

**Workforce Innovation and Opportunity Act (WIOA) Title I Program Eligibility | August 21, 2018**

**TO:** Division of Workforce Development and Adult Learning (DWDAL) staff and Local Workforce Development Area (LWDA) Directors and staff

**FROM:** Division of Workforce Development and Adult Learning  
Maryland Department of Labor, Licensing and Regulation

**SUBJECT:** Workforce Innovation and Opportunity Act (WIOA) Title I Program Eligibility Requirements

**PURPOSE:** To provide policy guidance on DWDAL’s expectations and requirements for WIOA Title I program eligibility verification to Local Workforce Development Boards, American Job Centers, Youth Representatives and other WIOA partners of eligibility requirements under WIOA for Youth, Adult, and Dislocated Worker.

**ACTION:** Local Workforce Development Area (LWDA) Directors, American Job Center (AJC) labor exchange administrators, and central office managers will ensure all employees are aware of and receive copies of this policy. DWDAL policies are available [on the DLLR website](#).

**EFFECTIVE:** July 1, 2018

**EXPIRATION:** Until Cancelled.

**QUESTIONS:**

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## **CANCELLATIONS**

The following is hereby replaced by this policy issuance:

- Policy Issuance (PI) 2016-10, Workforce Innovation and Opportunity Act (WIOA) Title I Program Eligibility Requirements, November 17, 2016;

Note: All previous policies on Title I Program Eligibility requirements remain active for program participants during that policy's effective dates. These policies are archived and available at:

<https://www.dllr.state.md.us/employment>.

## GENERAL INFORMATION

The U.S. Department of Labor (USDOL)'s Employment and Training Administration (ETA) has statutory and regulatory authority to administer and monitor performance of the Maryland Department of Labor, Licensing and Regulation (DLLR)'s Division of Workforce Development and Adult Learning (DWDAL) job training and employment programs. This includes the Workforce Innovation and Opportunity Act (WIOA) Title I programs:

- Adult Program;
- Dislocated Worker Program; and,
- Youth Programs – Out of School Youth (OSY) and In School Youth (ISY).

ETA uses information that is collected during monitoring of WIOA Title I programs to assess the performance of the State, Local Workforce Development Areas (LWDAs), and other grantees to assure requisite data are provided and programs are monitored. Therefore, all State, LWDAs, and other grantees must collect and report timely and accurate information on all WIOA Title I programs' participants, as required.

### PARTICIPANT FILE CASE RECORDS FOR WIOA TITLE I PROGRAMS

LWDA staff and other grantee staff must develop an adequate organization system to ensure that the information contained in participant<sup>1</sup> records is well documented, protected, consistent, accessible and accurate from the point of program registration to the point of exit.<sup>2</sup> Case notes must tell a story regarding all services that are received. Supervisors and Directors must ensure that all staff document case notes in both the Maryland Workforce Exchange (MWE) and individual participant files, as prescribed in this policy.

When determining eligibility, staff are encouraged to document all barriers to employment that an individual might disclose. This information is key to the determination of local performance metrics and ultimately the negotiation of local performance goals. It also helps to determine priority of service and provides an accurate understanding of the customers served through Maryland's workforce system.

The remainder of this policy details WIOA Title I participant eligibility criteria and source documentation requirements for data validation.

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<sup>1</sup> A "participant" is an individual engaged in a core program beyond self-service or information-only services. A "youth participant" is a reportable individual when he/she has satisfied all applicable program requirements for the provision of services, including eligibility determination, an objective assessment, and development of an individual service strategy, and received 1 of the 14 WIOA youth program elements identified in sec. 129(c)(2) of WIOA.

<sup>2</sup> The "point of exit" refers to the last date a participant received services, not including self-service, information only, or follow up services, where no future services are scheduled. These services are not counted in the measurement of 90 days of no service. An exiter may access the system and receive services assigned by the system.

# PARTICIPANT ELIGIBILITY CRITERIA FOR WIOA TITLE I PROGRAMS

Title I of WIOA provides authority for three programs: Adult, Dislocated Worker, and Youth programs. The following sections outline the eligibility requirements for each program’s participants.

## ADULT PROGRAM

To participate in the WIOA Adult Program, an individual must meet the following eligibility requirements:

1. 18 years of age or older;
2. U.S. citizen or non-citizen authorized to work in the U.S.; and
3. Meet Military Selective Service registration, if applicable.<sup>3</sup>

## WIOA Target Populations & Priority of Service

For WIOA Title I Adult Program employment and training services, LWDAs must provide priority of service to individuals in the following target populations, in accordance with the Act, the State Plan, and the approved Local Plan.

<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>4</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
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

Maryland is committed to ensuring its target populations are able to access the WIOA system on a priority basis. For the WIOA Title I Adult Program, priority must be provided in the following order:

<b>Priority of Service for the WIOA Title I Adult Program</b>	
<b>First Priority</b>	Veterans and eligible spouses <sup>5</sup> who are also low-income, <sup>6</sup> recipients of public assistance and/or basic skills deficient
<b>Second Priority</b>	Individuals who are 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

<sup>3</sup> Certain individuals may be exempt from Selective Service. LWDAs must have a process in place for documenting exemptions.

<sup>4</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.

<sup>5</sup> Questions regarding priority of service for veterans and/or WIOA target populations, as identified in this section, may be directed to the DLLR Office of Workforce Development.

<sup>6</sup> “Low income” is defined by WIOA - <http://www.dllr.maryland.gov/employment/wioatechdoc.pdf>.

## DISLOCATED WORKER PROGRAM

To participate in the WIOA Dislocated Worker Program, an individual must first meet the definition of a Dislocated Worker. According to WIOA, a Dislocated Worker must:

1. Be a U.S. citizen or non-citizen authorized to work in the U.S.;
2. Meet Military Selective Service Registration, if applicable; and
3. Meet the definition in WIOA Section 3(15):
  - (A) (i) Has been terminated or laid off, or has received a notice of termination or layoff, from employment;  
(ii) (I) is eligible for or has exhausted entitlement to unemployment compensation; or (II) has been employed for a duration sufficient<sup>7</sup> to demonstrate, to the appropriate entity at a one-stop center referred to in section 121(e), 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 unemployment compensation law; and  
(iii) is unlikely to return to a previous industry or occupation<sup>8</sup>;
  - (B) (i) 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;  
(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or  
(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;
  - (C) 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; or,
  - (D) Is a displaced homemaker; or
  - (E) (i) is the 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 who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or (ii) is the spouse of a member of the Armed Forces on active duty and who meets the criteria described in paragraph (16)(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

## YOUTH PROGRAM

To participate in the WIOA Youth Program, at a minimum, a youth must:

1. Be a U.S. citizen or non-citizen authorized to work in the U.S.;
2. Register for Military Selective Service, if applicable;<sup>9</sup> and
3. Meet the WIOA In-School Youth (ISY) or Out-of-School Youth (OSY) eligibility criteria specified in this Policy Issuance.

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<sup>7</sup> “Duration sufficient to demonstrate...an attachment to the workforce” means any labor performance in any occupation where the employee has worked for two full pay periods or one month, whichever is less.

<sup>8</sup> In Maryland, “unlikely to return to previous industry or occupation” is locally defined by each of the State’s 12 LWDAs. The definition can be found in each area’s WIOA Local Plan.

<sup>9</sup> If a male youth turns 18 while participating in a WIOA funded program, he must register for Selective Service within 30 days of age change.

## **Out of School Youth (OSY)**

An OSY is defined by WIOA Section 129(a)(1)(b) as an individual who is:

1. Not attending any school;
2. Between the ages of 16-24 at time of enrollment;<sup>10</sup> and
3. One or more of the following:
  - A school dropout<sup>11</sup>;
  - A youth who is within the age of compulsory school attendance,<sup>12</sup> but has not attended school for at least the most recent complete school year calendar quarter. School year calendar quarter is based on how a local school district defines its school year quarters. (Note: In line with WIOA, in providing assistance to an OSY who is required to attend school under Maryland law, the priority in providing such assistance shall be for the individual to attend school regularly);
  - A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English Language Learner (ELL);
  - An individual who is subject to the juvenile or adult justice system;
  - A homeless individual or a runaway;
  - An individual who is in foster care or has aged out of the foster care system, or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or an individual who is in an out of home placement;
  - An individual who is pregnant or parenting;<sup>13</sup>
  - An individual with a disability; and/or,
  - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment, as defined by the LWDA's Local Plan.

## **In-School Youth (ISY)**

An ISY is defined by WIOA Section 129(a)(1)(c) as an individual who is:

1. Attending school;<sup>14</sup>
2. Between the ages of 14-21 at the time of enrollment;<sup>15</sup>
3. Low-income;<sup>16</sup> and
4. One or more of the following:
  - Basic skills deficient;
  - An English language learner;
  - An offender;
  - A homeless youth or a runaway;

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<sup>10</sup> Participants may continue to receive services beyond the age of 24 once they are enrolled in the program, because age eligibility is based on age at enrollment.

<sup>11</sup> High school equivalency programs and drop-out reengagement programs are not considered "schools," for these purposes.

<sup>12</sup> Effective July 1, 2015, each child who resides in Maryland and is 5 years old or older and under 17 shall attend a public school regularly during the entire school year, unless the child is otherwise exempted due to attainment of a high school diploma or GED; is receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age or has completed such instruction; is married; is active military; attends an alternate education program; or is within any other exemptions listed in Education Article, §7-301, Annotated Code of Maryland. Effective July 1, 2017, the age for compulsory public school attendance has changed to ages 5-18. (Source: Education Article, §7-301, Annotated Code of Maryland (Age for Compulsory Public School Attendance)).

<sup>13</sup> Including non-custodial parents, such as fathers.

<sup>14</sup> Providers of adult education under title II of WIOA, YouthBuild programs, or Job Corps programs are not considered "schools." Therefore, if the only "school" the youth attends is adult education provided under title II of WIOA, YouthBuild, or Job Corps, the Department will consider the individual an OSY youth for purposes of title I of WIOA youth program eligibility.

<sup>15</sup> Unless the youth is an individual with a disability, who is attending school under Maryland law

<sup>16</sup> See "Other Youth Eligibility"

- A youth in foster care or has aged out of the foster care system;
- Pregnant or parenting;
- A youth who is an individual with a disability; and/or,
- An individual who requires additional assistance to complete an educational program or to secure or hold employment, as defined by the LWDA's Local Plan.

### **Other Youth Eligibility**

In each LWDA, not more than 5 percent of youth participants may be persons who are not low-income individuals, but who would be an ISY, or an OSY with a secondary school diploma (or its recognized equivalent) and is basic skills deficient, an English Language Learner (ELL), or an individual who requires additional assistance to enter or complete an educational programs or to secure or hold employment.

# SOURCE DOCUMENTATION FOR WIOA TITLE I PROGRAMS

The following chart details the acceptable source documentation for each eligibility criterion.

Note: there are some limited circumstances that may warrant self-certification, as detailed below. Self-certification should only be used in circumstances where alternative documentation is unavailable. Self-certification occurs when a participant states his or her status for a particular data element, such as pregnant or parenting youth, and then signs and dates a form acknowledging this status. In accordance with TEGL 22-15, the key elements for self-certification are: (a) the participant identifying his or her status for permitted criteria and (b) signing and dating a form attesting to this self-identification. USDOL and DLLR will monitor for overuse of self-certification when determining program eligibility.

## GENERAL PROGRAM ELIGIBILITY

Criteria	Acceptable Documentation
<p>Citizen or Authorized to Work in the U.S.</p> <p>Note: Per TEGL 02-14, Deferred Action for Childhood Arrivals (DACA) individuals are considered to be “immigrants authorized by the Attorney General to work in the United States.” Therefore, DACA participants with employment authorization may access any WIOA services for which they otherwise would qualify.</p>	<ul style="list-style-type: none"> <li>• Alien Registration Card indicating Right to Work (DHS/USCIS Forms I-551(Permanent Resident Card or Alien Registration Receipt Card), I-94 (Departure/Arrival Record), I-94A, I-197 (U.S. Citizen I.D. Card), I-179 (Identification Card for Use of Resident Citizen in the U.S.), I-766 (Employment Authorization Document)</li> <li>• Baptismal Certificate (If place of birth is shown)</li> <li>• Birth Certificate</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 stamps) records</li> <li>• Foreign Passport Stamped Eligible to Work (Unexpired)</li> <li>• Hospital Record of Birth</li> <li>• Naturalization Certificate</li> <li>• Public Assistance Records</li> <li>• U.S. Passport or U.S. Passport Card (Unexpired)</li> <li>• Native American Tribal Document</li> <li>• Voter Notification Card</li> <li>• Consular Report of Birth Abroad</li> </ul>
<p>Selective Service Registrant</p> <p>Note: The law requires virtually all male U.S. citizens and male immigrants residing in the U.S. to register within 30 days of their 18<sup>th</sup> birthday. Therefore, to be in compliance with the law, a man turning 18 is required to register during the period of time beginning 30 days before, until 30 days after his 18<sup>th</sup> birthday. Selective Service can accept a late registration, but not after a man has reached his 26<sup>th</sup> birthday. (<a href="http://www.sss.gov">www.sss.gov</a>.)</p>	<ul style="list-style-type: none"> <li>• Selective Service Acknowledgement Letter</li> <li>• Form DD-214 “Report of Separation”</li> <li>• Screen printout of the Selective Service Verification site: <a href="http://www.sss.gov/RegVer/wfVerification.aspx">www.sss.gov/RegVer/wfVerification.aspx</a> (For males who have already registered, this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and the date of birth)</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>Note: Certain limited exemptions exist and, in those instances, documentation for selective service exemption would suffice.</p>

<p>Age/Birth Date</p>	<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>• Driver's License</li> <li>• Federal, State, or Local Government Identification Card</li> <li>• Hospital Record of Birth</li> <li>• U.S. Passport or U.S. Passport Card (Unexpired)</li> <li>• Letter from Local Department of Social Services verifying age/birth date</li> <li>• School Records/Identification Card</li> <li>• Work permit</li> <li>• Cross match with Department of Vital Statistics</li> <li>• Tribal Records</li> </ul>
<p>Social Security Number</p> <p>Note: Per TEGL 5-08, local grantees should request a Social Security number from all applicants to aid in performance reporting, but services cannot be denied to anyone for refusing to furnish a Social Security number when their citizenship/alien status can be documented via other means.</p>	<ul style="list-style-type: none"> <li>• Social Security Card</li> <li>• Passport</li> <li>• Military ID</li> <li>• Other Federal or State ID with SSN</li> <li>• DD-214, Report of Transfer or Discharge (if SSN is listed)</li> <li>• Employment records (if SSN is listed)</li> <li>• IRS Form Letter 1722</li> <li>• Pay stub (if SSN is listed)</li> <li>• W-2 Form</li> <li>• Cross-match with Unemployment Insurance (UI) records</li> </ul>

**WIOA Title I Adult Program – Priority Populations**

Note: In the absence of Federal guidance on acceptable documentation for certain priority populations, this is Maryland's policy. Maryland will amend its policy if contradictory to forthcoming Federal guidance.

Data Element	Acceptable Documentation
<p><b>Displaced Homemaker</b></p> <p>An individual who has been providing unpaid services to family members in the home and who: (A) (i) has been dependent on the income of another family member but is no longer supported by that income; or (ii) 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.</p>	<ul style="list-style-type: none"> <li>• Public assistance records</li> <li>• Court records</li> <li>• Divorce papers</li> <li>• Bank records</li> <li>• Spouse's layoff notice</li> <li>• Spouse's death record</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>

<p><b>Eligible Migrant and Seasonal Farmworker</b></p> <p>(1) Eligible Migrant and Seasonal Farmworkers – The term “eligible migrant and seasonal farmworkers” means individuals who are eligible migrant farmworkers or are eligible seasonal farmworkers.  (2) Eligible Migrant Farmworkers – The term “eligible migrant farmworker” means (A) an eligible seasonal farmworker described in paragraph 3(A) whose agricultural labor requires travel to a job site such the farmworker is unable to return to a permanent place of residence within the same day; and (B) a dependent of the farmworker described in subparagraph (A). (3) Eligible Seasonal Farmworker – The term “eligible seasonal farmworker” means (A) a low-income individual who (i) for 12 consecutive months out of the 24 months prior to application for the program involved, has been primarily employed in agricultural or fish farming labor that is characterized by chronic unemployment or underemployment; and (ii) faces multiple barriers to economic self-sufficiency; and (B) a dependent of the person described in subparagraph (A).</p>	<ul style="list-style-type: none"> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p><b>Ex-Offender</b></p> <p>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, statue offences, or other crimes.</p>	<ul style="list-style-type: none"> <li>• Documentation from juvenile or adult criminal justice system</li> <li>• Documented phone call with court or probation representative</li> <li>• WIOA intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p><b>Homeless Individual</b></p> <p>An individual who lacks a fixed, regular, and adequate nighttime residence; and (B) includes—(i) an individual who—(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; (II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations; (III) is living in an emergency or transitional shelter; (IV) is abandoned in a hospital; or (V) is awaiting foster care placement; (ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or (iii) migratory children (as defined in section 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</p>	<ul style="list-style-type: none"> <li>• Written statement from an individual providing residence, shelter or social service agency</li> <li>• Intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p><b>Individual facing substantial cultural barriers</b></p> <p>“Cultural barriers” are 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</p>	<ul style="list-style-type: none"> <li>• WIOA intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p><b>Individuals with disabilities</b></p> <p>An individual 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</p>	<ul style="list-style-type: none"> <li>• Letter from a Vocational Rehabilitation Agency, such as Maryland Division of Rehabilitation Services (DORS) verifying disability</li> </ul>

<p>as having such an impairment (as described in the Americans with Disabilities Act § 12102 (3))</p>	<ul style="list-style-type: none"> <li>• Letter from Maryland Department of Health (MDH) 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>• Developmental Disabilities Administration (DDA) certificate for long term supports</li> <li>• Social Security Administration disability records</li> <li>• Statement or Diagnosis from a PhD, MD, Licensed Clinical Social Worker (LCSW) or other licensed clinical professional</li> <li>• School records (Individualized Education Plan, 504 Plan, exit documents or other documentation stating disability)</li> <li>• Workers Compensation records</li> <li>• Veterans Administration letter/records</li> <li>• Temporary Disability Assistance Program approval letter</li> <li>• Public Assistance to Adults (PAA) approval letter</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p>Individuals within two years of exhausting lifetime eligibility under Part A of the Social Security Act</p>	<ul style="list-style-type: none"> <li>• A letter from a Local Department of Social Services verifying the number of months benefits have been received and/or a printout of payments received</li> </ul>
<p>Individuals who are English language learners</p> <p>An eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and: (A) Whose native language is a language other than English; or (B) Who lives in a family or community environment where a language other than English is the dominant language</p>	<ul style="list-style-type: none"> <li>• National Reporting System (NRS) approved standardized assessment test score</li> <li>• School records</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p>Individuals who are unemployed</p> <p>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</p>	<ul style="list-style-type: none"> <li>• Layoff letter from employer</li> <li>• Rapid Response list including employer name</li> <li>• Maryland Automated Benefit System F04 printout with a determination code of 50 or 99<sup>17</sup></li> <li>• DD214 if dislocation is based on the participant discharge from the military</li> <li>• UI compensation award letter</li> <li>• UI Notice of Available Weekly Claim Certification</li> <li>• UI Webcert Payment History printout including participant's name</li> <li>• Reemployment Services and Eligibility Assessments (RESEA) Workshop Letter</li> </ul>

<sup>17</sup> Note that references to MABS include the equivalent codes should the benefit systems be updated or changed.

	<ul style="list-style-type: none"> <li>• Reemployment Opportunity Workshop (ROW) Workshop Letter</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>• “Verification of MD UI Benefit Status” letter addressed to UI claimant</li> <li>• Letter from employer noting not subject to UI law</li> <li>• UI documentation indicating not eligible due to insufficient earnings</li> </ul>
<p><b>Individuals who have low levels of literacy</b></p> <p>Basic Skills Deficient/ Low Levels of Literacy- With respect to an individual: (A) Who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or, (B) Who is a youth or adult, that the individual 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.</p>	<ul style="list-style-type: none"> <li>• National Reporting System (NRS) approved standardized assessment test score</li> <li>• School records</li> </ul>
<p><b>Individuals without a High School Diploma</b></p>	<ul style="list-style-type: none"> <li>• Applicable records from education institution (diploma, GED®, attendance record, transcripts, drop out letter, school documentation)</li> <li>• WIOA intake or registration form;</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p><b>Low income individuals</b></p> <p>An individual who— (i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (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; (ii) is in a family with total family income that does not exceed the higher of—(I)the poverty line; or (II) 70 percent of the lower living standard income level; (iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 H. R. 803—12 (42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))); (iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C.1751 et seq.); (v) is a foster child on behalf of whom State or local government payments are made; or (vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.</p>	<ul style="list-style-type: none"> <li>• Alimony agreement</li> <li>• Applicant statement</li> <li>• Award letter from veteran’s administration</li> <li>• Bank statements</li> <li>• Compensation award letter</li> <li>• Court award letter</li> <li>• Pension statement</li> <li>• Employer statement/contact</li> <li>• Family or business financial records</li> <li>• Housing authority verification</li> <li>• Pay stubs</li> <li>• Food Supplement eligibility determination notice</li> <li>• Public assistance eligibility determination notice</li> <li>• Supplemental Security Income benefits</li> <li>• Quarterly estimated tax for self-employed persons</li> <li>• UI documents</li> </ul> <p>Note: The following documentation is considered acceptable when documenting family size in relation to low-income status: Applicant statement; birth certificate; court/divorce decree; landlord statement; lease; marriage certificate; medical card; most recent tax return supported by IRS Documents (i.e., Form Letter 1722); Public assistance/Social</p>

	Service Agency records; Public housing authority (if resident of or on waiting list); Written statement from publically supported 24 hour care facility or institution.
Native Americans, Alaskan Natives, and Native Hawaiians	<ul style="list-style-type: none"> <li>• WIOA intake or registration form</li> </ul>
<p>Older individuals</p> <p>An individual age 55 or older</p>	<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>• Driver's License</li> <li>• Federal, State, or Local Government Identification Card</li> <li>• Hospital Record of Birth</li> <li>• U.S. Passport or U.S. Passport Card (Unexpired)</li> <li>• Cross match with Department of Vital Statistics</li> <li>• Tribal Records</li> <li>• Elderly Simplified Application Project approval</li> </ul>
Single parents (including single pregnant women and non-custodial parents)	<ul style="list-style-type: none"> <li>• Copy of child's birth certificate</li> <li>• Baptismal record</li> <li>• Observation of pregnancy status</li> <li>• Doctor's note confirming pregnancy</li> <li>• Temporary Cash Assistance approval notice</li> <li>• Child Support Enforcement Administration records</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p>Veterans</p> <p>A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable</p> <p>Note: Contact the DLLR Veterans Program Manager for any questions related to veterans and eligible spouses.</p>	<ul style="list-style-type: none"> <li>• DD-214 Copy 4, "Veteran's Certificate of Release or Discharge from Active Duty"</li> <li>• Letter from the U.S. Department of Veterans' Affairs (VA) that certifies Veteran status</li> <li>• Other official source document approved by the LWDA Director, which can be cross-matched with available Veterans' data</li> </ul>
Youth who are in or have aged out of the foster care system	<ul style="list-style-type: none"> <li>• Written confirmation from social services agency</li> <li>• Case notes</li> </ul>

## WIOA Title I Dislocated Worker Program

Category	Acceptable Documentation
(A)(i) Terminated or laid off or has received a notice of termination or layoff from employment	<ul style="list-style-type: none"> <li>• Layoff letter from employer</li> <li>• Rapid Response list including employer name</li> <li>• DD214 if dislocation is based on the participant discharge from the military</li> <li>• UI compensation award letter</li> <li>• UI Webcert Payment History printout including participant's name</li> <li>• Reemployment Services and Eligibility Assessments (RESEA) Workshop Letter</li> <li>• Reemployment Opportunity Workshop (ROW) Workshop Letter</li> <li>• "Verification of MD UI Benefit Status" letter addressed to UI claimant</li> <li>• Public notice of a layoff with company name and proof of individual's attachment to the company</li> <li>• Maryland Automated Benefits System (MABS) F04 printout with a determination code of 50 or 99</li> </ul>
(ii)(I) is eligible for or has exhausted entitlement to UI; OR (II) has been employed for a duration sufficient to demonstrate to the appropriate entity at a one-stop center referred to in section 121(e), attachment to the workforce, but is not eligible for UI due to insufficient earning or having performed services for an employer that were not covered under a State UI law; AND	<ul style="list-style-type: none"> <li>• UI compensation award letter</li> <li>• UI Notice of Available Weekly Claim Certification</li> <li>• UI Webcert Payment History printout including participant's name</li> <li>• Reemployment Services and Eligibility Assessments (RESEA) Workshop Letter</li> <li>• Reemployment Opportunity Workshop (ROW) Workshop Letter</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>• "Verification of MD UI Benefit Status" letter addressed to UI claimant</li> <li>• Letter from employer noting not subject to UI law</li> <li>• UI documentation indicating not eligible due to insufficient earnings</li> </ul>
(iii) is unlikely to return to a previous industry or occupation;	<ul style="list-style-type: none"> <li>• Current Labor Market Information (LMI) showing occupations and/or industries in decline</li> <li>• Printout of State or local LMI data</li> </ul>

	<ul style="list-style-type: none"> <li>• Printout from O*Net</li> <li>• Case notes documenting “unlikely to return to a previous industry or occupation”</li> </ul>
(B)(i) 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;	<ul style="list-style-type: none"> <li>• Letter from employer</li> <li>• Media announcement with employment verification</li> <li>• Layoff notice</li> <li>• UI compensation award letter if names of both company and participant are stated</li> </ul>
(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; OR	<ul style="list-style-type: none"> <li>• Letter from employer</li> <li>• Media announcement with employment verification</li> </ul>
(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close:	<ul style="list-style-type: none"> <li>• Letter from employer</li> <li>• Media announcement with employment verification</li> </ul>
(C) 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; OR	<ul style="list-style-type: none"> <li>• Evidence of failure of business supplier or business customer</li> <li>• Court documents</li> <li>• Insurance claims, or other proof of income loss</li> <li>• Disaster insurance claim</li> <li>• Federal or State declaration of disaster</li> <li>• Proof of Eligibility for Disaster Unemployment Assistance (DUA) from DLLR Division of Unemployment Insurance</li> </ul>
(D) Is a displaced homemaker; OR	<ul style="list-style-type: none"> <li>• Court records</li> <li>• Public Assistance Records</li> <li>• Divorce papers</li> <li>• Bank records</li> <li>• Spouse’s layoff notice</li> <li>• Spouse’s death record</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
(E)(i) is the spouse of a member of the Armed Forces on active duty and who has experience a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member;	<ul style="list-style-type: none"> <li>• DD214 if dislocation is based on the participant discharge from the military</li> <li>• Military orders if the participant is a military spouse and the dislocation is based on the</li> </ul>

OR	service member permanent change of military station
(ii) is the spouse of member of the Armed Forces on active duty and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.	<ul style="list-style-type: none"> <li>• DD214 if dislocation is based on the participant discharge from the military</li> <li>• Military orders if the participant is a military spouse and the dislocation is based on the service member permanent change of military station</li> </ul>

## WIOA Title I Youth Program

Category	Acceptable Documentation
School status at participation	<ul style="list-style-type: none"> <li>• Applicable records from education institution (including High School Diploma or GED certificate, attendance records, transcripts, drop out letter, school documentation)</li> <li>• WIOA intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
An individual who is subject to the juvenile or adult justice system;	<ul style="list-style-type: none"> <li>• Documentation from juvenile or adult criminal justice system</li> <li>• Documented phone call with court or probation representative</li> <li>• WIOA intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p>Homeless youth and/or runaway</p> <p>(A) Individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of the McKinney-Vento Homeless Assistance Act section 103(a)(1)); and (B) includes —(i) 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; (ii) 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 (within the meaning of section the McKinney-Vento Homeless Assistance Act 103(a)(2)(C)); (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who</p>	<ul style="list-style-type: none"> <li>• Written statement from an individual providing residence, shelter or social service agency</li> <li>• Intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>

<p>qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).</p>	
<p>Individual who is in foster care or has aged out of the foster care system, or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or an individual who is in an out of home placement;</p>	<ul style="list-style-type: none"> <li>• Written confirmation from social services agency</li> <li>• Court Documentation stating youth has been placed into care of the State</li> </ul>
<p>Individual who is pregnant or parenting</p>	<ul style="list-style-type: none"> <li>• Copy of child’s birth certificate</li> <li>• Baptismal record</li> <li>• Observation of pregnancy status</li> <li>• Doctor’s note confirming pregnancy</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>
<p><b>Individual with a disability</b></p> <p>An individual 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))</p>	<ul style="list-style-type: none"> <li>• Letter from a Vocational Rehabilitation Agency, such as Maryland Division of Rehabilitation Services (DORS) verifying disability</li> <li>• Letter from Maryland Department of Health (MDH) 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>• Developmental Disabilities Administration (DDA) certificate for long term supports</li> <li>• Social Security Administration disability records</li> <li>• Statement or Diagnosis from a PhD, MD, Licensed Clinical Social Worker (LCSW) or other licensed clinical professional</li> <li>• School records (Individualized Education Plan, 504 Plan, exit documents or other documentation stating disability)</li> <li>• Workers Compensation records</li> <li>• Veterans Administration letter/records</li> <li>• Temporary Disability Assistance Program approval letter</li> <li>• Public Assistance to Adults (PAA) approval letter</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>

<p><b>Low-income individual</b></p> <p>An individual who— (i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (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; (ii) is in a family with total family income that does not exceed the higher of—(I)the poverty line; or (II) 70 percent of the lower living standard income level; (iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 H. R. 803—12 (42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))); (iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C.1751 et seq.); (v) is a foster child on behalf of whom State or local government payments are made; or (vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.</p>	<ul style="list-style-type: none"> <li>• Alimony agreement</li> <li>• Applicant statement</li> <li>• Award letter from veteran’s administration</li> <li>• Bank statements</li> <li>• Compensation award letter</li> <li>• Court award letter</li> <li>• Pension statement</li> <li>• Employer statement/contact</li> <li>• Family or business financial records</li> <li>• Housing authority verification</li> <li>• Pay stubs</li> <li>• Public Assistance records</li> <li>• Quarterly estimated tax for self-employed persons</li> <li>• Social Security benefits</li> <li>• UI documents</li> <li>• Eligible for free or reduced price lunch under the Richard B. Russell National School Lunch Act (for in-school youth only)</li> </ul> <p>NOTE: The following documentation is considered acceptable when documenting family size in relation to low-income status: Applicant statement; birth certificate; court/divorce decree; landlord statement; lease; marriage certificate; medical card; most recent tax return supported by IRS Documents (i.e., Form Letter 1722); Public assistance/Social Service Agency records; Public housing authority (if resident of or on waiting list); Written statement from publically supported 24 hour care facility or institution.</p>
<p><b>Requires additional assistance to enter or complete an educational program or to secure or hold employment</b></p>	<p>In Maryland, this criterion is defined locally and is specified in each LWDA’s Local Plan.</p>
<p><b>Basic skilled deficient/Low Levels of Literacy</b></p> <p>With respect to an individual: (A) Who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or, (B) Who is a youth or adult, that the individual 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.</p>	<ul style="list-style-type: none"> <li>• National Reporting System (NRS) approved standardized assessment test score</li> <li>• School records</li> </ul>
<p><b>English language learner</b></p> <p>An eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and: (A) Whose native language is a language other than English; or (B) Who lives in a family or community environment where a language other than English is the dominant language</p>	<ul style="list-style-type: none"> <li>• National Reporting System (NRS) approved standardized assessment test score</li> <li>• School records</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>

<p><b>Ex-offender</b></p> <p>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, statue offences, or other crimes.</p>	<ul style="list-style-type: none"> <li>• Documentation from juvenile or adult criminal justice system</li> <li>• Documented phone call with court or probation representative</li> <li>• WIOA intake or registration form</li> <li>• Self-certification (Participant identifies status and signs and dates paperwork)</li> </ul>

# **MONITORING & TECHNICAL ASSISTANCE**

## **MONITORING**

The State of Maryland acknowledges that the USDOL has the authority to monitor and assess performance and eligibility verification processes for WIOA Title I programs.

To ensure that policies are being followed and expectations are being met, the State, LWDA's, and all grantees should expect DWDAL to also conduct monitoring.

## **TECHNICAL ASSISTANCE**

LWDA staff, State staff, and other grantee staff are encouraged to request technical assistance from the DWDAL Monitoring and Compliance Unit when appropriate. When necessary, the Monitoring and Compliance Manager or a designee will seek technical assistance from USDOL to request and provide clarity.

## REFERENCES

### LAW

- [Workforce Innovation and Opportunity Act of 2014 \(WIOA\)](#) 29 U.S.C. §§ 3101 et seq (2015);
- Education Article, §7-301, Annotated Code of Maryland (*Age for Compulsory Public School Attendance*)

### REGULATIONS

- [Workforce Innovation and Opportunity Act Labor Only Final Rule](#): Sections 680.120, 680.130, 680.220, 681.210, 681.230, Subpart E, Sections 680.600, 680.610, 680.640, and Subpart B, dated August 19, 2016

### USDOL GUIDANCE

- Training and Employment Guidance Letter WIOA (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](#),” dated May 12, 2016;
- TEGL 8-15, “[Second Title I WIOA Youth Program Transition Guide](#),” dated November 17, 2015;
- TEGL 3-15, “[Guidance on Services Provided through the Adult and Dislocated Worker Program under the Workforce Innovation and Opportunity Act and Wagner Peyser, as amended, and Guidance for the Transition to WIOA Services](#),” dated July 1, 2015;
- TEGL 37-14, “[Update on Complying with Nondiscrimination Requirements: Discrimination Based on Gender Identity, Gender Expression and Sex Stereotyping are Prohibited Forms of Sex Discrimination in the Workforce Development System](#),” dated May 29, 2015;
- TEGL 23-14, [Workforce Innovation and Opportunity Act \(WIOA\) Youth Program Transition](#), dated March 26, 2015;
- TEGL 02-14, “[Eligibility of Deferred Action for Childhood Arrivals Participants for Workforce Investment Act and Wagner Peyser Act Programs](#),” dated July 14, 2014;
- TEGL 11-11 Change 2, [Selective Service Registration Requirements for Employment and Training Administration Funded Programs](#), dated May 16, 2012;
- TEGL 11-11 Change 1, [Selective Service Registration Requirements for Employment and Training Administration Funded Programs](#), dated January 20, 2012;
- TEGL 5-08, [Policy for Collection and Use of Workforce System Participants’ Social Security Numbers](#), dated November 13, 2008.

### OTHER REFERENCES

- Workforce Innovation and Opportunity Act Overview: [Fact Sheet on the WIOA Youth Program](#), dated July 22, 2014;
- WIOA Technical Document 2015-01, [WIOA High Poverty Areas](#), dated October 23, 2015;
- WIOA Technical Document 2016-01, [Definitions for WIOA Implementation](#), dated March 9, 2016.