR WIOA ADULT PROGRAMS**

<b>WIOA General Eligibility</b>	
Requirement	Verified
U.S. Citizen or Noncitizen Authorized to Work in the U.S.	<input type="checkbox"/>
Meets Military Selective Service Registration Requirements	<input type="checkbox"/>
Age/Birth Date	<input type="checkbox"/>
Social Security Number	<input type="checkbox"/>

**AND Complete Adult OR Dislocated Worker Table**

<b>WIOA Adult Priority of Service Populations</b>	
First Priority	Verified
Veteran or Eligible Spouse <b>AND</b>	<input type="checkbox"/>
Low-Income, Recipients of Public Assistance, and/or Basic Skills Deficient	<input type="checkbox"/>
Second Priority	Verified
Displaced Homemaker	<input type="checkbox"/>
Eligible Migrant and Seasonal Farmworker	<input type="checkbox"/>
Ex-Offenders	<input type="checkbox"/>
Homeless Individuals	<input type="checkbox"/>
Individuals Facing Substantial Cultural Barriers	<input type="checkbox"/>
Individuals who are English Language Learners	<input type="checkbox"/>
Individuals Who Are Unemployed	<input type="checkbox"/>
Individuals Who Have Low Levels of Literacy	<input type="checkbox"/>
Individuals with Disabilities	<input type="checkbox"/>
Individuals within Two Years of Exhausting SSA Part A Lifetime Eligibility Act	<input type="checkbox"/>
Individuals Without a High School Diploma	<input type="checkbox"/>
Low-Income Individuals	<input type="checkbox"/>
Native Americans, Alaskan Natives, and Native Hawaiians	<input type="checkbox"/>
Older Individuals (Individuals Over 50)	<input type="checkbox"/>
Single Parents	<input type="checkbox"/>
Youth Who Are In or Have Aged Out of the Foster Care System	<input type="checkbox"/>
Third Priority	Verified
Eligible Veteran Spouse who Does Not Meet "First Priority" Conditions	<input type="checkbox"/>
Fourth Priority – Other Populations that Meet Basic WIOA Eligibility Requirements	Verified
	<input type="checkbox"/>

<b>WIOA Dislocated Worker</b>	
Check One of the Following Categories	Verified
Terminated, Laid Off, or Received Notice of Termination or Layoff and Unlikely to Return to Previous Industry or Occupation	<input type="checkbox"/>
Terminated, Laid Off, or Received Notice of Layoff due to Closure or Substantial	<input type="checkbox"/>
Employed at a Facility That Will Close Within 180 Days	<input type="checkbox"/>
Was Self-Employed, Now Unemployed Due to Economy or Natural Disaster	<input type="checkbox"/>
Displaced Homemaker	<input type="checkbox"/>
Non-Retiree Military Service Member Discharged or Notice of Military Separation	<input type="checkbox"/>
Spouse of Military Service Members	<input type="checkbox"/>

## ATTACHMENT D: DEFINITION OF KEY TERMS

### DEFINITION OF KEY TERMS

**Basic Skills Deficient** – as defined by WIOA Sect. 3(5) – with respect to an 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.

**Cultural Barriers** – as defined by the Federal Register 2015-007 Participant Individual Record Layout (PIRL) and the Maryland WIOA Technical Document 2016-01 – barriers that exist when a participant perceives him or herself as possessing attitudes, beliefs, customs or practices that influence a way of thinking, acting or working that may serve as a hindrance to employment.

**Disability** – as defined by the American with Disabilities Act of 1990 Sect. 12192(1-3) – with respect to an individual, the term disability means:

- (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 where the individual established that he or she has been subjected to an action prohibited under the Americans with Disabilities Act of 1990 because of an actual or perceived physical or mental impairment whether the impairment limits or is perceived to limit a major life activity. 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. The term disability shall not apply to impairments that are transitory and minor. A transitory impairment is impairment with an actual or expected duration of 6 months or less.

**Displaced Homemaker** – as defined by WIOA Sect. 3(16) – an individual who has been providing unpaid services to family members in the home and who:

- (A) Either
  - a. has been dependent on the income of another family member but is no longer supported by that income; or
  - b. is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; **and**
- (B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

## ATTACHMENT D: DEFINITION OF KEY TERMS

**Eligible Spouse of a Veteran** –as defined in 38 U.S.C. 4215(a) and TEGL 10-09 – an eligible spouse of purposes of job counseling, training, and placement services for veterans pursuant to Title 38, Chapter 41 of the United States Code 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 WIOA assistance is listed for a total of more than ninety days:
  - i. missing in action,
  - ii. captured in the line of duty by a hostile force, or
  - iii. forcible detained or interned in the line of duty by a foreign government or power,
- (C) any veteran who has a total disability permanent resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs, or
- (D) any veteran who died while a disability so evaluated was in existence.

The 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.

**English Language Learner** – as defined by WIOA Sect. 3(21) and WIOA Sect 203(6) – 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.

**Ex-Offender / Offender** – As defined by WIOA Section 3(39) – an adult or juvenile

- (A) who is or has been subject to any stage of the criminal justice process, and for whom services 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 for committing delinquent acts, such as crimes against persons, crimes against property, statute offences, or other crimes.

**Homeless Individual** – as defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)),

- (A) means an individual who lacks a fixed, regular, and adequate nighttime residence; and
- (B) Includes –
  - a. an individual who—
    - i. is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

## ATTACHMENT D: DEFINITION OF KEY TERMS

- 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;
- b. 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
- c. migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph;

**Homeless Child or Youth** – as defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)),

(A) means individuals who lack a fixed, regular, and adequate nighttime residence; and

(B) includes —

- a. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- b. children and youths who have 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;
- c. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- d. migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

**Individual with a Disability** as defined in the Americans with Disabilities Act Sect. 12012 (1) and in WIOA Sect. 3(25) is one with

(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 the Americans with Disabilities Act § 12102 (3))

**Long-term Unemployed** - as defined in the Federal Register 2015-007 PIRL and the Maryland WIOA Technical Document 2016-01 – an individual who has been unemployed for 27 or more consecutive weeks.

## ATTACHMENT D: DEFINITION OF KEY TERMS

**Low-income Individual** as defined by WIOA Sect. 3(36) means an individual who:

- 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 (SNAP) 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 (TANF) under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.),
  - the Supplemental Security Income program (SSI) established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or
  - State or local income-based public assistance;
- is in a family with total family income that does not exceed the higher of
  - the poverty line; or
  - 70% of the lower living standard income level (LLSIL);
- is a homeless individual, or a homeless child or youth;
- 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.);
- is a foster child on behalf of whom State or local government payments are made; or
- is an individual with a disability whose own income meets the income requirement of clause, but who is a member of a family whose income does not meet this requirement.

**Low Levels of Literacy** – as defined in the Federal Register 2015-007 PIRL and the Maryland WIOA Technical Document 2016-01 – when a participant is unable to read, write, and speak in English; compute and solve problems at levels of proficiency necessary to function on the job, in the family of the participant, or in society.

**Non-Custodial Parent** – as defined by 45 CFR 260.30 – a parent of a minor child how:

- lives in the state; and
- does not live in the same household as the minor child.

**Older Individual** – as defined in WIOA Sect. 3(39) – an individual age 55 or older.

**Public Assistance** – as defined in WIOA Sect. 3(50) – federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

**Recently Separated Veteran** – as defined in WIOA Sect. 3(63) – any veteran who applies for participation in WIOA within 48 months after discharge or release from active military, naval, or air service.

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

## ATTACHMENT D: DEFINITION OF KEY TERMS

must include a statement that the information submitted to demonstrate eligibility for a program under Title I of WIOA is true and accurate.

**Single Parent** – as defined in MD Policy Issuance 10-16 – includes single parents, single pregnant individuals, or non-custodial parents.

**Underemployed** – as defined in 20 C.F.R. Sect. 668.150 and TEGL 03-15 – an individual who is:

- employed less than full-time who desires full time employment,
- working in employment not commensurate with the individual's demonstrated level of educational and/or skill achievement,
- employed who meets the definition of a low-income individual under WIOA, **or**
- employed but whose current job's earnings are less than 80% of their previous job earnings.

**Unemployed** – as defined in WIOA Sect. 3(61) – 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, 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.

**“Unlikely to return to previous industry or occupation”** – as defined in Montgomery County Local Plan – a dislocated worker who was laid off from a position and meets at least one (1) of the requirements below:

- Number of opportunities in previous industry/occupation is declining based on labor market information;
- Supply of candidates in previous industry/occupation exceeds the number of opportunities in the county;
- Projected annual employment increase for industry or occupation is less than 100 jobs;
- The individual has engaged in an unsuccessful job search in their previous industry/occupation for over 3 months;
- Individual can no longer meet the minimum requirements for positions available in their occupation;
- Wage variable for positions no longer matches with individual's level of skills and experience; and/or
- Individual is unable to perform the duties of the previous industry/occupation due to age, ability, illness/injury, disability, or other barriers.

**Veteran** – as defined in WIOA Sect. 3(63), 38 U.S.C. Sect. 101, and TEGL 10-09 – an individual who served as least one day in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. Active service includes full-time federal service in the National Guard or a Reserve component. This definition of “active service” does not include full-time duty performed strictly for training purposes (i.e., that which is often referred to as “weekend” or “annual” training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than by federal authorities.