ADULT ELIGIBILITY AND SERVICE PRIORITY

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I. PURPOSE

The purpose of this policy is to establish how the Workforce Innovation and Opportunity Act (WIOA) eligibility, priority of service including veteran's priority is to be implemented for the U.S. Department of Labor (DOL) programs under the management of the South Central Workforce (SCW).
Effective September 12, 2017, in accordance with Training and Employment Guidance Letter (TEGL) 19-16, there are ***no exclusion*** of payments for unemployment compensation, child support payments, and old-age survivor's insurance benefits from the income calculations for determining if an individual is low-income.

Local Workforce Development Boards (LWDBs) are directed to use the Self-Employment Training (SET) targets in WorkSource Information Notice (WIN) 0042, Change 11.

II. BACKGROUND

The U.S. DOL has required local areas to develop a policy directing priority of service to low income and welfare recipients and veterans and spouses of certain veterans when funds are limited.

WIOA Sec. 134(c)(3)(E) establishes a priority requirement with respect to funds allocated to a local area for Adult employment and training activities. Priority of services funded under WIOA Title I Adult Program funds must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient in the local area. *Priority under WIOA must be provided regardless of the level of funds (WIOA Sec. 8 No. 3-15).*

III. ELIGIBILITY CRITERIA

Individuals must meet the following eligibility criteria for the Adult Program:

1. Is a United States citizen or otherwise legally entitled to work in the U.S.; and
2. Is 18 years of age or older [WIOA Sec. 3(2)]; and
3. For males born on or after January 1, 1960, registered for Selective Service, unless an exception is justified and approved by SCW (TEGL 11-11, Change 2). www.sss.gov

IV. PRIORITY OF SERVICES UNDER THE ADULT PROGRAM

Priority selection is established for, and local areas must target certain populations in accordance with WIOA Section 134(c)(3)(E), 20 CFR 680.600, and 20 CFR 680.640. These targeted populations must first meet the eligibility requirements for the Adult Program.

The order and rationale for prioritization based on the requirements in WIOA Section 134(c)(3)(E), 20 CFR 680.600, 20 CFR 680.640, TEGL 10-09, and TEGL 07 20 are outlined below. Priority requirements for the WIOA Title I Adult Program are as follows:

FIRST PRIORITY: Shall be given to veterans and eligible spouses (covered persons) who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient. (See Attachment 3 Eligibility Policy Handbook.) All participants must be notified of Veterans Priority of Service.

Veterans and other covered persons who are determined eligible for WIOA services are entitled to priority of service under all WIOA Title I funded programs (e.g. Adult, Dislocated Worker, Youth, 10% funded projects, and National Emergency Grant (NEG). 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.S 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 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 of 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.

EXEMPTION OF MILITARY SERVICE-RELATED INCOME

In accordance with 38 U.S. Code Part 4213, that "any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded when determining if a person is a 'low-income individual' for eligibility purposes."

All pay and/or financial allowances earned while a veteran was on active duty are exempt. Title 38 U.S.C. 4213 also exempts from inclusion in low-income calculations any financial benefits received by a covered person under the following Chapters of Title 38 of the U.S. Code:

- 11. Compensation for service-connected disability or death.
- 13. Dependency and Indemnity compensation for service-connected deaths.
- 30. All-volunteer force education assistance program.
- 31. Training and rehabilitation for veterans with service-connected disabilities.
- 35. Survivors' and dependents' education assistance.
- 36. Administration of educational benefits.

Also excluded from low-income calculations are benefits received under Chapter 106 of Title 10 U.S. Code, Educational assistance for members of the selected reserve.

In contrast, to the various types of military income and benefits identified above that are exempted from inclusion in low-income calculations, certain other types of military-related income are not exempt. Specifically, pension payments authorized by Title 10 U.S. Code, such as those received by military retirees whether or not their retirement was based on disability, are not exempt and are to be included in "low-income" calculations. Also not exempted are pension benefits paid under Chapter 15 of the Title 38 U.S. Code.

When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. This applies when determining if a person is a "low-income individual" for eligibility purposes. (20 CFR 683.230)

SECOND PRIORITY: Shall be given to non-covered persons (that is individuals who are not veterans or eligible spouses) who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient. Public assistance and other low-income individuals are defined as an individual who:

1. Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
2. Is a member of a household that receives or has been determined within the 6-month period prior to WIOA application for the program involved to be eligible to receive Basic Food pursuant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 Et seq.); or Temporary Assistance for Needy Families (TANF) program, or State or local income-based public assistance that is in relationship to family size;
3. Received an income or is a member of a family that received a total family income for the 6-month period prior to WIOA application that does not exceed the 70% of the lower living standard income level as outlined in WIN 0056, Revision 9. Under WIOA, there is **no exclusion of payments for unemployment compensation, child support payments, and old-age survivor's insurance benefits** from the income calculations for determining if an individual is low-income. These exclusions that were previously provided under WIA Sec. 101 (25) no longer apply (TEGL 19-16). Refer to Attachment 10 Includable/Excludable Income;
4. Qualifies as a homeless individual, as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6), or as defined under McKinney Homeless Assistance Act (42 U.S.C.11302); or
5. Is an individual with a disability whose own income needs meets the requirement of a program described in section 1 or 2 above, but who is a member of a family whose income does not meet such requirements. Even if the family (see definition of family below) of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their own income meets the income criteria of WIOA Sec. 3.6.2 (proposed 20 CFR 680.120; 680.130; and 680.210). The disabled individual would be considered a family of one and only the individual's income would be considered when determining low-income.

According to 20 CFR 680.120, 680.130, and 680.120, the above priority requirements do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA Adult funded Individualized Career Services and Training Services when funds are determined to be limited.

THIRD PRIORITY: Shall be given to program-eligible veterans and eligible spouses (covered persons) who are not low-income, are not recipients of public assistance, and not basic skills deficient (WorkSource System Policy 1009, Revision 3).

FOURTH PRIORITY: Shall be given to those individuals who are not considered earning a wage that is self-sufficient and who possess one or more of the following barriers (WIN 0128) to employment:

1. Basic Skills Deficient;

2. School Dropout;
3. Justice Involved;
4. Individual with a Disability, including a formal record of drug and/or alcohol abuse;
5. Homeless;
6. Single Parent;
7. Limited Work History;
8. Unemployed or underemployed and are pursuing training in local, high demand occupational clusters as approved by the Workforce Board;
9. Lacks Occupational Skills; or
10. Their family is not yet self-sufficient.

V. ELIGIBILITY PROCESS

The eligibility process, which may be done in person, remotely, or virtually, will include:

1. The use of the State MIS database to record the WIOA program eligibility review and determination, CASAS Scores & EFL Certification Form (Attachment 1A or 1B), Family Income Form, if applicable (Attachment 2), Self Employment Training Notice (Attachment 4A or 4B), Veterans Preference (Attachment 6A or 6B), EO Form (Attachment 7A or 7B), Complaints and Grievances Form (Attachment 7A or 7B), and if applicable, Self-Attestation Form (Attachment 5) to generate all necessary information to determine eligibility, service priority, and meet reporting requirements.
2. The maintenance of adequate documentation to ensure the credibility of the eligibility and priority determination, which shall at a minimum consist of:
    a. Record of a completed WIOA program eligibility review and determination in the state MIS database.
    b. CASAS Scores & EFL Certification form, Family Income Form (if applicable), Self-Employment Training Notice, Veterans Preference, EO Form, and Complaints and Grievances Form for each applicant.
    c. Copies of documents used to determine and verify eligibility (see Attachment 3 Eligibility Policy Handbook for a full list of acceptable documents).
3. Verification of the documents used to validate the program characteristics during the WIOA program eligibility review in the State MIS database system. Family Income Form (if applicable), CASAS Assessment Results, Veterans Preference, Self-Employment Training Notice, EO Form, and Complaints and Grievances Form must be maintained as part of the applicant file. The following may be used to verify eligibility (see Attachment 3 Eligibility Policy Handbook for a full list of acceptable documents):

    a. Age:
        i. Birth certificate or hospital record of birth;
        ii. Driver’s License or DMV identification;
        iii. School records;
        iv. Baptismal record;
        v. Medical coupon or Public Assistance Records; or

vi. Passport.

b. Citizenship or Eligible Non-Citizen:
    i. Driver's License/ID card and Social Security card;
    ii. Permanent Resident Card;
    iii. U.S. Passport/U.S. Passport Card; or
    iv. Any form of documentation as defined by I-9 documentation requirements.
c. Low Income:
    i. Pay Stubs;
    ii. Employer verification;
    iii. Public Assistance Records;
    iv. Child support records; or
    v. Self-Attestation.
d. Selective Service:
    i. Selective Service acknowledgement letter;
    ii. Form DD-214 "Report of Separation";
    iii. Screen printout of the Selective Service Verification site;
    iv. Selective Service Registration Card;
    v. Selective Service Verification (Form 3A); or
    vi. Local area approved waiver for Non-Registered Males 26 Years and Over, see TEGL 11-11, Change 2

The remote or virtual source documentation process is as follows:

- Verification and Documentation during the Application Process:
    - During the application process, supporting eligibility and priority of service documentation are obtained and verified:
        - By electronic means (e-mailed or texted attachments, scans, digital photographs sent in encrypted form; electronic signature platforms such as DocuSign or Verisign).
        - Through copies of documents sent via postal pickup or mail drop-off at local centers.
        - Through a combination of the above to safeguard Personally Identifiable Information (PII).
- Signature Collection and Alternatives
    - Required signature, for eligibility documentation (including EO Form, Complaint and Grievance Form, data collection certification, and self-attestation/applicant statement forms), are obtained via:
        - Electronic document signing platforms (e.g., DocuSign, Verisign)
        - Electronically transmitted digital photos of signed documents
        - Postal mail pick up or drop off of paper forms
        - A combination of the above
        - E-mail (can be used in place of signature)
            - For the EO Form and Complaint and Grievance Form, the applicant must reply in the affirmative that they have read and understood the

information. The response and date stamp on the e-mailed reply indicates completion of the form.
- For the data collection certification and self-attestation/applicant statement forms, the applicant must reply in the affirmative that they certify the information is true and accurate. The response and date stamp on the e-mailed reply indicates the completion of the form.

- 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.

VI. VETERANS AND ELIGIBLE SPOUSES PRIORITY

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 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.

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 or priorities that resolve the conflicts. For example, if the United States congress has established eligibility for a program, then the veteran or eligible spouse must meet the requirement for entry into the program. After meeting the eligibility requirement for the program, the veteran must be given priority over all non-veterans who also meet the requirement. 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. PRIORITY SELECTION FOR INDIVIDUALIZED CAREER SERVICES AND TRAINING SERVICES FUNDED WITH WIOA STATEWIDE (10%) DISCRETIONARY GRANTS/CONTRACTS

The State has determined that funds are not limited for purposes of the WIOA Statewide (10%) discretionary funds. The Governor has determined that these funds shall be prioritized in the following order:

1. Eligible veterans and spouses;
2. Unemployed individuals;
3. Low-income individuals; and
4. Other Washington job seekers.

As indicated by the first priority above, recipients of Discretionary grants/contracts will continue to provide priority selection of veterans for Individualized Career Services and Training Services in alignment with WorkSource System Policy 1009, Revision 3. In applying this policy to 10% funded projects, veterans who are unemployed and/or low-income, have priority over all other individuals served under these projects.

VIII. ASSISTING VICTIMS OF HUMAN TRAFFICKING

U.S. citizens or lawful residents who are victims of trafficking can receive the same services that are provided to the general public under WIOA. In addition, under the Traffic Victims Protection Act, certain foreign nationals are also eligible for WIOA Title I services. This includes victims of a severe form of trafficking in persons and individuals granted a nonimmigrant “T” visa (TEGL 11-11, Change 2).

For the purpose of being eligible for WIOA Title I services as a victim of a severe form of trafficking:

1. Individuals 18 years of age or older must have been subjected to an act or practice described in the definition of “severe forms of trafficking in persons” and have received a letter of certification issued by the Department of Health and Human Services (HHS).
2. Children under 18 years of age who have been subjected to a severe form of trafficking need not be certified by HHS to be eligible for services; instead, HHS issues Letters of Eligibility to minor victims of trafficking. As with any participant, they must meet all applicable program eligibility requirements to receive WIOA Title I services.

Individuals who are granted “T” visas from the Department of Homeland Security are also eligible for WIOA Title I services. The “T” nonimmigrant Status (“T” visa) is available to individuals who are or have been victims of human trafficking and protects these victims of human trafficking by allowing them to remain in the United States to assist in an investigation or prosecution of human trafficking.

Employment and Training services should be provided to victims of trafficking to the same extent and following the same procedures and case management processes as for other One-Stop customers. However, services to victims of trafficking may need to be tailored and adapted to match the needs of this population. For instance, victims of trafficking may be English Language

Learners (ELL), have criminal records (including from being forced into prostitution), or limited resumes.

IX. ADDRESS CONFIDENTIALITY PROGRAM

The Address Confidentiality Program (ACP) helps individuals attempting to escape from actual or threatened domestic violence, sexual assault, human trafficking, or stalking to interact with state and local government agencies without disclosing their address in order to prevent their assailant or probable assailants from finding them.

The Office of the Secretary of the State confirms that nothing in the ACP Law (RCW 40.24) exempts or excuses an individual from providing phone numbers, emergency contact information, email addresses, or any other information required by clients. The laws governing the ACP apply only to state and local government agencies and only to a person's home, work and/or school addresses. The intent of the ACP is to ensure that victims enrolled in the ACP can access government services like everyone else but without having to place their address in the view of the public.

The WIOA Adult program will accept the substitute address of an individual enrolled in the ACP and enter this address into the state provided database. Never record the actual street address for work or home of an ACP participant in the state provided database. If someone is participating in the ACP, do not require them to disclose their actual work or home address.

If an individual is enrolled in the ACP, use the ACP address as the home address in the state provided database. Enter the address as it is printed on the authorization complete with the participation unique authorization code, or PMB number:

PMB# ####
PO BOX 257
Olympia, WA 98507-0257

X. INCOME VERIFICATION AND FAMILY SIZE FOR THE LOW-INCOME CRITERIA

To determine whether an individual is low-income under the definition at WIOA Sec. 3(36)(A), it is also necessary to consider family size and family income. The intent is to prioritize services to individuals based on family income (low-income), not to exclude unemployed individuals, who meet the low-income criteria, from receiving services.

1. <u>EXEMPTION OR INCLUSION OF TRIBAL INCOME:</u>
   Payments to tribal members by Indian tribal governments qualify for the general welfare exclusion if the payments are:
   a. Made pursuant to a governmental program of the tribe;
   b. For the promotion of general welfare (that is, based on individual or family need, and, uniquely in the case of programs of Indian tribal governments, to help establish Indian-owned businesses on or near the reservation); and
   c. Not compensation for services.

Payments under Indian tribal governmental programs meeting these requirements qualify for the general welfare exclusion whether the revenues that the Indian tribal government uses to fund the programs derive from levies, taxes, service fees, or revenues from tribally owned businesses. For example, general welfare programs may be funded from casino revenues.

However, per capita payments to tribal members of **tribal gaming revenues** that are subject to the Indian Gaming Regulatory Act are gross income under § 61, are subject to the information reporting and withholding requirements of §§ 6041 and 3402(r) and are not excludable from gross income under the general welfare exclusion or this revenue procedure (IRS Notice 2012-75).

2. DETERMINING FAMILY SIZE:
   For these purposes, "family" under WIOA means two or more individuals related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:
   a. A married couple and dependent children;
   b. A parent or guardian and dependent children; or
   c. A married couple.

3. DEFINING DEPENDENT:

WIOA does not define dependent. To avoid uncertainty in making eligibility decisions regarding family size and income, the state has identified three examples in which a Youth must be considered as a dependent of parent(s) or guardian(s) for the purpose of determining family size for WIOA Title I-B Youth and Adult Program eligibility:

   a. Youth not yet 18, who are not emancipated youth nor runaway youth, living "at home" with their parents or legal guardians, including individuals in the temporary care of another individual or household, but not claimed as a dependent by that household.
   b. Youth age 18-19 who are full-time students in a secondary school or equivalent and are living "at home" with their parents or legal guardians.
   c. Youth age 18-24 who are not full-time students and are living "at home" with their parents or legal guardians and who are primarily supported by their parents.

A legal guardian is a blood relative (e.g., grandparent, aunt or uncle) or another legally recognized relative (e.g. decree of court) who claims the Youth as a dependent. The key factors are:

   a. Relationship by blood or decree of court;
   b. Living in a single residence; and
   c. The Youth is claimed as a dependent.

4. WASHINGTON'S MARRIAGE EQUALITY ACT:
   Washington's Marriage Equality Act (RCW 26.60) expands the definition of a "married couple" beyond that of a male and female couple. The US Department of Justice will no longer defend the federal "Defense of Marriage Act" as a number of courts have held it is unconstitutional, including the 1st and 2nd Circuit Court of Appeals. Accordingly, in relation

to this policy, the state is expanding its definition of a married couple beyond that of a male and a female.

XI. DETERMINING BASIC SKILLS DEFICIENCY (BSD)

Basic Skills Deficient [WIOA Sec. 3(5)] means an individual who is unable to compute or solve problems; or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Note: "In the individual's family" refers to the individual's ability to perform essential literacy or numeracy tasks related to family responsibilities (e.g., reading school communications and managing household finances). This does not authorize or require an assessment of the family unit or household environment.

While the following methods for determining BSD, cited in TEGL 21-16, are specific to Youth, the State has adopted these guidelines for all programs.

School Records or Staff Observation for Determining BSD:
In addition to using formal assessments, the state has determined that, through observation, folder reviews, or interviews, the following alternative means are allowed to be used to document BSD:

- Secondary school transcript with a failing grade in math or reading within the past 6 months.
- Verification of enrollment in WIOA Title II.
- School records showing test scores from a generally accepted standardized test within the last year, showing grade level at 8.9 or lower (8th grade, 9th month) (or a detailed case note, if verified verbally with the appropriate entity).
- Acceptable proof of staff observed BSD, which must include a case note that indicates a customer has at least one of the following barriers:
    - Unable to follow basic written instructions or diagrams without help. o Cannot fill out basic forms or job applications without help.
    - Cannot add, subtract, multiply, or divide whole numbers up to 3 digits without the use of a calculator.
    - Cannot do basic tasks on a computer without help.
    - Does not or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society (see *Note: in Section 3.b. above)

Note: Per DOL guidance, lack of a high school diploma or GED alone is NOT sufficient to demonstrate basic skills deficiency (BSD).

English Language Learners:

Per WIOA Section 203(7), individuals who are English Language Learners (ELL) meet the criteria for BSD and must be included in the priority populations for the WIOA Title I-B Adult Program. An individual who is an ELL qualifies as being BSD.

Documentation must detail that the individual has limited ability to read, write, speak, or comprehend the English language, and

A. their native language is a language other than English; or

B. they live in a family or community environment where a language other than English is the dominant language.

The following are allowable forms of documentation to prove ELL:

- Assessment Test Results (see below)
- Applicable Records from an Education Institution (transcripts, or other school documentation)
- Intake Application or Enrollment Form
- Individual Service Strategy
- Case notes
- Self-Attestation

While not required, acceptable English as a Second Language (ESL) tests are:

- BEST - Literacy 2.0
- BEST Plus - 3.0 • CASAS Reading STEPS
- CASAS Listening STEPS
- TABE CLAS-E

Note: See Assessment | NRSWeb for further details on form numbers, scores, and NRS expiration dates.

Using Formal Assessments That Are Not NRS-Approved for Determining BSD:

Local programs are not required to use assessments approved for use in the Department of Education's NRS, nor are they required to determine an individual's grade level equivalent or educational functioning level (EFL). Rather, local programs may use other formalized testing instruments designed to measure skills-related gains. It is important that, in addition to being valid and reliable, any formalized test used to be appropriate, fair, cost-effective, well-matched to the test administrator's qualifications, and easy to administer and interpret results.

However, if measuring EFL gains after program enrollment under the measurable skill gains indicator, local programs must use an NRS-approved assessment for both the EFL pre- and post-test to determine an individual's educational functioning level.

NRS-Approved Assessments for Determining BSD:

The National Reporting System (NRS) determines tests suitable for use and the period for which that use is approved. Any NRS-approved exam with a test score indicating an EFL of 8.9 or below qualifies customers as BSD. Test scores are valid if a customer has taken any of these assessments within 6 months of their enrollment date. LWDBs may allow properly trained local area staff to administer these assessments or determine whether it is more appropriate for a Title II partner to conduct the NRS-approved assessments. LWDBs are subject to all test

administration and security requirements if they choose to implement and must also ensure compliance of any subrecipient who administers assessments.

The following NRS-approved assessments may be used in Washington effective January 1, 2026:

- ACT WorkKeys (Workplace Documents, Applied Mathematics)
- CASAS (Reading GOALS, Math GOALS 2)
- TABE (11/12 and 13/14)
- MAPT-CCR for Reading, MAPT-CCR for Mathematics

These assessments meet the NRS requirements and:

1. Are appropriate for measuring literacy and language development of adult students/job seekers,

2. Have standardized administration and scoring procedures,

3. Have alternate, equivalent forms for pre- and post-testing, and

4. Have evidence linking them to the NRS EFLs.

Note: See Assessment | NRSWeb for further details on form numbers, scores, and NRS expiration dates.

NOTE: Staff must not upload into the case management system or retain in hard files any CASAS document(s) that contain test questions or other sensitive testing information (see www.CASAS.org's test security policy). Other assessments may not have this restriction and may allow uploading of test score summary.

Accommodations for Participants with Disabilities or Other Special Needs:

For assessing skills and interests outside of basic skills, local programs must use methods and assessment instruments that are valid and appropriate for the target population and must provide reasonable accommodation in the assessment process, as needed, for individuals with disabilities.

Local providers must ensure that all participants with disabilities have equal access to test accommodations, have equal opportunities to test, and receive equal treatment in testing situations. Each provider must follow the Americans with Disabilities Act (ADA) processes and procedures set forth at their organization in determining how to best serve participants with documented disabilities. However, participants are not required to reveal their disability and may elect to participate in a program without special accommodations.

XII. POLICY: SELF-SUFFICIENCY

For the South Central WDA, a family of a given composition, living in a given community shall be deemed "self-sufficient" when its earned income is adequate to meet its basic needs without public or private assistance or has earned income greater than the Lower Living Standard Income Level, see Section XV below. The Self-Sufficiency Calculator will be a tool used in determining

self-sufficiency. The Self-Sufficiency Calculator is located at www.thecalculator.org. For purposes of the South Central WDA, determination of "self-sufficiency" may also include mastery of basic skills by the family wage earners.

XIII. BACKGROUND: SELF-SUFFICIENCY

There are two categories of adults who are eligible to receive Individualized Career Services funded by the WIOA Title I Adult Program. They are:

1. Adults who are unemployed and unable to obtain employment through Basic Career Services and who have been determined to need more Individualized Career or Training Services to obtain employment; or
2. Adults who are employed meet the priority of service criteria established by local policy and are determined to need services to obtain or retain employment that allows for self-sufficiency.

Local Boards set criteria for determining whether employment leads to self-sufficiency. Washington State will use the term "Stop-Gap Employment" when referring to employment that will not lead to self-sufficiency.

XIV. 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 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. 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 5 Self-Attestation 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.

XV. LOWER LIVING STANDARD INCOME LEVEL

WIOA establishes the use of the Lower Living Standard Income Level (LLSIL) when determining low income and self-sufficiency (see References). The U.S. DOL annually updates and publishes LLSIL charts and the State is responsible for designating the appropriate LLSIL within the parameters established by DOL.

The U.S. Department of Health and Human Services (HHS) annually updates and publishes Federal Poverty Guidelines, and the State holds that the HHS standard applies when it is higher than the LLSIL for the corresponding family size. See Attachment 11 WIN 0056 Lower Living Standard Income Level for the charts.

- Attachment 1A – ABE CASAS Scores & EFL Certification Form
- Attachment 1B – ESL CASAS Scores & EFL Certification Form
- Attachment 2 – Family Income Form
- Attachment 3 – State Eligibility Policy Handbook
- Attachment 3A – Eligibility Documentation Matrix
- Attachment 4A – Self Employment Training Notice
- Attachment 4B – Self Employment Training Notice Spanish
- Attachment 5 – Adult & DW Self-Attestation Form
- Attachment 6A – Priority of Service for Veterans & Eligible Spouses
- Attachment 6B – Priority of Service for Veterans & Eligible Spouses Spanish
- Attachment 7A – Authorization for Release of Information Form
- Attachment 7B – Authorization for Release of Information Form Spanish
- Attachment 8A – EO Form
- Attachment 8B – EO Form Spanish
- Attachment 9A – Complaints and Grievances Letter
- Attachment 9B – Complaints and Grievances Letter Spanish
- Attachment 10A – Includible/Excludable Income
- Attachment 10B – Includible/Excludable Income Spanish
- Attachment 11 – WIN 0056 Lower Living Standard Income Level

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REFERENCES

All Contractors will be monitored for compliance with the MIS procedures for timeliness, accuracy and completeness of all forms and documents.

- 20 CFR § 680.120
- 20 CFR § 680.600
- 20 CFR § 680.650
- 20 CFR § 683.230
- TEGL 10-09 – Implementing Priority of Service for Veterans & Eligible Spouses
- TEGL 10-23, Change 3 – Work Authorization Verification in Grant Programs Administered by the Employment and Training Administration
- TEGL 19-16 – Guidance on Services Provided to Adult and Dislocated Worker Programs
- TEGL 23-19, Change 3 – Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Dept. of Labor Workforce Programs
- WA State Board of Community and Technical Colleges' "Washington State Basic Education for Adults Assessment Policy 7/1/21-6/30/22"
- WIN 0041, Revision 1 – Address Confidentiality Program

- WIN 0144 – Assisting Victims and Survivors of Human Trafficking
- Veterans Policy 6010 – Priority of Service for Veterans and Eligible Spouses
- WorkSource System Policy 1011, Revision 7 – CASAS for Basic Skills Assessment
- WorkSource System Policy 1019, Revision 13 – Eligibility Policy and Handbook
- WorkSource System Policy 1030 – Gubernatorial designation of additional populations with barriers to employment under the Workforce Innovation and Opportunity Act of 2014