



## Policy No. 30A

### WIA YOUTH ELIGIBILITY DETERMINATION POLICIES AND PROCEDURES

The minimum eligibility verification standards are implemented for eligibility verification of Workforce Investment Act (WIA) customers enrolled in Title I.

#### I. 100% Up Front Verification of Eligibility

- A. 100% up front eligibility determination is required of all WIA participants.
- B. Verification of participant eligibility is reviewed on the date of eligibility determination.
- C. Verification of participant eligibility is maintained in each participant's case record.
- D. Eligibility is verified for all funding sources for which, at the time of intake, the applicant has been certified eligible on the WIA Application Form.
- E. Eligibility documentation through certification and enrollment will take no more than 90 days. If 90 days is exceeded, updated eligibility information is necessary.

#### II. Acceptable Evidence of Eligibility

The following criteria should be adhered to when collecting eligibility verification:

- A. **Documentation** means to maintain physical evidence, which is obtained during the verification process, in participant files. Such evidence may be in the form of copies of documents, recorded eligibility verification information on a standard form or, in specified cases, applicant statement.
- B. **Telephone Verification Form WIA 007:** For cases where documentation cannot or may not be copied, and/or is not readily obtainable, Telephone Verification Form WIA 007, is used to document any WIA eligibility criteria as follows: use WIA 007 to verify eligibility information through governmental, private and/or social service agencies. Information recorded on this form must include all the applicable information to enable a monitor and/or auditor, to adequately verify eligibility, e.g., document name, contact name, telephone numbers, addresses.
- C. **Applicant Statement WIA 010:** There is limited use of Applicant Statements to document those items which, in some cases, are not verifiable or which may cause undue hardship for individuals to obtain. An applicant statement may be used only in the cases described below and only after all practicable attempts to secure documentation have failed. When the applicant statement is used, service areas must indicate what attempts have been made (and failed) to obtain documentation. This must be indicated on the Evidence to Support Eligibility Form WIA 020 and in the case notes. A documented corroborative contact or reliable witness attesting to the accuracy of the statement

must support applicant statements. In order to use the applicant statement as documentation, the following requirements must be adhered to:

1. The applicant statement form, or facsimile, must be used.
2. A corroborative contact or witness must be indicated on the statement. The corroboration may be via witness signature or supporting telephone verification form. In those rare instances when an applicant cannot obtain a satisfactory witness or provide a telephone contact, the applicant needs to explain why such corroboration is not possible.
3. Use of the applicant statement is limited to the following instances:
  - a. **General Eligibility**
    - i. Residency for homeless individuals not residing at a shelter.
    - ii. Residency for runaway youth who do not have a permanent place to reside.
  - b. **Economic Eligibility**
    - i. **Family Size:** When birth certificates or 1040 and IRS Letter 1722 are not available.
    - ii. **Individual Status:** Persons ordinarily included in the definition of family, but claiming to be no longer dependent, must complete an applicant statement attesting to their individual status. The head of household in which that person resides should corroborate such statements, if possible. The individual must also show source of his/her support.
    - iii. **Proof of income for individuals claiming little or no income:** Statement should indicate means of support, e.g., unemployment compensation, for previous six-month period. Statement should also indicate corroborative witness to verify indicated means of support.
    - iv. **Employed individuals failing to meet the criteria of self-sufficiency** as determined by the Mendocino County Workforce Investment Board, i.e., an employed adult shall be considered self-sufficient if the family income exceeds 200% of the current LLSIL (Lower Living Standard Income Level).
    - v. **A reemployed Dislocated Worker applying for intensive and training services** and the household income does not meet the definition of self-sufficiency, i.e., the family income is under 200% of the LLSIL.
    - vi. **Individuals with Disabilities:** When condition is observable or obvious.
  - c. **Priority and Special Populations**
    - i. **Dropout Status:** Applicant statement is to be used only for out-of-state and/or applicants 16 or older when documentation from the school district cannot be obtained.
    - ii. **Offenders:** When court records or other documentation are unobtainable.
    - iii. **Pregnant**
    - iv. **Individuals with Disabilities:** When condition is observable or obvious.

### III. Authorizing Minors to Participate in WIA - " Other Responsible Adult"

- A. The recently enacted amendments to the Family Economic Security Act (FESA) [Chapter 731, Statutes of 1993] contain the following provision [S15012(c)]:

"For purposes of authorizing a minor to participate in Workforce Investment Act programs, the signature of a parent, guardian or other responsible adult is required."

This provision allows Service Areas (SA) to enroll minors into the program with the authorization of individuals other than a parent or guardian.

1. The definition of "other responsible adult" includes:
  - a. An adult relative with whom the individual resides.
  - b. An adult who has been delegated custodial or administrative responsibilities in writing, either temporarily or permanently, by the parents or by an appropriate agency.
  - c. An agency or organization representative who is in a position to know the individual's circumstances (i.e., that they could not get a parent's or guardian's signature authorizing participation), such as a clergy person, a school teacher or other school official, a probation or other officer of the court, a foster parent.
  - d. A representative of an agency which provided support services to the individual and who is aware of the individual's circumstances, (i.e., that they cannot get a parent's or guardian's signature authorizing participation), for example, a social worker, a homeless shelter official, a child protective worker, a health clinic official.
  - e. Other responsible adults determined by the Local Workforce Investment Board as appropriate to authorize the individual's participation.

### IV. System Validation and Monitoring

The Review Officer will be responsible for the review of all WIA files for eligibility. The review will be based on the information and eligibility documents contained in the participant's file.

### V. Verification and Documentation of Eligibility

- A. **Verification** means to confirm eligibility requirements through examination of official documents, e.g., birth certificates, public assistance records, or speaking with official representatives of cognizant agencies.
- B. **Documentation** means to maintain physical evidence, which is obtained during the verification process, in participant files. Such evidence includes copies of documents, completed telephone forms, and signed applicant statements. The following lists the specific eligibility criteria and the documentation sources to verify eligibility, which is collected at the intake appointment:
  1. **Citizenship/Authorization to Work:** Participation shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States.

Section 9601.5 of the California Unemployment Insurance Code requires that "each state or local government agency or community action agency, or any private organization contracting with a state or local government agency, that provides employment services, including, but not

limited to, job training, retraining, or placement, shall verify an individual's legal status or authorization to work prior to providing services to that individual in accordance with procedures established under federal law.”

The documentation of an individual's employability (right-to-work) must be conducted in compliance with Title 8 CFR Section 274a.2. These requirements and procedures are published as the Immigration and Naturalization Service (INS) Form (I-9), and take precedence over any State statute and regulation governing alien status determination.

When legal status or work authorization documents have expired, reverification of documents must reflect that the individual is still authorized to work in the United States; otherwise the individual may no longer be employed, recruited, or referred. Reverification must occur no later than the date the work authorization expires. In order to reverify, the employee or referred individual must present a document that either shows continuing employment eligibility or is a new grant of work authorization.

a. **1 item from – List A**

i. **List A**

- U. S. Passport (unexpired or expired)
- Unexpired foreign passport, with I-551 stamp or attached INS Form I-94 indicating unexpired employment authorization
- Alien Registration Receipt card with photograph (INS Form or I-551)
- Unexpired Temporary Resident Card (INS Form I-688)
- Unexpired Employment Authorization Card (INS Form I-688A)
- Unexpired Employment Authorization Document issued by the INS which contains a photograph (INS Form I-688B)

**-OR-**

b. **1 item each from List B and List C**

i. **List B**

- Driver's license or ID card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, sex, height, eye color, and address
- ID card issued by federal, state, or local government agencies or entities provided it contains a photograph or information such as name, date of birth, sex, height, eye color, and address
- School ID card with a photograph
- U. S. Military card or draft record
- Military dependent's ID card
- U. S. Coast Guard Merchant Marine card

- Native American tribal document
- Driver's license issued by a Canadian government authority

ii. **List C**

- U.S. Social Security card issued by the Social Security Administration (other than a card stating that it is not valid for employment)
  - Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)
  - Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal
  - Native American tribal document
  - U. S. Citizen ID Card (INS Form I-197)
  - ID Card for use of Resident Citizen in the United States (INS Form I-179)
  - Unexpired employment authorization document issued by the INS (other than those listed under List A)
2. **Age Verification:** Birth certificate, drivers license, state identification card, INS card, work permit, school record or Medi-Cal card.
  3. **Social Security Number:** Social Security card, current Medi-Cal card or DD214.
  4. **Selective Service:** All participants must be in compliance with the Selective Service Act requirements. All males who are at least 18 years old and born after December 31, 1959, must be registered. Verifications include - Selective Service registration card, Selective Service registration record (form 3A), Selective Service on-line registration verification, telephone verification form WIA 007, or if 26 or older and not registered, refer to WIA Eligibility Technical Assistance Guide Attachment 3 (RWIAD03-05) 7/03.
  5. **Individual with Disability:** Physician statement, medical records, psychiatrist's/psychologist's diagnosis, rehabilitation evaluation, Veterans Administration letter/records, release of information and statement of disability form WIA 009, statement of disability form (youth) WIA 008 and SELPA 8, or observable condition and applicant statement WIA 010.
  6. **Family Size/Individual Status:** Birth/baptismal certificates, church/hospital record of birth, social security cards, alien registration cards, medical card, public assistance records, most recent tax return and IRS letter 1722, telephone verification or applicant statement.
  7. **Family Income:** Pay stubs, Social Security benefits WIA 018, unemployment insurance printout, public assistance records, release of information and employer statement WIA019, income statement for service business or retailer WIA 012, or rental income statement.
  8. **TANF:** Current award letter, SAWS printout, and passport to services.
  9. **Food Stamps:** Current award letter, SAWS printout, and passport to services.
  10. **General Relief:** Current award letter, passport to services.
  11. **Social Security Benefits:** Social Security verification form (SSA 2458) WIA 018, Social Security benefits letter.
  12. **Foster Child/Group Home Resident:** Foster/group home agreement, court documents.

13. **Homeless/Runaway:** Written statement from Social Service agency, written statement from shelter, written statement from an individual providing temporary residence or applicant statement WIA 010.
14. **Basic Skills Deficient:** Computes or solves problems, reads, writes, or speaks English at or below the 8<sup>th</sup> grade level as determined by an assessment test score or school records, or is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family or in society.
15. **Behind Grade Level:** Report card or school records.
16. **Pregnant or Parenting:** Physician's note, referral from other agency, school program, telephone verification WIA 007, or applicant statement WIA 010.
17. **School Dropout:** Attendance record, dropout letter, or applicant statement WIA 010.
18. **Offender:** Halfway house resident, letter from parole officer, police records, court documents, letter of parole, or applicant statement WIA 010.
19. **In Need of Substantial Assistance in Completing an Educational Program and/or Securing and Holding Employment:** At risk of noncompletion verification WIA 014.
20. **Veteran Status:** Veterans have a priority of service over nonveterans and will be referred to the Employment Development Department's Veterans Representative and the WIA Orientation to see if they meet the requirements of program eligibility, i.e., Dislocated Workers, Adult Program (low income or public assistance recipients), or Out of School Youth. The priority of service for veterans does not require a change of allocations among services to reserve funds specifically for veterans.

## **VI. Title I Youth Program Eligibility**

- A. An individual shall be eligible to participate in the program under this part if such individual is:
  1. Age 14 through 21
  2. A low-income individual, as defined by the Federal Workforce Investment Act of 1998, Section 101(25), who:
    - a. Receives, or is a member of a family that receives, cash payments under a Federal, state, or local income based public assistance program;
    - b. Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under Section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of:
      - i. The poverty line, for an equivalent period; or
      - ii. 70 percent of the lower living standard income level for an equivalent period.
    - c. Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

- d. Qualifies as a homeless individual, as defined in subsections (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act 42 (U.S.C. 11302.);
  - e. Is a foster child on behalf of whom State or local government payments are made; or
  - f. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.
3. At least one of the following:
- a. Deficient in basic literacy skill;
  - b. A school dropout;
  - c. Homeless, a runaway, or a foster child/group home resident;
  - d. Pregnant or parenting;
  - e. An offender;
  - f. Possess one or more disabilities, including learning disabilities; or
  - g. An individual in need of substantial assistance to complete an educational program, or to secure and hold employment and so faces serious barriers to employment:
    - i. Chronic Attendance Problems:
      - A student who is absent from school without a valid excuse more than three days or is tardy in excess of 30 minutes on each of more than three days in one year, or is a truant and has been reported to the attendance supervisor or to the superintendent of the school district.
    - ii. Discipline Problems:
      - A student that has been suspended (on campus or off campus) more than three times in the course of a semester.
      - A student that has chronic disciplinary problems coupled with poor attendance and poor grades.
      - A student who has been referred to attend alternative schooling due to disciplinary action.
    - iii. Educational Underachievement/Poor Employment History:
      - A student, including a student with disabilities, who scores one or more levels below their current grade level, as determined by TABE scores, or is six months deficient in credits, and has been put on academic probation (D and F list) for failing grades.
      - A youth who has been employed during the past six months, but has not been able to maintain employment, subsidized or unsubsidized, for three consecutive months at the same job. The youth must have been employed at some time during the past six months to possibly qualify under these criteria.

4. Priority: At a minimum, 30% of the funds shall be used to provide youth services to out-of-school youth.

**VII. One-Stop Operator Eligibility Documents and Forms**

The following is a list of eligibility forms to be used by the One-Stop Operator to document eligibility as appropriate for WIA programs:

- WIA 005 Eligibility Check Off-List
- WIA 006 Identification and Authorization to Work (I-9)
- WIA 007 Telephone Verification Form
- WIA 008 Statement of Disability
- WIA 009 Release of Information and Statement of Disability
- WIA 010 Applicant Statement
- WIA 011 Family Member Employment Income Statement
- WIA012 Income Statement for Service Business or Retailer
- WIA 013 Customer's Percentage of Own Support Statement
- WIA 014 At Risk of Non-Completion Verification
- WIA 015 Unlikely to Return to Former Occupation
- WIA 016 Summary of Complaint Procedures
- WIA 017 Equal Opportunity is the Law
- WIA 018 Social Security Benefit Application SSA-2458
- WIA 019 Release of Information
- WIA 020 Evidence to Support Eligibility
- WIA 021 Rental Income Statement
- WIA 022 Informational Document Check Off List
- WIA 023 Referral Form

<b>Title</b>	<b>WIA Youth Program Eligibility Determination Policies and Procedures</b>		
<b>Policy Number</b>	<b>30</b>	<b>Revision Number</b>	<b>30A</b>
<b>Effective Date</b>	<b>6-20-06</b>	<b>Revision Date</b>	<b>5-4-06</b>
<b>References</b>	<b>WIADO4-18 Eligibility Technical Assistance Guide</b>		
<b>Key Words</b>			
<b>Author</b>	<b>Debra Donelson</b>		
<b>Adopted Comm.</b>	<b>Oversight</b>	<b>Date:</b>	<b>5-26-06</b>
<b>Adopted WIB</b>	<b>6-20-06</b>	<b>Attest:</b>	