



PATHWAY HOME 6 PROGRAM ELIGIBILITY & SERVICE PRIORITY

Policy Number: 260, Revision 2

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I. PURPOSE:

The purpose of this policy is to establish how the Workforce Innovation and Opportunity Act (WIOA) eligibility and veterans' priority of services provide guidance relative to eligibility determination for incarcerated Adults for the U.S. Department of Labor (DOL) program, Pathway Home 6, under the management of South Central Workforce (SCW). Individuals incarcerated in a local county jail must meet the eligibility requirements outlined in this bulletin.

II. BACKGROUND:

The U.S. DOL has required local areas to develop a policy directing priority of service to veterans and eligible spouses when funds are limited. 20 CFR Part 1010 establishes the regulations implementing the priority of service under 38 U.S.C. 4215 with respect to funds allocated for employment and training activities. Priority of services funded under the WIOA Title I Program funds must be given to veteran or eligible spouse candidates in the local area.

III. ELIGIBILITY CRITERIA:

In accordance with Pathway Home 6, an eligible incarcerated Adult is defined as an individual who, at the time of application:

1. Is a United States citizen or otherwise legally entitled to work in the U.S.;
2. Is 18 years of age or older;
3. Is convicted under federal, state, or local law and is incarcerated;
4. At the time of enrollment, resides in a state correctional facility or local or county jail for adults;
5. Have a release date scheduled between 20 and 270 days of the individual's enrollment in the program;

6. Upon release, are scheduled to return to reside in the target area (Yakima County or Chelan County); and
7. For males born on or after January 1, 1960, registered for Selective Service (TEGL 11-11, Change 2). www.sss.gov

Note: REO programs should request social security numbers (SSN) from all individuals during the intake process. While SSNs must be requested, services cannot be denied if a participant refuses to provide them.

IV. ELIGIBILITY PROCESS:

The Pathway Home 6 (PH6) eligibility process, which may be done in person, remotely, or virtually, will include:

1. Initial Contact and Intake Eligibility Documentation Collection:

- a. Upon referral or inquiry, case management staff will schedule an intake meeting.
- b. Case management staff will use the *Participant Intake Form*, see attachment **SCW 260 Participant Intake Form Attachment 1**, to collect demographic and eligibility information. See attachment **SCW 260 Eligibility Documentation Attachment 2**. All eligibility intake documentation must be gathered, reviewed, and uploaded/placed into the participant's file.
- c. Program's Administrative Reviewer will verify the participant's eligibility by cross-referencing intake documentation with PH6 requirements using Attachment 2 **SCW 260 Eligibility Documentation Appendix I**.

2. Enrollment Decision:

- a. Program's Administrative Reviewer will approve or deny enrollment via Attachment 2 SCW 260 Eligibility Documentation Appendix I based on the eligibility intake documentation provided and communicate the decision to case management staff.
- b. Case management staff will notify the participant of their enrollment eligibility status.
- c. If approved and the participant agrees to proceed with enrollment into the program, the formal enrollment process can begin between the participant and staff. The participant program enrollment is then recorded in the Grantee Performance Management System (GPMS) (see attachment **SCW 260 Program Enrollment Process in GPMS Attachment 3**).

3. Enrollment Process:

- a. Within thirty (30) calendar days* of enrollment eligibility notification, staff will conduct a one-on-one assessment interview with the participant to develop their unique Individual Development Plan (IDP). See policy **SCW 260 Individual Development Plan**.
- b. The maintenance of adequate documentation to ensure the credibility of the eligibility determination, which shall, at a minimum, consist of:
 - i. A completed Participant Intake Form for each applicant,
 - ii. Copies of documents used to determine and verify eligibility (see **SCW 260 Eligibility Documentation Attachment 2** for a full list of acceptable documents) and data elements required to be validated per TEGl 23-19,
 - iii. An IDP assessment,
 - iv. Standard Enrollment Forms (see **SCW 260 Attachment 5-9**):
 1. Priority of Service for Veterans & Eligible Spouses
 2. Complaints and Grievances Form
 3. Equal Opportunity Form
 4. Authorization for Release of Information Form, and
 5. Image Release Form and,
 - v. Required Case Note Entries for Enrollment & IDP recorded in the Notes section of GPMS (see **SCW 267 Case Notes**)
 1. Intake: Within the Notes tab, select “Intake” category, enter note use, state date of approved eligibility determination, intake/enrollment status and next steps.
 2. IDP: Within the Notes tab, select “IDP” category, enter case note documenting the IDP completion with the participant, the participant barriers identified, the training or job search assessment strategy for the participant, and justification for program services.

**All timelines for intake are guidelines and may be extended due to mitigating circumstances such as jail closures.*

Program Intake Signatures

Signatures and dates of signatures for the applicant, the Contracting Agency’s Representative, and the Program Administrative Reviewer on the *Participant Intake Form* attesting to eligibility require either a handwritten or electronic signature.

Security of Customer Data

The security of customer data and its transmission, as well as ease of customer access, must be considered. Refer to SCW Policy 112 – Personally Identifiable Information for additional guidance.

Self-Attestation

Self-attestation means a written, or electronic/digital declaration of information for a particular data element, signed and dated by the participant. DOL broadly interprets what is considered an electronic/digital signature. Electronic signatures or a submission from the participant such as an email, text, or unique online survey response is considered an electronic signature or verification; it must be participant generated and traceable to the participant. Grantees must retain documentation of the self-attestation. In an effort to reduce the amount of administrative burden resulting from the capture and maintenance of paper documentation, the Board allows the use of self-attestation, as defined in this document, wherever permissible under federal guidelines.

To ensure properly documented customer self-attestation, Contractors are required to use Attachment 1 Participant Intake Form. Improperly documented self-attestation or self-attestation on eligibility elements not permitted under federal law or this policy will result in potential disallowed costs. Properly documented self-attestation will serve as documentary evidence of eligibility determination and will not, in and of itself, warrant disallowed cost findings through annual program monitoring

All self-attestation elements are accepted and applied in good faith. If, at any point, subsequent verification determines that information provided through self-attestation is inconsistent with or contradicted by verified documentation, the participant's services must be stopped immediately. All services rendered and funds expended up to the point of discontinuation remain allowable. The participant must be notified that their enrollment has been discontinued due to the updated verification findings.

V. VALIDATION REQUIREMENTS

Contractors will conduct an administrative review for timeliness, accuracy, and completeness of all forms and documents before submitting to SCW. The review will include all information entered into GPMS, such as the Participant Intake Form, services, and supporting documentation uploaded for completeness and internal consistency.

Contractors are required to utilize **SCW 260 MIS Enrollment Transmittal Sheet Attachment 4** when notifying SCW of program enrollments completed in GPMS.

VI. VETERANS AND ELIGIBLE SPOUSES PRIORITY OF SERVICE:

On December 19, 2008, the DOL issued new regulations (20 CFR 1010) implementing the Jobs for Veterans Act (JVA 2002) and the Veterans' Benefits, Health care, and Information Technology Act (2006). The regulations went into effect on January 19, 2009, and do three basic things:

1. Set forth requirements for each “qualified” program to provide priority of service for veterans and eligible spouses and require all grantees to have policies providing priority of service, whether providing priority of service online or in person;
2. Require that, for purposes of implementing priority of service, the broad definition of “veteran” meaning a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, be used [38 U.S.C. 101(2)]; and
3. Add new requirements related to persons who physically access service delivery points or who access virtual service delivery programs on websites (See 20 CFR 1010.300):
 - a. Applicants to any “qualified” DOL programs and services must be able to learn about priority of service and to indicate whether they are veterans, etc.;
 - b. Program staff must initiate data collection for any person claiming priority at the point of entry; and
 - c. Applicants who are veterans must be given the menu of programs and services to which the priority applies, and any additional program eligibility requirements.

The term “Veteran’s Priority of Service” means that a covered person shall be given priority over non-veterans except for the priority of service established by law for the WIOA programs.

A “covered person” under the Priority of Service is defined as one of the following:

1. A person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable as specified in 38 U.S.C. 101 (2). Active service includes full-time Federal service in the National Guard or Reserve component. This definition of “active service” does not include full-time duty performed strictly for training purposes (i.e., that which often is referred to as “weekend” or “annual” training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities (State mobilizations usually occur in response to events such as natural disasters).
2. A recently separated veteran is any veteran who applies for participation under this title within 48 months after discharge or release from active military, naval, or air service (WIOA definition); or

3. An eligible spouse of:
 - a. Any veteran who died of a service-connected disability;
 - b. Any member of the Armed Forces serving on active duty who, at the time of the spouse's application, is listed in one or more of the following categories and has been listed for a total of more than 90 days:
 - i. Missing in action,
 - ii. Captured in the line of duty by a hostile force; or
 - iii. Forcibly detained or interned in the line of duty by a foreign government or power;
 - c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
4. Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b. or c. above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service.

Priority of service guidelines can appear inconsistent, given the Jobs for Veterans Act and local program requirements. When multiple priorities for a given program or service arise, giving the appearance of conflicting priorities, local policy and procedure must respond by defining a hierarchy of priorities that resolves the conflicts. For example, if the United States Congress has established eligibility for a program, then the veteran or eligible spouse must meet the requirements for entry into the program. After meeting the eligibility requirements for the program, the veteran must be given priority over all non-veterans who also meet the requirements. Priorities set by federal statute are at the top of the hierarchy. Federal law sometimes allows targeting at the state or local level, but in these cases, priority of service for veterans takes precedence over state and local level targeting.

VII. RECORD MAINTENANCE:

All eligibility documentation and enrollment forms will be maintained for a minimum of three years following the participant's exit from the program, in line with DOL record retention requirements.

VIII. AUDITING AND MONITORING:

All Contractors will be monitored on an ongoing basis to ensure program enrollments align with program eligibility requirements.

IX. ATTACHMENTS:

- Attachment 1 – Participant Intake Form
- Attachment 2 – Eligibility Documentation
- Attachment 3 – Program Enrollment Process in GPMS
- Attachment 4 – MIS Enrollment Transmittal Sheet
- Attachment 5 – Priority of Services for Veterans & Eligible Spouses
- Attachment 6 – Complaints and Grievances Form
- Attachment 7 – Equal Opportunity Form
- Attachment 8 – Authorization for Release of Information Form
- Attachment 9 – Image Release Form

X. REFERENCES:

- 20 CFR § 680.650
- SCW Policy 112 – Personally Identifiable Information
- TEGl 10-09 – Implementing Priority of Service for Veterans & Eligible Spouses
- TEGl 23-19, Change 2 – Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Dept. of Labor Workforce Programs
- Priority of Service for Covered Persons (20 CFR 1010), December 19, 2008
- Veterans’ Benefits, Health Care, and Information Technology Act (P.L.109-461), December 22, 2006
- Jobs for Veterans Act, Public Law (P.L.) 107-288, November 7, 2002
- Veterans Program Letter (VPL) 07-09, November 10, 2009
- REO Grant FOA and Grant Agreement – Reentry Employment Opportunities (REO) Program Requirements
 - U.S. Department of Labor Employment and Training Administration
 - Refer to your grant-specific Funding Opportunity Announcement (FOA) and grant terms for program-specific requirements.
- DOL GPMS System Guidance – Grant Performance Management System
 - Refer to the GPMS system manual and training materials provided to grantees.
- Pathway Home 6 Case Notes Policy