



Category/Subject: WIOA – Eligibility for Title I Programs
Colorado Policy Guidance Letter#: WIOA-2015-05, <b>Change 4</b>
Revise/Replace PGL#: 08-17-WIA
Date: <b>November 17, 2017</b>
Distribution: CDLE Management/Finance, State/Local Workforce Directors & Staff, Partners <b>November 2017 Revisions Are Yellow-Highlighted</b>

**I. REFERENCE(S):**

- Workforce Innovation and Opportunity Act, PL 113-128 – July 22, 2014
- WIOA Department of Labor-Only Final Rule (81 FR 56072, Aug. 19, 2016).
- [TEGL 38-14: Transition from WIA to WIOA](#)
- Jobs for Veterans Act of 2002 (Public Law 107-288);
- Colorado House Bill 06S-1023, Restrictions on Public Benefits (July 31, 2006);
- TEGL 22-04 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
- TEGL 22-04, change 1 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
- TEGL 5-08, Policy for Collection and Use of Workforce System Participants’ Social Security Numbers (November 13, 2008)
- TEGL 11-11, Change 2 – Selective Service Registration Requirements for Employment and Training Programs (May 16, 2012)
- TEGL 09-12, Services to Victims of Human Trafficking (October 24, 2012)
- TEGL 02-14, Eligibility of Deferred Action for Childhood Arrivals Participants for WIA and Wagner-Peyser
- [TEGL 19-16: Guidance on Services provided through the Adult and Dislocated Worker Programs under WIOA \(March 1, 2017\)](#)
- [TEGL 21-16: Third WIOA Title I Youth Formula Program Guidance \(March 2, 2017\)](#)
- PGL #MIS-2011-01 (prior #12-06-WIA): Data Integrity and the Customer Participation Cycle
- PGL #WIOA-2014-02 (prior #14-05-WIOA): Guidelines for Affidavit of Immigration Status
- PGL #VET-2004-02 (prior #14-07-V): Veterans Priority of Service

**II. PURPOSE:**

To provide comprehensive guidelines for local workforce areas regarding the determination of eligibility for WIOA programs, and to provide information on the use of appropriate documentation or self-attestation to support eligibility determinations.

**Nov. 2017:** To Update this PGL with further guidance from USDOL regarding Title I WIOA Youth Program eligibility, as follows:

- **Attachment 3: Title I Youth Program Eligibility**
  - Further clarification of the definitions for post-secondary in-school and post-secondary out-of-school
  - Further clarification of the Pregnant/Parenting barrier
- **Attachment 16: Title I Q&A**
  - Further clarification of in-school/out-of-school status during a school break

**April 2017:** To update this PGL with changes to definitions and guidance included in USDOL TEGLs 19-16 and 21-16, issued March 2017 (see Reference Section above). Change 3 to this PGL includes, but is not limited to, the following revisions:

- **Attachment 1: Title I Adult Program Eligibility**
  - “Unexpired” added to all uses of driver’s licenses and ID cards
  - Additional definitions and documentation requirements reflecting the Adult Priority of Service categories that were newly added to the Adult Priority of Service PGL
  - Changes to inclusions/exclusions in the low income calculation
- **Attachment 2: Title I Dislocated Worker Program Eligibility**
  - “Unexpired” added to all uses of driver’s licenses and ID cards
  - Addition of TAA certified to the list of DW eligibility categories
  - Changes and additions related to Layoff, UI Eligibility, and Unlikely to Return
  - Changes and additions related to Transitioning Military Member, Recently Separated Veteran, and Military Spouse
- **Attachment 3: Title I Youth Program Eligibility**
  - “Unexpired” added to all uses of driver’s licenses and ID cards
  - Changes and additions to In-School and Out-of-School eligibility categories
  - Changes and additions to the definitions for the Dropout, Foster Care Youth, Low Income, Offender, and Pregnant and Parenting barriers
  - Changes to inclusions in the low income calculation, and changes to the calculation of the 5% youth low income eligibility exceptions
- **Attachment 4: Title I WIOA Discretionary Grant Eligibility**
  - “Unexpired” added to all uses of driver’s licenses and ID cards
- **Attachment 11: Using UI Notifications and CUBS Screens for DW Eligibility**
  - Name and format of attachment changed to eliminate references to TANs
  - Elimination of EUC-8 form – no longer applicable
  - Addition of RESEA/Links notification letters
  - Addition of using the CUBS 04 screen for UI monetarily eligible
- **Attachment 16: Title I Q&A:** Additions and changes to the answers related to changes in the Adult, DW, Youth, and Grant attachments.

### III. BACKGROUND:

WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes titles I and II of the Workforce

Investment Act of 1998, and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.

Per TEGL 38-14: Transition from WIA to WIOA, **local program operators must adhere to the law's eligibility guidelines as of July 1, 2015**, to ensure all those who receive WIOA-funded services are eligible. This PGL provides the detailed guidance necessary to implement this directive.

#### IV: POLICY/ACTION:

Local Workforce Boards are required to establish and formally approve a local policy for making eligibility determinations for the three WIOA funding streams:

adult, dislocated worker, and youth. **Local Workforce Areas are expected to modify local policies and procedures as needed to incorporate the changes and additions to this PGL within 90 days of receipt of this PGL**, including guidance on the use of self-attestation as a last resort when other documentation can't be found or accessed. Self-attestation guidance in the local policy should identify a form to be signed off when self-attestation is necessary and the circumstances under which self-attestation will be allowed.

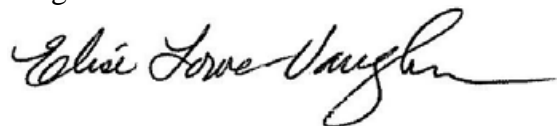
**Local workforce areas are advised to conduct a careful and detailed review of the WIOA changes to this PGL. In addition, local areas should disseminate this PGL to appropriate staff and ensure that local policies and procedures are revised to incorporate the changes. Regional Liaisons will be available to provide technical assistance as needed.**

#### V. IMPLEMENTATION DATE:

Upon receipt of this PGL.

#### VI. INQUIRIES:

Please direct all inquiries to your Regional Liaison at Workforce Development Programs.



Elise Lowe-Vaughn, Director  
Workforce Programs, Policy, and Strategic Initiatives

#### Attachments:

1. WIOA Title I Adult Program Eligibility Requirements, rev. April 2017
2. WIOA Title I Dislocated Worker Program Eligibility Requirements, rev. April 2017
3. WIOA Title I Youth Program Eligibility Requirements, **rev. November 2017**
4. WIOA Title I Discretionary Grant Eligibility Requirements, rev. April 2017
5. TEGL 22-04 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
6. TEGL 22-04, change 1 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
7. TEGL 5-08, Policy for Collection and Use of Workforce System Participants' Social Security Numbers (November 13, 2008)

8. TEGL 11-11, Change 2 – Selective Service Registration Requirements for Employment and Training Programs (May 16, 2012)
9. TEGL 09-12, Services to Victims of Human Trafficking (October 24, 2012)
10. TEGL 02-14, Eligibility of Deferred Action for Childhood Arrivals Participants for WIA and Wagner-Peyser
11. Using UI Notifications and Screens for DW Eligibility, rev. April 2017
  - a. RESEA/Links Notification Letters
  - b. Notice of Decision
  - c. CUBS 20 Screen
12. Samples of New Drivers' Licenses and IDs, rev. June 2016
13. Connecting Colorado Supply and Demand Report for DW Eligibility
14. Youth in Poverty Interactive Map, rev. Oct 2016
15. Example Documentation for Spouses of Active Military Members
16. WIOA Title I Eligibility Questions and Answers, **rev. November 2017**