

**Attachment #3 - WIOA YOUTH ELIGIBILITY CRITERIA, GLOSSARY, AND
DOCUMENTATION CHECKLIST**

All WIOA and Other New or Revised Items are Yellow Highlighted

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

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

The following eligibility elements must be documented for each applicant. Please refer to the comprehensive checklist of allowable forms of eligibility documentation contained in this attachment. Photocopies of documentation kept on file must be legible.

1. Citizenship/Eligible to Work – Participation shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States. Applicants 18 and older shall also prove **lawful presence in the United States** in accordance with the Colorado Revised Statutes 24-76.5. They shall possess **one** of the acceptable forms of identification (ID), and Complete the Affidavit of Immigration Status form for all participants 18 years and older. If the participant does not possess one of the forms of ID listed and does not provide the requested information, application to the program must be denied. (**Exception:** Per TEGL 09-12 (**see Attachment 9**), operators may not deny WIOA-funded services to victims of severe forms of human trafficking based on their immigration status.)

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

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

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

OUT-OF-SCHOOL YOUTH – an individual is an out-of-school youth if they are:

A. Not attending any school (as defined under State law) - **must meet one of the following:**

- 1. Colorado Department of Education Secondary Out-of-School Definition:** Out-of-school means youth up through age 21, who are entitled to a free public education in the State but are not currently enrolled in a K-12 institution. This could include students who have dropped out of school, youth who are working on a GED outside of a K-12 institution, and youth who are “here-to-work” only.
- 2. CDLE Post-Secondary Out-of-School Definition:** Because WIOA exempts adult basic education programs from its definition of in-school, and there is no state definition for out-of-school related to post-secondary education, **CDLE has determined that a youth enrolled in post-secondary remedial classes only should also be considered out-of-school.**

Note on Course Numbers: In community colleges, course numbers starting with a zero (0) are remedial only, and courses starting with a one (1) or higher number are non-remedial.

3. Additional Out-of-School Categories:

- a. **Adult Basic Education:** WIOA youth programs may consider a youth to be out-of-school youth for purposes of WIOA youth program eligibility if they are attending Adult Education provided under title II of WIOA, YouthBuild, or Job Corps.
- b. **SWAP:** Youth participating in the School to Work Alliance Program, **who are no longer enrolled in secondary school**, would be considered out-of-school. These individuals may have dropped out, aged out at 21, or obtained their diploma or certificate of completion.
- c. **GED Classes:** Youth enrolled in GED prep classes outside of the K-12 system would be considered out-of-school.

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

B. Age: Not younger than age 16 or older than age 24 at the time of enrollment; **AND**

C. Must meet one or more of the following:

- 1. A school dropout** (an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent). **There is no time limit regarding this requirement; example: a 22 year old youth who dropped out of high school several years ago, has no diploma or GED, and also is currently not attending any school.**

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

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

Note Regarding Colorado Compulsory School Attendance Age:

- In General: A child who has attained the age of six years on or before August 1 of each year and is under the age of seventeen (17) years
 - Home-Schooled: A child who is home-school is covered under the Compulsory School Attendance Act up to age sixteen (16).
3. **A recipient of a secondary school diploma or its recognized equivalent** who is a **low-income** individual and is—
 - i. basic skills deficient; or
 - ii. an English language learner;
 4. **Offender:** An individual who is subject to the juvenile or adult justice system;
 5. **A homeless individual** (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a **homeless child or youth** (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a **runaway**, in **foster care** or **has aged out of the foster care system**, a **child eligible for assistance under section 477 of the Social Security Act** (42 U.S.C. 677), or **in an out-of-home placement**;
 6. **Pregnant or parenting**, including those who are married;
 7. **Disabled:** A youth who is an individual with a disability;
 8. A **low-income** individual who **requires additional assistance** to enter or complete an educational program or to secure or hold employment.

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

IN-SCHOOL YOUTH – an individual is an in-school youth if they are:

A. Attending school (as defined by State law) – **must meet one of the following:**

1. **Colorado Department of Education Secondary In-School Definition:** Youth up through age 21, who are entitled to a free public education in the State and are currently enrolled in a K-12 institution, or meet one of the following exceptions to compulsory school attendance:
 - a. Home-schooled (consisting of at least 172 hours of class time per year, averaging 4 hours per day, with course transcripts developed)
 - b. Completing an on-line high school curriculum (consisting of at least 90 hours of class time per semester)
 - c. Attending a private secondary school
2. **CDLE Post-Secondary In-School Definition:** Individual enrolled in at least one non-remedial course that leads to a badge or credential related to a demand occupation in the local economy.
3. **Attending an alternative education program:** (per WIOA definition that an individual attending an alternative education program is not considered to be a dropout and is in-school.)
4. **SWAP:** Youth participating in the School to Work Alliance Program, **who are still enrolled in secondary school**, up to age 21, would be considered in-school.
5. **Transition Programs:** Youth that are in transition programs (“receiving 18-21 services”) are considered in-school. They are still obtaining Free Appropriate Public Education, until the age of 21, or until their exit prior to age 21.

B. Age: Not younger than age 14 or not older than age 21: **AND**

C. Low income individual; **AND**

D. Must meet one or more of the following:

- 1. Basic skills deficient;**
- 2. An English language learner;**
- 3. An offender;**
- 4. A homeless individual** (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or an out-of-home placement;
- 5. Pregnant or parenting** (can be married)
- 6. Disabled:** A youth who is an individual with a disability. (For an individual with a disability, income level for eligibility purposes is based on the individual's own income rather than his or her family's income. WIOA sec. 3(36)(A)(vi) states that an individual with a disability whose own income meets the low-income definition (income that does not exceed the higher of the poverty line or 70 percent of the lower living standard income level), but who is a member of a family whose income exceeds this income requirement is eligible for youth services.); or
- 7. An individual who **requires additional assistance** to complete an educational program or to secure or hold employment.**

IN-SCHOOL LIMITATION: Not more than 5% of in-school youth served may be youth “who require additional assistance to complete an educational program or to secure or hold employment.”

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

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

GLOSSARY

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

APPLICANT (AN INDIVIDUAL) – An individual who applies to a WIOA Grant recipient or sub-recipient for employment, training and/or services provided under WIOA.

BASIC SKILLS DEFICIENT - is an individual—

- A. Who is a youth, who has English reading, writing, or computing skills at or below the 8th grade level – **no higher than 8.9** on a generally accepted standardized test; or
- B. Who is a youth or adult, who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. **This may also include lack of computer literacy.**

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

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

CONCURRENT ENROLLMENT – Youth may participate in both the youth and adult or dislocated worker programs concurrently if they are: 1) Eligible youth who are 18 through 24 years of age; and 2) are also eligible under the adult or dislocated worker eligibility criteria applicable to the services received. Local program operators shall identify and track the funding streams that pay the costs of services provided under each program and ensure that services are not duplicated.

ENGLISH LANGUAGE LEARNER.—The term “English language learner” means an individual who has limited ability in reading, writing, speaking, or comprehending the English language, and—

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

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

- A. A husband, wife, and dependent children.
- B. A parent or guardian and dependent children.
- C. A husband and wife
- D. Two individuals of the same sex, who are legally married, or in a civil union
- E. Two individuals of the same sex, who are legally married, or in a civil union, and their dependent children

DEPENDENT CHILD – A child, related by blood, marriage, or decree of court, living in a single residence with his/her parent(s) or guardian.

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

LIVING IN A SINGLE RESIDENCE

- A. Temporary, voluntary residence elsewhere – an individual is included in a single residence if they are temporarily and voluntarily living outside of the residence. This

may include individuals attending school or college, or visiting relatives. It does not include involuntary temporary residence elsewhere (i.e. incarceration or placement as a result of a court order).

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

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

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

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

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

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

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

- Youth in State institutions
- Youth in Community Group Homes
- Youth in Foster Homes

HIGH POVERTY AREA: A youth who lives in a high poverty area is automatically considered to be a low-income individual. A high-poverty area is a Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 30 percent as set every 5 years using American Community Survey 5-Year data. **See Attachment 14: Youth in Poverty Interactive Map for instructions regarding accessing and using this map to determine youth program low income eligibility.**

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

public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

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

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

INCOME (Includable):

- Money wages and salaries (gross wages) 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 Social Security, including SSDI, railroad retirement, strike benefits from union funds, worker’s compensation, training stipends, and **death benefits**
- Alimony;
- Military family allotments (including Hazardous Duty Incentive Pay) or other regular support from an absent family member or someone not living in the household;
- Pensions (retirements) whether private, government employee (including military retirement pay);
- Regular insurance or annuity payments;
- College or university grants, fellowships and assistantships;
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts;
- Net gambling or lottery winnings.

INCOME (Excludable):

- Unemployment compensation;
- Child support payments, including foster care child payments;
- Welfare payments (including Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Refugee Cash Assistance (RCA). (Note: General Assistance (GA) became obsolete with welfare reform, therefore is not an eligible category);
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Education Opportunity Grants and Federal Work Study. PLUS, Stafford and Perkins loans like any other kind of loan are debt and not income;
- Needs-based scholarship assistance; state & private grant aid;
- Income earned while the veteran was on active military duty and certain other veteran’s benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance;
- Capital gains;
- Assets drawn down as withdrawals from a bank, the sale of property, a house or a car;
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;

(more next page)

- Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, USDA Food Stamps, school meals, and housing assistance;
- ALL WIOA payments, excluding OJT.

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

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

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

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

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

LOW-INCOME INDIVIDUAL.—

A. The term “low-income individual” means an individual who—

1. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;
2. Is in a family with total family income that does not exceed the higher of—
 - a. the poverty line; or
 - b. 70 percent of the lower living standard income level;
3. 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)));
4. **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.);**
5. Is a foster child on behalf of whom State or local government payments are made; or
6. Is an individual with a disability whose own income meets the income requirement of #2, but who is a member of a family whose income does not meet this requirement.
7. **SPECIAL RULE — The term “low-income,” used with respect to an individual, also includes a youth living in a high-poverty area. See Attachment 14: Youth in Poverty Interactive Map for instructions regarding accessing and using this map to determine youth program low income eligibility.**

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

NEEDS ASSISTANCE – An individual (including a youth with a disability) who requires additional assistance to complete an educational program or to secure and hold employment. Because the State has not chosen to issue a policy that defines “**additional assistance**” as relates to WIOA Youth program eligibility, each region has the responsibility for determining its own definition of this eligibility category. A local policy should be developed that specifies what conditions must be met for a youth to require additional assistance and what documentation is needed to demonstrate this eligibility category.

OFFENDER – Any adult or juvenile who is or has been subject to any stage of the criminal justice process for whom services may be beneficial; or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

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

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

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

PREGNANT OR PARENTING YOUTH – A youth who is 24 years of age or less at the time of enrollment and who is pregnant, or a male or female who is providing custodial care for one or more dependents under age 18.

PUBLIC ASSISTANCE.—The term “public assistance” means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test. (i.e. TANF, Refugee Cash Assistance, and Supplemental Security Income). **Note:** Supplemental Security Disability Income (SSDI) is not considered cash welfare and does not make a person automatically eligible for WIOA.

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

SCHOOL - In general, the applicable State law for secondary and post-secondary institutions defines a “school.” However, for purposes of WIOA, USDOL does not consider providers of Adult Education under title II of WIOA, YouthBuild programs, and Job Corps programs to be schools. Therefore, WIOA youth programs may consider a youth to be out-of-school youth for purposes of WIOA youth program eligibility if they are attending Adult Education provided under title II of WIOA, YouthBuild, or Job Corps.

SCHOOL DROPOUT.—The term “school dropout” means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. A youth’s dropout status is determined at the time of enrollment.

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

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

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

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

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

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

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

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

DOCUMENTING ELIGIBILITY WITH SELF-ATTESTATION

Documenting eligibility with self-attestation is a method of last resort when no other source of documentation can be found or accessed. Self-attestation can also be used to clarify documentation that is considered insufficient by itself. However, the basic WIOA eligibility data elements of **age and immigration status cannot be self-attested**. Please review the most current or relevant Data Validation PGL to assist in determining when it is appropriate to use self-attestation; or consult with your local MIS coordinator if the data element in question is not

addressed by the PGL. An acceptable self-attestation statement should be a signed document (such as a signed WIOA application), attesting to the truthfulness and accuracy of all answers, that includes information clearly addressing the eligibility criteria you are trying to capture, and should adhere to local self-attestation policy guidelines. A copy of this document should be retained in the customer case file (hard copy or electronic file.)

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

(guidance continues on next page)

WIOA ELIGIBILITY DOCUMENTATION CHECKLIST – YOUTH PROGRAM

Eligibility	Required Documentation	Comments
<p>Citizenship/Alien Status (1 is required)</p> <p>(See Attachment 12 for sample Gold Star licenses and IDs)</p>	<p>___ Alien Registration Card indicating Right to Work (INS Forms I-94, I-94A, I-179, I-197, I-551, I-766, not expired)</p> <p>___ T-visa issued to victims of human trafficking (See Attachment 9: TEGL 09-12)</p> <p>___ Self-Attestation at a minimum if DACA eligible (See Attachment 10: TEGL 02-14)</p> <p>___ Baptismal Certificate (if place of birth is shown)</p> <p>___ Birth Certificate</p> <p>___ DD-214, Report of Transfer or Discharge (if place of birth is shown)</p> <p>___ Foreign Passport stamped “Eligible to Work” (not expired)</p> <p>___ Hospital Record of Birth</p> <p>___ Naturalization Certification</p> <p>___ U.S. Passport</p> <p>___ Native American Tribal Document</p> <p>___ Certificate of Degree of Indian Blood</p> <p>___ REAL-ID Compliant Driver’s License or State ID with Gold Star in upper right corner (no Social Security Card required) (See Attach 12: Samples of New Drivers Licenses)</p> <p>___ Soc. Security Card AND non-Gold Star DL/ID Card</p> <p>___ SAVE Verification Printout AND non-Gold Star Driver’s License or State ID (no SSN card required)</p>	<p>CO license or ID card must <u>not</u> say: “not valid for federal identification, voting, or public benefits purposes.”</p>
<p>Selective Service (1 is required for those required to register)</p>	<p>___ On-line verification at www.sss.gov</p> <p>___ Acknowledgement Letter from Selective Service</p> <p>___ Selective Service Verification Form</p> <p>___ Selective Service Registration Card</p> <p>___ Selective Service Advisory Opinion Letter</p> <p>___ Selective Service Registration Record (Form 3A)</p> <p>___ Selective Service Waiver Document (for veterans)</p> <p>___ Stamped Post Office Receipt of Registration</p> <p>___ DD-214</p> <p>___ Cross match with Veterans data</p>	
<p>Social Security Number (Not required for eligibility – create pseudo SSN instead) May be required for participation in paid work experiences, internships, or wage subsidy programs</p>	<p>___ DD-214, Report of Transfer or Discharge</p> <p>___ IRS Form Letter 1722</p> <p>___ Letter from Social Security Agency</p> <p>___ Pay Stub</p> <p>___ Social Security Benefits</p> <p>___ Social Security Card</p> <p>___ W-2 Form</p>	
<p>Affidavit of Immigration Status (Signed affidavit required in conjunction with one of the listed forms of ID for age 18 & older)</p>	<p>___ CO Driver’s License/ID Card, unexpired</p> <p>___ U.S. Military Card</p> <p>___ Military Dependent Identification Card</p> <p>___ U.S. Coast Guard Merchant Mariner Card</p> <p>___ Native American Tribal Document</p> <p>___ U.S. Passport, not expired</p> <p>___ Other State’s Driver’s License/State I.D card, unexpired, from a “lawful presence” state, including the District of Columbia. Exceptions are Alaska, Hawaii, Illinois, Maryland, Nebraska, New Mexico, Utah, and Washington.</p>	<p>CO license or ID card must <u>not</u> say: “not valid for federal identification, voting, or public benefits purposes.”</p>

Element	Required Documentation	Comments
Age / Date of Birth	<input type="checkbox"/> Baptismal Record <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Driver's License <input type="checkbox"/> Federal, State, or Local photo ID <input type="checkbox"/> DD-214 <input type="checkbox"/> Passport <input type="checkbox"/> Hospital record of birth <input type="checkbox"/> Public assistance/social service record <input type="checkbox"/> School records or ID card <input type="checkbox"/> Work permit <input type="checkbox"/> Cross match with Dept. of Vital Statistics <input type="checkbox"/> Tribal records	
<input type="checkbox"/> In-School <input type="checkbox"/> Out-of-school	Educational Status: <input type="checkbox"/> School Records <input type="checkbox"/> Self-attestation Note: Must also identify and document the appropriate In-School or Out-of-School Categories described on pp. 2-4 above to establish eligibility for the youth program	
Low Income (1 is required) <input type="checkbox"/> Cash Public Assistance <input type="checkbox"/> Family Size/Income <input type="checkbox"/> Food Stamps <input type="checkbox"/> Homeless <input type="checkbox"/> Foster Child <input type="checkbox"/> Disability (Treat as family of 1) <input type="checkbox"/> Eligible for Free or Reduced Price School Lunch <input type="checkbox"/> Lives in High Poverty Area (See Attachment 14 for how to access and use the Map) Family Size	<input type="checkbox"/> Family size & income calculation <input type="checkbox"/> Pay stubs for all family members <input type="checkbox"/> Public assistance records / CDHS Quest card not allowed <input type="checkbox"/> Social Security benefits records <input type="checkbox"/> UI documents <input type="checkbox"/> Housing authority verification <input type="checkbox"/> Quarterly estimated tax (for self-employed) <input type="checkbox"/> Pension statement <input type="checkbox"/> Family / business financial records <input type="checkbox"/> Employer statement / contact <input type="checkbox"/> Court award letter / document (for alimony) <input type="checkbox"/> Compensation award letter <input type="checkbox"/> Bank statements <input type="checkbox"/> Alimony agreement <input type="checkbox"/> Refugee assistance records <input type="checkbox"/> Free/reduced lunch eligibility status letter (most recent) <input type="checkbox"/> Children in Poverty Interactive Map screen capture <input type="checkbox"/> Other _____ <input type="checkbox"/> SSN Cards for all family members <input type="checkbox"/> Tax records <input type="checkbox"/> Marriage license, divorce decree, or other court records <input type="checkbox"/> Other _____	

<p>Disability</p>	<p> <input type="checkbox"/> Medical records <input type="checkbox"/> Letter from drug / alcohol rehabilitation agency <input type="checkbox"/> Case notes regarding an observable condition <input type="checkbox"/> Physician's statement <input type="checkbox"/> Psychiatrist's statement <input type="checkbox"/> Psychologist's diagnosis <input type="checkbox"/> Rehabilitation evaluation <input type="checkbox"/> School records; e.g. IEP no older than one year <input type="checkbox"/> Sheltered workshop certification <input type="checkbox"/> Social Service records / referrals <input type="checkbox"/> Social Security Administration disability records <input type="checkbox"/> Veterans Administration letter / records <input type="checkbox"/> Vocational Rehabilitation letter <input type="checkbox"/> Worker's Compensation record <input type="checkbox"/> Other _____ </p>	
<p>ADDITIONAL CATEGORIES FOR IN-SCHOOL OR OUT-OF-SCHOOL (1 required to be documented with other than self-attestation; additional may be documented with self-attestation, if necessary)</p>	<p> <input type="checkbox"/> BASIC SKILLS DEFICIENT <input type="checkbox"/> Standardized assessment test <input type="checkbox"/> School records <input type="checkbox"/> Case manager observation and case notes <input type="checkbox"/> Adult Basic Education program referral or records <input type="checkbox"/> Other _____ </p> <p> <input type="checkbox"/> ENGLISH LANGUAGE LEARNER (ELL) <input type="checkbox"/> Case manager observation and case note <input type="checkbox"/> Appropriate assessment test <input type="checkbox"/> ELL provider referral or records <input type="checkbox"/> Other _____ </p> <p> <input type="checkbox"/> HOMELESS/FOSTER CARE OR AGED OUT/RUNAWAY/OUT OF HOME PLACEMENT <input type="checkbox"/> Written statement from a shelter <input type="checkbox"/> Written statement from social service agency <input type="checkbox"/> Written statement from individual providing residence <input type="checkbox"/> Other _____ </p> <p> <input type="checkbox"/> NOT ATTENDING ANY SCHOOL <input type="checkbox"/> School records <input type="checkbox"/> Other _____ </p> <p> <input type="checkbox"/> OFFENDER <input type="checkbox"/> Juvenile/criminal justice document <input type="checkbox"/> CM direct contact with juvenile / criminal justice representative <input type="checkbox"/> Other _____ </p> <p> <input type="checkbox"/> PREGNANT / PARENTING <input type="checkbox"/> Copy of child's birth certificate <input type="checkbox"/> Baptismal record <input type="checkbox"/> Doctor's note <input type="checkbox"/> Observation <input type="checkbox"/> Other _____ </p> <p style="text-align: center;">MORE ON NEXT PAGE</p>	

	<p>___ REQUIRES ADDITIONAL ASSISTANCE</p> <p>___ ISS</p> <p>___ WIOA application form</p> <p>___ Case notes</p> <p>___ Other _____</p> <p>___ SCHOOL DROPOUT</p> <p>___ WIOA application form</p> <p>___ School records</p> <p>___ Other _____</p>	
<p>5% Exception to Low Income Requirement (any combination of categories is allowed)</p>	<p>___ OUT-OF-SCHOOL YOUTH – either of the following</p> <p>1. Has diploma or GED, is low income, but is basic skills deficient or an English Language Learner (see above for documentation)</p> <p>2. Is low income and requires additional assistance (see above for documentation)</p> <p>___ IN-SCHOOL YOUTH: any category (see pp.3-4 for categories) and see above for documentation</p>	