

# WORKFORCE INVESTMENT BOARD MEETING AGENDA

**Wednesday, December 10, 2025; 7:30 AM – 8:30 AM**

**Workforce Investment Board of Tulare County  
309 W. Main Street, Suite 130, Visalia, CA**

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**1. CALL MEETING TO ORDER**

- 2. PUBLIC COMMENTS (Three minutes per individual/organization, fifteen minutes total)** - Any member of the public wishing to address the Workforce Investment Board of Tulare County on a specific matter under its jurisdiction, please notify the Secretary of the Board of your name and provide a brief description on the subject matter prior to the meeting. The Board will not be able to take action on any item not appearing on the agenda.

**3. SWEARING IN OF WIB MEMBERS**

- 4. SUCCESS STORY** - Community Partner: Visalia Economic Development Corporation (VEDC)

- 5. CONSENT ITEMS** – All items under the Consent Calendar are considered routine and will be approved in one action without discussion. If a Board member requests that an item be removed from the Consent Calendar or a citizen wishes to speak on an item, the item will be considered under Regular Items.

- a. Workforce Investment Board Meeting Minutes  
Approve November 12, 2025, Board Meeting Minutes.
- b. WIB Directive TUL 25-04 WIOA Title I Eligibility Technical Assistance Guide (TAG) Errata  
Approve WIB Directive TUL 25-04 WIOA Title I Eligibility TAG Errata.
- c. Program Year (PY) 2025-2026 Prison to Employment Grant (P2E)
  - i. Accept the no-cost extension agreement with San Joaquin County Employment & Economic Development Department through June 30, 2026.
  - ii. Modify PY 2025-2026 WIOA Title I Career Services Agreements for the P2E grant to incorporate a no-cost extension from December 31, 2025, to June 30, 2026, as follows:
    - a. Community Services Employment Training (CSET) for the West Region- Agreement #3812526
    - b. Proteus Inc. for the East Region- Agreement #3822526

## WORKFORCE INVESTMENT BOARD OF TULARE COUNTY

- d. 2023 Quality Jobs, Equity, Strategy and Training (QUEST) Disaster Recovery National Dislocated Worker Grant (DR NDWG)
  - i. Modify PY 2025-26 WIOA Title I Career Services Agreements listed below to increase the QUEST DR NDWG Occupational Skills Training (OST) performance goals from 22 to 42 and increase the training obligation through June 30, 2026:
    - a. Community Services Employment Training (CSET) for the West Region-Visalia agreement #3812526 Appendix 6B
    - b. Proteus Inc. for the East Region – Porterville agreement #3822526 Appendix 6A

### 6. REGULAR ITEMS

- a. Agreement with Foundation for California Community Colleges, Career Catalyst Program  
Approve an agreement with the Foundation for California Community Colleges (FoundationCCC) to provide employer-of-record services for up to 23 participants in the MC3 Pre-Apprenticeship Project. The agreement is not-to-exceed \$213,787.76 and runs through August 31, 2026.

### 7. INFORMATION/DISCUSSION ITEMS

- a. Agreements Executed by WIB Interim Executive Director Between \$5,000-\$20,000
- b. Revisions to the WIB Bylaws
- c. Progress Update on Middlestate Partnership
- d. Tulare-Kings Industrial Partnership Update
- e. Tulare-Kings Ag Skills Partnership Update
- f. Tulare-Kings Healthcare Partnership Update
- g. Tulare County Metropolitan Statistical Area (MSA) Update

### 8. WIB COMMITTEES REPORT

- a. WIB Employment Connection Committee

### 9. GOOD OF THE ORDER/ADJOURN

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Laura Gonzalez at 559-713-5200 no later than noon the Tuesday before the meeting.

Documents related to the items on this agenda which are distributed to the board members after the mailing of the agenda packet are available for public inspection in the WIB office, located at 309 W. Main St., Suite 120, Visalia, CA.



# WORKFORCE INVESTMENT BOARD *OF TULARE COUNTY*

## MEETING

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**November 12, 2025, Minutes**

**WIB Directors Present:** Colby Wells – Chair, Joe Hallmeyer – Vice Chair, Randy Baerg - /Secretary, Brandon Lovenburg, Gamaliel Aguilar, Miguel Mora, Rodney Wilson, Tricia Stever Blattler, Yolanda Valdez

**WIB Directors Absent:** Amy Shuklian, Brent Calvin, Jeff Hudson-Covolo, Robert Kleyn

1. **Call to Order:** Colby Wells - Chair called the meeting to order at 7:32 a.m.
2. **Public Comment:** Colby Wells - Chair called for public comments; there were no public comments.
3. **Success Story:** [Business Services - Dinuba Healthcare](#)
4. **Consent Items:**
  - a. Workforce Investment Board Meeting Minutes  
Approve September 10, 2025, Board Meeting Minutes and October 8, 2025, Annual Meeting Minutes.
  - b. WIB Directive TUL 25-06 Release of Confidential Unemployment Insurance (UI) Information  
Approve WIB Directive TUL 25-06 Release of Confidential UI Information.
  - c. Program Year (PY) 2025-2026 Student Training and Employment Program (STEP)  
Modify PY 2025-2026 WIOA Title I Youth Services Agreements to increase STEP performance goals through December 30, 2025, as follows:
    - i. Community Services Employment Training (CSET) for the West Region – Visalia Balance of County – STEP Exhibit B.
    - ii. Proteus Inc. for the East Region – Porterville Balance of County – STEP Exhibit B.
  - d. Fiscal Year 25-26 Infrastructure Funding Agreement with SER-Jobs for Progress, Inc. at the Employment Connection Centers in Visalia  
Approve the Fiscal Year 25-26 Infrastructure Funding Agreement, effective November 17, 2025, with SER-Jobs for Progress, Inc., with staff colocated at the comprehensive Employment Connection Centers in Visalia.
  - e. Employment Connection Committee Nominations  
Approve the following nominations for the Employment Connection Committee: Nuvia Varela for America Works of California, Inc., and Esbeydy Ruvalcaba for the State of California, Employment Development Department.

Motion was made by Tricia Stever Blattler, second by Randy Baerg to approve the consent items; carried by unanimous vote.

**5. Regular Items:**

a. Workforce Investment Board of Tulare County Board of Directors Appointments

Recommend three appointments to the WIB of Tulare County Board of Directors in noted categories, contingent upon Tulare County Board of Supervisors (BOS) approval.

- Jake Piland, IBEW Local #100 Business Manager – Labor (term expiration date June 30, 2028)
- Thomas Geiger, Roofers and Waterproofers Local #27 Business Manager - Labor (term expiration date June 30, 2026)
- Esbeydy Ruvalcaba, Employment Development Department (EDD) Employment Program Manager II – Wagner-Peyser/Employment Services (term expiration date June 30, 2028)

Motion was made by Joe Hallmeyer, second by Miguel Mora to approve WIB of Tulare County Board of Directors Appointments, carried by unanimous vote.

b. Provision of the 2026 WIOA Title I In-School Youth Program–Leadership, Education, and Pathways to Employment (LEAP)

Approve WIB Program and Evaluation Committee recommendations to award an agreement to provide WIOA Title I In-School Youth Services for one year with the option to renew for up to two additional years at the discretion of the WIB to:

- i. Proteus, Inc. an allocation up to \$693,000 to operate the WIOA Title I 2026 In-School Youth LEAP program at the following high schools:
  - a. Dinuba High School
  - b. Orosi High School
  - c. Woodlake High School
  - d. Tulare Union High School

Carla D. Calhoun of CSET and Michelle Engel-Silva of Proteus, Inc. each provided public comments regarding this item. A full recording of their remarks is on file and available upon request.

Motion was made by Joe Hallmeyer, second by Randy Wilson to approve, as revised from the agenda and presented in the PowerPoint presentation, an agreement with Proteus, Inc. for the provision of the 2026 WIOA Title I In-School Youth LEAP Program in the amount of up to \$693,000, with service sites at Dinuba High School, Orosi High School, Woodlake High School, and Tulare Union High School. A correction was made to reflect the accurate school name as Tulare Union High School, replacing the originally listed Tulare Western High School; carried by unanimous vote.

**6. Information/Discussion Items:**

- a. Agreements Executed by WIB Interim Executive Director Between \$5,000-\$20,000
- b. Engagement of Pine, Pedroncelli & Aguilar, Inc.
- c. 33<sup>rd</sup> Annual Tulare County Job Fair Update
- d. INNOVATORS by Design Conference Update

- e. Tulare-Kings Industrial Partnership Update
- f. Tulare-Kings Ag Skills Partnership Update
- g. Tulare-Kings Healthcare Partnership Update
- h. Federal Shutdown Update

**7. WIB Committee Reports**

- a. WIB Employment Connection Committee
- b. WIB Youth Committee
- c. WIB Program & Evaluation Committee

**8. Closed Session**

**NOTICE TO THE PUBLIC  
CLOSED SESSION**

As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Workforce Investment Board may meet in closed session with members of its staff, county employees and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Board will meet on in closed session are identified below or are those matters appropriately identified in open session as requiring immediate attention and arising after the posting of the agenda. Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1

- a. It is the intention of the Board to meet in closed session concerning:

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

(Government Code Section 54956.8)

Property Description: Workforce Investment Board of Tulare County

309 W. Main Street, Suites 120, 130 and 143-148, Visalia, CA

Agency Negotiator: Jennie C. Bautista

Under Negotiation: Price and Terms

Pursuant to Government Code Section 54957.1, the Board reconvened in open session and reported the following action.

Motion was made by Joe Hallmeyer, seconded by Rodney Wilson to authorize the signing of the Fifth Amendment to the lease agreement for the WIB offices located at 309 W. Main Street, Suites 120, 130, and 143–148, Visalia, CA; carried by unanimous vote.

- 9. Good of the Order/Adjourn:** There being no further business; the meeting was adjourned by Colby Wells, Chair at 8:35 a.m.

Minutes submitted for approval by Randy Baerg, Secretary.

\_\_\_\_\_  
Randy Baerg, Secretary

\_\_\_\_\_  
Date



## INTEROFFICE MEMORANDUM

**TO:** Mary Rodarte, Workforce Services Manager

**FROM:** Desiree Landeros, Career Services Coordinator

**DATE:** November 24, 2025

**SUBJECT:** WIB Directive TUL 25-04 WIOA Title I Eligibility Technical Assistance Guide (TAG)-Errata

| Item               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Date</b> | WIB Meeting – Wednesday, December 10, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Request</b>     | Approve WIB Directive TUL 25-04 WIOA Title I Eligibility TAG Errata.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Summary</b>     | <p>On June 3, 2025, the Board approved, the Local Directive TUL 25-04 Title I Eligibility Technical Assistance Guide (TAG). This directive is intended to provide updated guidance on the eligibility requirements for WIOA Title I Adult, Dislocated Worker (DW), and Youth programs, as well as any applicable specialized grants administered by the WIB.</p> <p>On October 30, 2025, TUL 25-04 WIOA Title I Eligibility Technical Assistance Guide (TAG) Errata was released for a 30-day public comment period to provide clarification on the following revisions the following sections:</p> <ol style="list-style-type: none"> <li>1. <b>Priority of Service (EDD/State Guidance – Veterans and Eligible Spouses):</b> Revisions were made to align the TAG with current EDD guidance on Priority of Service for veterans and eligible spouses. Updates also clarify local policy including that Priority of Service levels apply to Adult Career Services, and that for Youth Services (when funding is limited or a waitlist exists) priority is applied once Youth eligibility is established.</li> <li>2. <b>Priority 4 Service Level:</b> Revisions were made to improve local implementation of Priority 4 service level. Updates clarify the local Priority 4 definition, confirm that low-income is not required, refine how certain populations are categorized to align with employment-barrier priorities, and expand the list of Governor/local priority populations included under Priority 4.</li> <li>3. <b>Attachment A- Acceptable Documentation:</b> Revisions were made to support documentation compliance through Attachment A updates. These</li> </ol> |

|                                           |                                                                                                                                                                                                                                                               |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | <p>changes include specifying acceptable documentation and removing examples listed as low-income documentation that are no-longer applicable.</p> <p>We have received three (3) comments and no changes to the errata were needed based on the comments.</p> |
| <b>Fiscal Impact</b>                      | None                                                                                                                                                                                                                                                          |
| <b>Alternatives</b>                       | There is no alternative. Establishing local eligibility policies is a WIOA requirement under Public Law 113-128.                                                                                                                                              |
| <b>Involvement of Other Organizations</b> | <ul style="list-style-type: none"> <li>• Subrecipients involved in the delivery of WIOA Title I Adult, DW, and Youth services.</li> </ul>                                                                                                                     |



## **DIRECTIVE**

**Workforce Investment Board of Tulare County**

**Date:** June 11, 2025

**Errata:** October 29, 2025

### **TUL 25-04 WIOA Title I Eligibility Technical Assistance Guide (TAG)**

#### **EXECUTIVE SUMMARY:**

The Workforce Innovation and Opportunity Act (WIOA) grants state and Local Workforce Development Boards (Local Boards) the authority to develop their own eligibility policies, procedures, and definitions, provided they align with the overarching requirements of WIOA. The Technical Assistance Guidance (TAG) document outlines areas where Local Boards have the flexibility to tailor their eligibility criteria to meet the specific needs of their Local Community Areas while ensuring consistency with WIOA mandates.

Wherever authority is granted to local areas to establish eligibility policies, procedures, and definitions in line with federal and state laws and regulations, the WIB has incorporated its guidance in this TAG.

Federal and state program auditors and monitors will assess whether the local eligibility policies, procedures, and definitions have been effectively communicated and implemented within the local area. Local policies must be consistent with both state and federal requirements. If the State or the Department of Labor adopts new policies after local policies are established, local policies may need to be revised to comply with updated state or federal guidelines.

The current local WIB guidance can be found in the form fields provided by the state.

This Directive supersedes WIB Directive TUL 14-06 Workforce Investment Act Title I-B Eligibility Technical Assistance Guide (TAG), dated December 1, 2014. Retain this Directive until further notice.

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#### **Errata Chronology:**

**Errata #1** - On September 19, 2025, the following revisions were made to this Directive:



- Page 4 – Add Reference WSD24-15, Priority of Service for Veterans and Eligible Spouses.
- Page 23 – Updated reference for Veterans Priority of Service from WSD 19-04 to WSD 24-15.
- Page 24 – Updated reference for Veterans Priority of Service from WSD 19-04 to WSD 24-15.
- Page 25 - Specifies Priority of Service levels for veterans and eligible spouses apply only to Adult Career Services and updated reference for Veterans Priority of Service from WSD 19-04 to WSD 24-15.
- Page 26 – Added bullet to clarify that for Youth Services, when programs have limited funding or a waitlist, veterans and eligible spouses must be given priority in the provision of services once program eligibility is established.
- Page 28- Priority 4 Service Level: Revision to the introduction to clarify the statement. Locally, individuals are categorized as Priority Four as referenced in section 4.3, if they are a Tulare County Resident, meet WIOA general eligibility, do not meet Priority 1,2,3 and meet one or more of the following criteria, which do not require the individual to be low-income.
- Page 28 – Priority 4 Service Level: Revision removes the standalone “single parent” designation and integrates it into the broader listing of the Governor’s priority population of individuals who face employment barriers.
- Page 28 – Priority 4 Service Level: Adds Medi-Cal recipients (who are not receiving cash aid) as an additional locally recognized group.
- Page 28 – Priority 4 Service Level: Adds the Governor’s priority population as facing employment barriers:
  - a. Indians, Alaska Natives, and Native Hawaiians
  - b. Older Individuals (55+)
  - c. Justice-Involved
  - d. Eligible migrant and seasonal farmworkers
  - e. Single parents, including single pregnant women
  - f. Lesbian, Gay, Bisexual, and Transgender and gender nonconforming individuals
- Page 28-Removes “They reside in one of the Contiguous Census Tracts identified in Table I of the TUL Policy Memorandum for Determination of Contiguous Census Tracts for WIOA Title I Youth High-Poverty Eligibility”.
  - a. Address verification must be completed and documented in the participant’s file.
- Attachment A Definitions: Removed the example (e.g.) provided under the definition of *Self-Attestation*, section 2.

- Attachment A Table 1: General Eligibility (page 4) - Added a Federal, state, or local Identification Card (including Tribal Records) as an acceptable form of documentation for verifying Tulare County Residency.
- Attachment A Table 4: Barriers to Education and Employment - Youth and Adult Programs (page 18): Specifies acceptable documentation for the “requires additional assistance” criteria for Out-of-School and In-School Youth.
- Attachment A Table 6: Low Income Eligibility Criteria (page 22)- Removed bolded and italicized examples listed (WIC, Medicaid, Medi-Cal, housing assistance) as an acceptable document for low-income verification.

No other revisions were made to this Directive. Retain this directive until further notice.

---

## REFERENCES:

- WIOA (Public Law 113-128)
- Jobs for Veterans Act of 2002 (Public Law 107-288)
- Title 26 United States Code (U.S.C.), Internal Revenue Code, Section 139E: Indian General Welfare Benefits
- Title 42 U.S.C., Public Health and Welfare, Section 12102: Definition of Disability
- Title 2 Code of Federal Regulations (CFR) Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Title 2 CFR Part 2900: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor Exceptions)
- Title 20 CFR Part 675, et al.: Workforce Innovation and Opportunity Act, Final Rule
- Title 20 CFR Part 1010: Application of Priority of Service for Covered Persons
- Title 29 CFR Part 38: Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act
- Training and Employment Guidance Letter TEGl 10-16, Change 3, Performance
- TEGl 23-19, Change 2, Revisions to TEGl 23-19, Change 1, Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs (May 12, 2023)
- TEGl 09-22, WIOA Title I Youth Formula Program Guidance (March 2, 2023)
- TEGl 23-19, Change 1, Guidance for Validating Required Performance Data Submitted by Grant Recipients of DOL Workforce Programs (October 25, 2022)
- TEGl 21-16, Change 1, Third WIOA Title I Youth Formula Program Guidance (July 30, 2021)
- TEGl 14-18, Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the DOL (March 25, 2019)
- TEGl 26-16, Guidance on the use of Supplemental Wage Information to implement the Performance Accountability Requirements under the WIOA (June 1, 2017)

- TEGL 21-16, Third WIOA Title I Youth Formula Program Guidance (March 2, 2017)
- TEGL 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the WIOA and the Wagner-Peyser (W-P) Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017)
- TEGL 8-15, Second Title I WIOA Youth Program Transition Guidance (November 17, 2015)
- TEGL 26-13, Impact of the U.S. Supreme Court's Decision in United States v. Windsor on Eligibility and Services Provided under Workforce Grants Administered by the Employment and Training Administration (June 18, 2014)
- TEGL 10-09, Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the DOL (November 2009)
- TEGL 11-11, Change 2, Selective Service Registration Requirements for Employment and Training (May 16, 2012)
- TEGL 22-04, Change 1, Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant (September 28, 2007)
- TEGL 22-04, Serving Military Service Members and Military Spouses under the Workforce Investment Act Dislocated Worker Formula Grant (March 22, 2005)
- California's Unified Strategic Workforce Development Plan (State Plan) 2020-2023
- WSD24-15, Priority of Service for Veterans and Eligible Spouses (February 14, 2025)
- WSD24-07, Performance Guidance (November 26, 2024)
- WSD24-06, WIOA Adult Program Priority of Service (November 8, 2024)
- WSD24-05, CalJOBS Activity Codes (October 10, 2024)
- WSD24-02, LLSIL And Poverty Guidelines (August 20, 2024)
- WSD22-15, WIOA Data Validation Source Documentation (June 27, 2023)
- WSD20-11, Pseudo Social Security Number in CalJOBS (April 29, 2021)
- WSD18-03, Pathway to Services, Referral, and Enrollment (August 28, 2018)
- WSD18-02, Data Change Request Form Procedure (July 31, 2018)
- WSD17-07, WIOA Youth Program Requirements (January 16, 2018)
- WSD16-18, Selective Service Registration (April 10, 2017)
- SB 396, Employment: gender identity, gender expression, and sexual orientation (October 15, 2017)
- WSIN 17-22, Barriers to Employment and LGBT Data Collection (January 10, 2018)

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## **BACKGROUND:**

Title I of WIOA authorizes the workforce development system to provide workforce preparation and employment services to eligible adults, dislocated workers, and youth. Section 675.120 of the WIOA regulations grants state and local governments the authority to establish their own eligibility policies, procedures, and definitions, provided they are consistent with WIOA and its regulations.

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## **POLICY AND PROCEDURES:**

WIB staff and subrecipients are responsible for reviewing the TAG, and WIOA eligibility policies, procedures, interpretations, guidance, and definitions, to ensure full compliance with the established standards.

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**ACTION:**

Please bring this directive to the attention of all WIB Subrecipients and WIB Staff. Ensure copies of this TAG are available to all frontline staff responsible for determining eligibility.

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**INQUIRIES:**

Please direct inquiries regarding this Directive to the WIB at (559) 713-5200.

Jennie C. Bautista  
Interim Executive Director

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**ATTACHMENTS:**

- Attachment A (WIB WIOA Title I TAG Acceptable Documentation)
- Attachment B (Summary of Comments)

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The Workforce Investment Board of Tulare County is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

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# Workforce Innovation and Opportunity Act

## Title I Eligibility

### Technical Assistance Guide (TAG)

Prepared by the Workforce Investment Board of Tulare  
County and EDD Workforce Services Branch

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# WIOA Title I Eligibility Technical Assistance Guide

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## Chapter 1 – Local Flexibility

The WIOA provides authority to the state and Local Workforce Development Boards (Local Board) to establish their own eligibility policies, procedures, and definitions to meet the needs of their Local Areas as long as they are consistent with the WIOA. The TAG outlines these areas of flexibility and includes form fields for Local Boards to enter their specific eligibility guidance.

All state-imposed requirements are indicated in ***bold, italic*** font.

***Local Areas are required to develop local policies, procedures, and definitions as indicated in the TAG and ensure this guidance is available to all frontline staff responsible for determining eligibility. Local Areas must ensure their local guidance complies with the requirements of the TAG as well as all federal and state laws and policies.*** Local Areas are not required to use the form fields within this TAG and may utilize other methods for releasing local eligibility guidance.

The WIB has adopted the use of the form fields within this TAG. When applicable, WIB policy updates will be issued through Directives, Information Bulletins, Policy Memorandums, or other local guidance, and should be considered an addendum to this TAG.

All WIB-imposed requirements in this document are located within the form fields designated by the state. Any WIB-imposed requirements in the document's attachments will be in ***bold underlined italic font.***

Federal and state auditors will verify that local eligibility policies, procedures, and definitions have been appropriately communicated and implemented within the Local Area. Local guidance that does not accurately reflect federal and state requirements may result in disallowed costs.

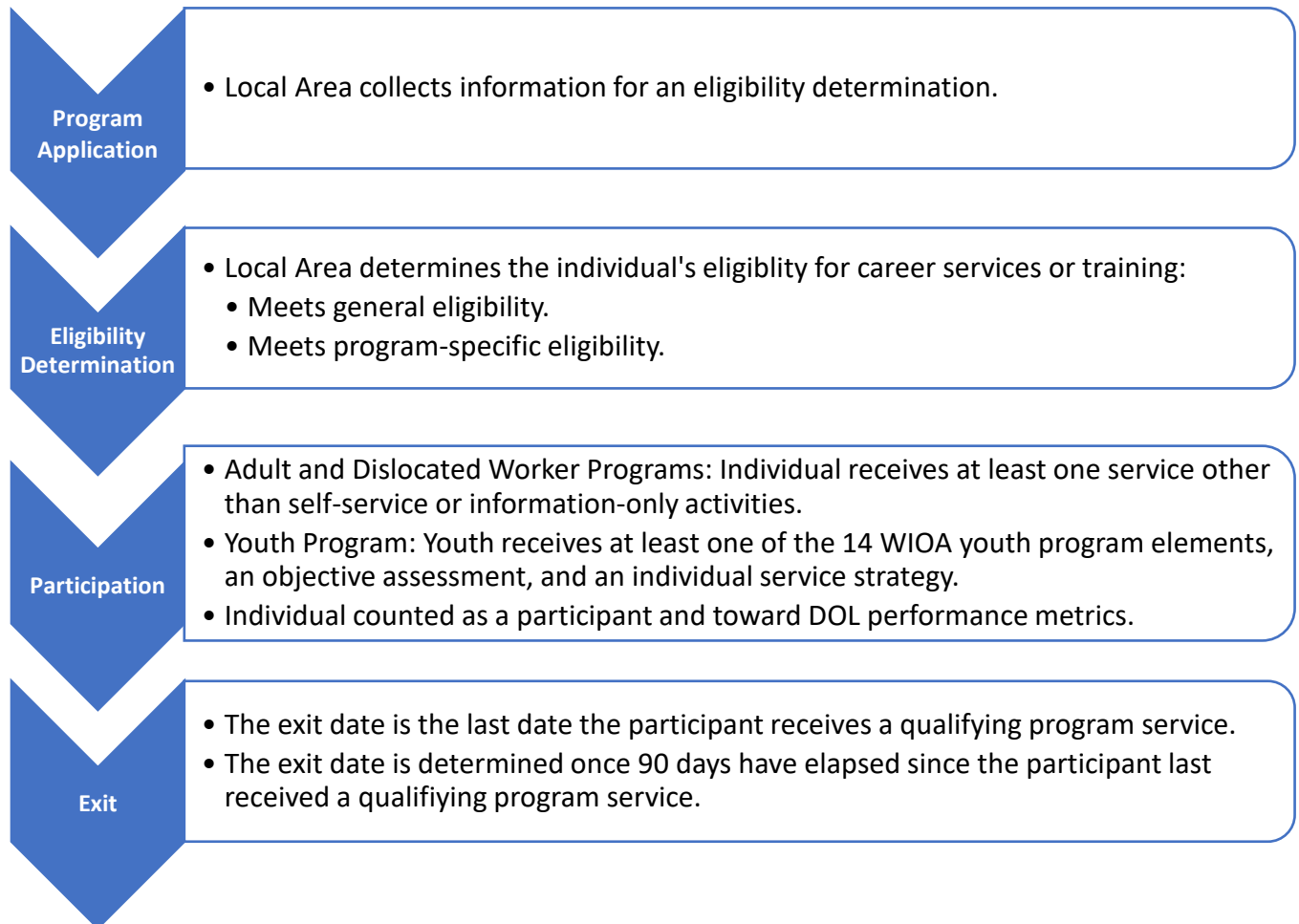
(References: WIOA Sections 107(d)(8) and 185(c); Title 20 *Code of Federal Regulations* [CFR] Section 675.100; Training and Employment Guidance Letter [TEGL] 14-18)

## Chapter 2 – Enrollment Process

### 2.1 Overview

To receive WIOA-funded services, other than basic career self-services or information-only activities, individuals must be registered and determined eligible.

The following diagram illustrates the enrollment process:



(References: Title 20 CFR Sections 678.430, 680.110 and 681.320; TEGL 19-16 and TEGL 21-16; WSD18-03, WSD19-06, and WSD22-15)

### 2.2 WIOA Program Application

During program intake, Local Areas collect information, including identifying information, to determine an individual's eligibility for services. Local Areas may collect information through several methods including CalJOBS, a personal interview, or the individual's WIOA application. The WIOA application is the general tool Local Areas use to collect information and determine an individual's eligibility for services.

## WIOA Title I Eligibility Technical Assistance Guide

### Chapter 2 – Enrollment Process

For an individual to be enrolled into a WIOA program, all of the following must occur:

1. An eligibility determination.
  - Information must be collected from the individual to support an eligibility determination. This information is collected through the individual's WIOA program application. Local Areas should make every effort to ensure that applications are completed in entirety and all demographic and barrier information is collected for the individual. The application may be a paper application that is physically signed or an electronic application that is electronically signed.
2. The individual must be asked for Equal Opportunity (EO) data (the Local Area must request EO data, which may be included on the WIOA Application, but an individual is not required to disclose).
3. Receive any staff-assisted basic career service, individualized career service, or training service.
  - For the Youth program, an individual must receive all four required components to be enrolled as a participant: an eligibility determination, an objective assessment, the development of an individual service strategy, and receipt of any of the 14 WIOA youth program elements.

(References: Title 20 CFR Sections 675.300, 680.110, 681.320; Title 29 CFR Part 38; TEGL 10-16, Change 3; WSD18-03 and WSD22-15)

Note – For the WIOA Title I Adult, Dislocated Worker, and Youth programs, neither applicants nor their family members are required to disclose their Social Security Numbers (SSN). While Local Areas must request an individual's SSN for performance reporting purposes, Local Areas cannot deny services if an individual chooses not to provide their SSN. Refer to WSD20-11 for more information on the usage of pseudo-SSNs in CalJOBS.

(References: Title 20 CFR Section 677.175[a][2]; TEGL 26-16; WSD20-11)

### 2.3 Application Process

There is no federal limitation on the amount of time allowed between the application date and when staff must document and verify eligibility. ***Nevertheless, so much time should not elapse before registration that it becomes unreasonable to assume the information about the individual is still true; otherwise, there may be disallowed costs associated with the individual's eligibility.*** Many Local Areas use 90 days as a general rule. CalJOBS automatically closes applications after 90 days and marks them as "closed - never enrolled" if no further action is taken.

## WIOA Title I Eligibility Technical Assistance Guide

### Chapter 2 – Enrollment Process

Local Boards must establish policies and procedures for time limits covering the application process. The policies and procedures should address the following:

1. Amount of time individuals and staff have to obtain documentation.
2. Amount of time allowed to review an applicant's information and confirm eligibility.
3. Amount of time that can elapse between the application date and the enrollment date.
4. Any other applicable guidance.

(References: WSD18-02 and WSD18-03)

WIB policy and procedures for time limits covering the application process and other applicable guidance:

#### **Limits Covering the Application Process:**

The maximum amount of time that should elapse between the beginning date of the documentation collection process and the application date is 30 calendar days.

The applicant must sign the application and all required documents on the same day their eligibility is determined and the application is entered into the CalJOBS system.

Management-level staff must review an applicant's information and confirm eligibility within 10 business days from the application signature date.

During this time, participants cannot be referred to training-related activities until their file has been thoroughly reviewed and eligibility has been confirmed.

The CalJOBS system will automatically close the applicant's application and mark it as 'Closed - Never Enrolled' if there is no participant activity or enrollment within a 90-day period.

#### **Other Applicable Guidance:**

Applicants must be residents of Tulare County to qualify for services through the Workforce Investment Board of Tulare County (WIB). However, Individuals who reside outside the county may be eligible for services if they have significant ties to the area, such as employment, education, or family connections, or if they were referred by local agencies (e.g., Probation or Health and Human Services (HHSA)). Prior written approval from the WIB is required before services can be provided to non-County residents.

#### **Request for Service Approval in Tulare County**

To serve an individual who resides outside of Tulare County, staff must email a request for prior approval to the Program Coordinator (Youth/Career Services). The request must include a clear justification explaining why services are necessary in Tulare County. The WIB will respond within three (3) business days.

## **WIOA Title I Eligibility Technical Assistance Guide**

### **Chapter 2 – Enrollment Process**

#### **2.4 Eligibility Determination**

The WIOA distinguishes between general program eligibility and eligibility for services for participants. The WIOA is not an entitlement program and although an individual may meet program eligibility criteria it does not mean that they are guaranteed services. This is because funding for WIOA programs is not unlimited. Local Boards must offer services to all eligible applicants when funding is available.

**General program eligibility** applies to all WIOA Title I Adult, Dislocated Worker, and Youth programs and includes:

- Age
- Selective Service System Registration (as applicable)
- Authorization to work in the United States (as required)

**Eligibility for services** is related to local determinations regarding the individual's need, the participant's ability to benefit, and program-specific requirements.

Eligibility is determined at the time of enrollment. If an individual's situation changes while receiving services, the individual remains eligible until program exit. For example, an Out-of-School (OS) youth who is 24 years of age (the cut off age for OS youth) at the time of enrollment and subsequently turns 25 years of age, is still considered an OS youth until exited from the program.

(References: WIOA Sections 188[a][5], 189[h] and 194[12]; Title 20 CFR Section 681.210; TEGL 21-16; WSD18-03)

#### **2.5 Participation**

Below are the criteria for participation in the WIOA Adult, Dislocated Worker, and Youth programs.

##### **Adult and Dislocated Worker Programs**

An individual becomes a participant in the Adult or Dislocated Worker programs after completing the eligibility determination, satisfying all programmatic requirements, and receiving a staff-assisted basic career service, individualized career service, or training service. An individual who uses self-services, or is assisted with information-only activities, is not considered a participant and therefore does not need to meet eligibility requirements.

##### **Youth Program**

An individual becomes a participant in the Youth program after receiving all four required components (eligibility determination, objective assessment, individual service strategy development, and receipt of one of the 14 WIOA Youth program elements).

Note – For the Adult and Dislocated Worker programs, individuals who use self-service and/or receive information-only services or activities are considered reportable individuals. For the

## WIOA Title I Eligibility Technical Assistance Guide

### Chapter 2 – Enrollment Process

Youth program, if an individual fails to meet one or more of the items needed to be a participant, the individual will be reported as a reportable individual, and will not be included in performance calculations. Certain information about reportable individuals is required to be reported in quarterly and annual WIOA reports. Collecting and reporting information in CalJOBS allows for accurate representation of the number of individuals engaged with the workforce system.

(References: Title 20 CFR Sections 677.150 and 681.320; TEGL 14-18 and TEGL 10-16, Change 3, Attachment VII; WSD22-15)

## 2.6 Concurrent Participation

Individuals may be determined eligible for multiple WIOA programs and may participate concurrently in WIOA and AJCC partner programs if they meet the eligibility requirements of each program. Local program operators may determine the appropriate level and balance of services for individuals participating in youth and adult programs concurrently.

Examples of concurrent participation include:

- An eligible youth is served simultaneously in the WIOA Title I Youth program and the WIOA Title II Adult Education program to meet the individual's unique needs. The WIOA Title I resources can provide career guidance, work experience, and leadership development, while the WIOA Title II resources can provide adult education and literacy activities.
- A youth participant who is 18 to 24 years of age participates in both the WIOA Title I Youth and Adult programs based on their assessed needs and readiness for adult services.

When an individual is enrolled in multiple WIOA programs, the use of Local Area funds must meet the following criteria:

1. The cost must benefit two or more programs in proportions that can be determined without undue effort or cost.
2. The cost to each funding stream must be tracked, documented, and allocated based on the proportional benefit to ensure there is no duplication of services.
3. Each funding stream must maintain its statutory requirements, including eligibility criteria and scope of authorized activities. The individuals must meet the eligibility requirements for each program from which they are receiving services.

(References: 20 CFR Section 681.430; TEGL 21-16; WSD19-09)

## 2.7 Exited Participants

An exit occurs when the participant has not received program services for 90 consecutive calendar days and no additional future services are scheduled. The program exit date is applied retroactively after 90 days to the last service's actual end date. Follow-up services, self-services, information-only services or activities, and supportive services do not delay, postpone, or affect the date of exit.

## **WIOA Title I Eligibility Technical Assistance Guide**

### **Chapter 2 – Enrollment Process**

Refer to WSD22-15 for more detailed information on the types of exits and determining a participant's date of exit.

(References: TEGL 14-18; WSD19-06 and WSD22-15)

## Chapter 3 – General Eligibility Criteria

To receive services under the WIOA Title I Adult, Dislocated Worker, or Youth programs, an individual must meet general eligibility criteria, which includes age, Selective Service registration (if applicable), and authorization to work in the United States (as required).

The three general eligibility criteria are discussed in detail in this chapter.

### 3.1 Selective Service System Registration

The WIOA Section 189(h) mandates that males to comply with registration requirements of the federal [Selective Service System](#) prior to participation in a WIOA Title I-funded program. Local Areas must ensure that each applicable male who participates in any local WIOA program or activity, or receives any WIOA assistance or benefit, has not knowingly and willfully violated Section 3 of the *Military Selective Service Act* (MSSA) by failing to register as required.

To be eligible to receive WIOA-funded services, males born on or after January 1, 1960, who are at least 18 years of age, but not yet 26 years of age, and who are not on active duty in the armed services, must present documentation showing compliance with Selective Service registration requirements. A male youth who reaches 18 years of age while participating in a WIOA program must register, as required, within 30 days of his 18<sup>th</sup> birthday to continue receiving WIOA-funded services.

The Selective Service System registration requirement for transsexual, transgendered, intersex, and non-binary individuals is based upon the gender assigned at birth. U.S. citizens or immigrants who are born male and changed their gender are required to register. Individuals who are born female and changed their gender are not required to register.

Males required to register include, but are not limited to:

- US citizens.
- Non-US citizens, including undocumented immigrants, legal permanent residents, asylum seekers, and refugees.
- Veterans discharged before their 26<sup>th</sup> birthday.
- Members of the Reserve and National Guard not on full-time active duty.
- Dual nationals of the US and another country.

Males who are not required to register include, but are not limited to:

- Males serving in the military on full-time active duty.
- Males attending one of the five military academies or certain military colleges.
- Male veterans discharged after their 26<sup>th</sup> birthday.
- Males who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement. However, they must register within 30 days after being released if they have not yet reached their 26<sup>th</sup> birthday.



## WIOA Title I Eligibility Technical Assistance Guide

### Chapter 3 – General Eligibility Criteria

- Disabled males who meet specific criteria
- Non-US males on a valid non-immigrant visa (e.g., student, agricultural, and tourist visas) until they turn age 26.
- Non-US males who entered the US after their 26<sup>th</sup> birthday.

The above Selective Service registration requirements are not exhaustive. Refer to the Selective Service System website for a comprehensive list of who must register.

Refer to the *WIOA Title I Acceptable Documentation List* for acceptable forms of supporting documentation to show compliance with Selective Service requirements.

Occasionally, males who were subject to registration, but did not register and are now beyond their 26<sup>th</sup> birth date, will apply for assistance from a WIOA program. If it is determined that a male who is 26 years of age or older knowingly and willfully failed to register, the MSSA requires that services must be denied to that individual. However, when it can be determined that the applicant's failure to register was not willful or knowingly, he can be considered for participation.

Local Boards must develop policy and procedures for potential male participants who are 26 years of age or older and failed to register. The local policy may request potential male participants to present a Status Information Letter (which can be obtained from the [Selective Service System](#)) before a determination is made as to whether the individual knowingly and willfully failed to register. Alternatively, the local policy may establish that the process to determine whether the individual knowingly and willfully failed to register, may be initiated without first requesting a Status Information Letter.

For detailed guidance regarding Selective Service registration requirements, refer to WSD16-18.

(References: 50 USC Chapter 49, Sections 3802 and 3811[g], WSD16-18)

WIB policy and procedures for determining whether an individual knowingly and willfully failed to register:

Refer to the latest WIB Directive on Selective Service for current information.

## WIOA Title I Eligibility Technical Assistance Guide

### Chapter 3 – General Eligibility Criteria

#### 3.2 Age

An individual's age must be verified to ensure they receive appropriate services. The following chart displays the age eligibility criteria for participation in the WIOA Adult, Dislocated Worker, and Youth programs.

| WIOA PROGRAM        | AGE               | REFERENCE                     |
|---------------------|-------------------|-------------------------------|
| Adult               | 18 years or older | WIOA Section 3(2)             |
| Dislocated Worker   | 18 years or older | Title 20 CFR Section 680.120  |
| In-School Youth     | 14-21 years old   | WIOA Section 129(a)(1)(C)(ii) |
| Out-of-School Youth | 16-24 years old   | WIOA Section 129(a)(1)(B)(ii) |

Refer to the *WIOA Title I Acceptable Documentation List* for a list of identification documents that can be used to satisfy this criterion.

#### 3.3 Authorization to Work

##### Verifying Work Authorization

Many services provided through the WIOA Title I Adult, Dislocated Worker, and Youth programs may be delivered without proof of the participant's work authorization. Staff does not need to verify work authorization until the participant is moving into services that require such authorization. Local Areas must clearly explain what services they can and cannot provide to individuals who may not yet have work authorization documents, as well as clearly explain that employers will need work authorization documentation.

##### *Services that do not Require Work Authorization*

To ensure efficient delivery of services, Local Areas may deliver certain basic, individualized, and follow-up services without verifying an individual's work authorization. These services include, but are not limited to:

- Labor exchange services such as labor market information, career exploration, career guidance, resume writing assistance, and job search assistance.
- Information on worker rights and where to find legal assistance.
- Referrals to community resources such as transportation, childcare support, food assistance, housing assistance, medical assistance, and other similar resources.
- Individualized services such as career assessments, development of an individual employment plan, group counseling, one-on-one case management, career planning, information on foreign credential evaluation services and on obtaining credit for prior learning.
- Basic skills education, including English language instruction, and high school equivalency.
- Assistance in completing paperwork to finalize work authorization.
- Assistance in applying for an occupational license including the cost of such applications.

## **WIOA Title I Eligibility Technical Assistance Guide**

### **Chapter 3 – General Eligibility Criteria**

- Outreach to workers regarding the Employment-Related Law Complaint System and processing such complaints.

#### *Services that do Require Work Authorization*

Certain services, such as those directly linked to employment, employment outcomes, or services that provide a direct financial benefit, require verification of work authorization documentation. These services include, but are not limited to:

- Job placement.
- Occupational post-secondary training.
- Work experience.
- Supportive services that represent a direct financial benefit such as a voucher or reimbursement, relocation expenses, or needs-related payments.

The lists above provide examples of work authorization verification requirements for common services, however, these lists are not exhaustive.

#### **Proof of Work Authorization**

While a copy of the work authorization documentation is not required for the participant's file, staff should note in the case file that they have seen proof of the participant's employment authorization document. This confirmation ensures compliance with federal regulations and better serves employer customers who must verify authorization to work.

Refer to the *WIOA Title I Acceptable Documentation* List for a list of documentation that can be used for proof of work authorization.

#### **Nondiscrimination Compliance**

When verifying work authorization, Local Areas must comply with the non-discrimination regulations in accordance with WIOA Section 188[a][5] and must not discriminate on the basis of citizenship status when determining eligibility or access to services provided under a WIOA Title I-financially assisted program or activity. Discrimination includes, treating an individual differently from others in determining whether the individual satisfies any admission, enrollment, eligibility, membership, or other requirement or condition for any aid, benefit, service, or training provided under a WIOA Title I financially assisted program or activity.

Local Areas must have procedures in place for verifying an individual's authorization to work. Refer to WSD18-03 for more detailed information on establishing policy for verifying authorization to work.

(References: WIOA Section 188[a][5]; Title 29 CFR Sections 38.11 and 38.6[b][5]; Title 20 CFR Section 683.285[5]; and WSD18-03)

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**Chapter 3 – General Eligibility Criteria**

**WIB policy for verifying authorization to work:**

The WIB ensures compliance with federal work authorization verification requirements under Title 8 CFR Section 274a.2 and adheres to nondiscrimination regulations as required by WIOA Section 188(a)(5).

**Verification of Work Authorization at Eligibility Determination**

To ensure compliance with federal and WIOA regulations, staff must verify an individual's right to work at the time of eligibility determination for WIOA Title I programs. This includes:

1. Reviewing and verifying acceptable work authorization documents as outlined in the Form I-9 (Employment Eligibility Verification) guidelines.
2. Recording work authorization status and document expiration dates in the participant's case file.
3. Ensuring that no individual is denied services based on citizenship status in accordance with WIOA Section 188(a)(5).

Individuals who cannot provide valid work authorization documents at the time of eligibility determination may be ineligible for certain WIOA services until verification is obtained. Staff must provide guidance on obtaining appropriate documentation if needed.

Verification of work authorization at time of eligibility must be documented in the participants file via case notes and document upload.

**Verification and Tracking of Work Authorization**

Staff must verify an individual's legal status or work authorization documentation and track expiration dates. Staff must record expiration dates in case notes and use the CalJOBS case management system, to track participant U.S. Citizenship and Immigration Services (USCIS) expiration dates. The system alerts staff when a participant's work authorization is about to expire.

When a participant's work authorization is nearing expiration, staff must:

1. Notify the individual of the upcoming expiration.
2. Provide guidance on obtaining updated documentation, as needed.
3. Ensure continued eligibility for WIOA services by obtaining current work authorization documents.
4. Follow established procedures if updated documents are not provided, including determining service continuation or alternative support.

Staff must document each step in the participant's CalJOBS file via case notes and documentation upload.

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### **Chapter 3 – General Eligibility Criteria**

#### **Nondiscrimination Compliance**

In accordance with WIOA Section 188(a)(5), staff must not discriminate based on citizenship status when determining eligibility for WIOA services. This includes ensuring that all individuals receive equal treatment in verifying work authorization and accessing services. Discrimination includes treating an individual differently in determining whether they meet any requirement for aid, benefits, services, or training under WIOA Title I-funded programs.

#### **Guidance on Acceptable Work Authorization Documentation**

The USCIS website ([uscis.gov](https://uscis.gov)) provides resources and guidance on verifying work authorization, including:

- Form I-9 (Employment Eligibility Verification)
- M-274 Handbook for Employers

## **Chapter 4 – Priority of Service**

### **4.1 Priority of Service Overview**

Section 2(a) of the Jobs for Veteran’s Act (JVA) mandates priority of service for veterans and eligible spouses, including widows and widowers, who otherwise meet the eligibility requirements for participation in DOL-funded programs, including the WIOA.

Priority of service means that individuals who meet established priority requirements (covered persons) must be given priority over other individuals (non-covered persons) for the receipt of employment, training, and placement services. In the context of providing priority of service in a qualified job training program, such as the WIOA, priority of service means the right of a covered person to take precedence over a non-covered person. Depending on the type of service, taking precedence may mean that covered persons receive access to the service or resource sooner than non-covered persons, or if the service or resource is limited, the covered person receives access to the service or resource instead of, or before non-covered persons.

The WIOA is not an entitlement program and funding for WIOA programs is not unlimited. Individuals who do not meet priority of service criteria may still receive services under the WIOA when funding is available.

Detailed information about applying priority of service for participants is provided within this chapter.

(References: WIOA Sections 134(c)(3)(E) and 194(12); Title 38 USC Section 4215; Title 20 CFR Section 1010.200; TEGL 10-09 and TEGL 19-16; WSD 24-15)

### **4.2 Veterans**

Program operators must provide priority of service to veterans and eligible spouses for all WIOA-funded activities. While veterans and eligible spouses continue to receive priority of service among all eligible individuals, they must also meet eligibility criteria under the respective employment or training program. Verification of status for veterans and eligible spouses is not required until the veteran or eligible spouse undergoes an eligibility determination and is enrolled in a WIOA Title I program. Until the point of enrollment, a participant who states they meet the veterans’ priority eligibility criteria must be afforded veterans’ priority of service on the basis of self-attestation.

In implementing priority of service, program operators must ensure that veterans and eligible spouse receive the following:

- Basic career services and individualized career services before other non-covered individuals.
- First priority on waiting lists for training slots
- Are enrolled in training prior to non-covered persons.

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### **Chapter 4 – Priority of Service**

Note – Once a non-covered participant is enrolled in a workshop or training class, priority of service is not intended to allow a veteran or eligible spouse to bump the non-covered participant from that class or service.

(References: WIOA Sections 134(c)(3)(E) and 194(12); Title 38 USC Section 4215; Title 20 CFR Section 1010.200; TEGL 10-09 and TEGL 19-16; WSD 24-15 )

### **Related Definitions**

The following definitions are only for the purposes of implementing priority of service. Additionally, the definitions of “veteran” and “eligible spouse” used in this chapter are applicable to the priority of service requirement and are different from, and broader than, the definitions of “veteran” and “other eligible persons” applicable to services provided by the Disabled Veterans’ Outreach Program Specialist and Local Veterans’ Employment Representative staff.

*Armed Forces* – Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.

*Covered Persons* – means any of the following individuals:

1. A veteran, including National Guard or Reserve personnel.
2. An eligible spouse.

*Eligible Spouse* - the spouse (including the same-sex spouse) of any of the following:

- 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 application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - a. Missing in action.
  - b. Captured in the line of duty by a hostile force.
  - c. Forcibly detained or interned in the line of duty by a foreign power.
- C. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the US Department of Veterans Affairs (VA).
- D. Any veteran who died while a disability, (as indicated in category 3) was in existence.

A spouse whose eligibility is derived from a living veteran or service member would lose their 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

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### Chapter 4 – Priority of Service

veteran or service member.

*Non-Covered Person* – Persons who are not a veteran or a veteran’s spouse as relating to priority of service application.

*Qualified Job Training Program* -- Any program or service for workforce preparation, development, or delivery that is funded in whole or in part by the DOL.

*Veteran* – 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.

For detailed information on veteran’s priority of service, refer to WSD 24-15.

### WIB Policy and Procedures for Veteran’s Priority of Service

The WIB established policies and procedures for implementing the priority of service requirement for veterans and eligible spouses. The WIB policies ensure that veterans and eligible spouses are able to identify themselves at the point of entry and are given an opportunity to take full advantage of the priority. These policies also ensure that veterans and eligible spouses are aware of the following:

- Entitlement to priority of service.
- The full array of employment, training, and placement services available under priority of service.
- Any applicable eligibility requirements for those programs and/or services.

WIB policy and procedures for implementing the priority of service requirements for veterans and eligible spouses:

An individual is eligible if they meet the definition for a “covered person” in section 4.2..

#### Procedure for Implementation of Priority of Service

##### A. Identifying Eligible Veterans and Eligible Spouses

- During intake and registration, staff must ask all individuals if they are a veteran or an eligible spouse.
- Individuals self-attest to veteran status, but documentation may be requested to confirm eligibility for priority services.

##### B. Providing Priority Access

- For Adult Career Services, when programs have limited funding or a waitlist, staff must use the following table to determine the level of priority:

Section continues to next page



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| Levels of Priority of Service |                                                                                                                                                                                        |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority 1                    | Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.                               |
| Priority 2                    | Individuals who are the recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.                                                   |
| Priority 3                    | Veterans and eligible spouses who are not recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.                                |
| Priority 4                    | Any individual who does not belong to one of the above groups but belongs to a priority population established by the Governor or Local Board. Refer to section 4.3 of this directive. |
| Priority 5                    | All other individuals who do not meet the above priorities.                                                                                                                            |

- For Youth Services, when programs have limited funding or a waitlist, veterans and eligible spouses must be given priority in the provision of services once program eligibility is established.
  - When Enrollment is Open to All
    - Veterans and eligible spouses receive services before non-covered individuals if waiting periods or limited spots exist.
    - If a non-covered person is already receiving services, they will not be displaced but must complete their program before new non-veterans are served.
- C. Referral to Veteran-Specific Services
- Veterans and eligible spouses must be informed of additional resources, including:
    - Disabled Veterans' Outreach Program (DVOP) Specialists for intensive career services.
    - Local Veteran Employment Representatives (LVERs) for job placement assistance.
    - Veterans Affairs (VA) benefits and services for additional employment and training support.
- D. Compliance
- Compliance will be monitored and reviewed as part of WIOA program oversight.

Staff should also refer to the WIB Veterans Priority of Service directive for further information and guidance.

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### Chapter 4 – Priority of Service

(References: Title 10 USC Section 101[4]; Title 38 USC Sections 101[2] and 4215[B]; WIOA Sections 134(c)(3)(E); 20 CFR Sections 1010.100, 1010.200 and 680.650; TEGL 10-09, 22-04, 22-04, Change 1 and 19-16; WSD24-15)

#### 4.3 Adult Program

In addition to priority of service for veterans and eligible spouses, the Local Board must establish a process for individuals served in the adult program that gives priority of service to recipients of public assistance, other low-income individuals, and skills deficient individuals. This does not mean that only veterans, recipients of public assistance, low-income, and skills deficient individuals can receive WIOA-funded adult services. Individuals do not have to be a part of a priority population to be eligible for the adult program, however priority of service must be applied as prescribed in this chapter. Determination of an individual's low-income status is discussed in [Chapter 8](#) of this TAG.

In alignment with California's Unified Strategic Workforce Development Plan (State Plan), Local Boards may also develop a policy to establish additional priority groups for their Local Area (e.g., residents of the Local Area, individuals with disabilities, formerly incarcerated and justice-involved, etc.) provided the local policy is consistent with priority of service for veterans and the priority provisions WIOA Section 134(c)(3)(E) and Title 20 CFR Section 680.600, and any additional populations identified for priority are not to be interpreted as additional eligibility criteria. Any additional priority populations identified by the Local Board should be reflected in the local policy.

(References: WIOA Section 134(c)(3)(E); Title 20 CFR Sections 680.650, 680.120, and 680.600[b]-[c], and 1010.200; TEGL 19-16; State Plan; WSD15-14 and WSD19-04)

WIB criteria for applying and monitoring priority for service for recipients of public assistance, other low-income individuals, and skills deficient individuals within the Adult program:

Priority of service will be given to Tulare County Residents who receive public assistance, those who are low-income, or who are basic skills deficient, while ensuring compliance with the Veterans' Priority of Service. Staff must apply this priority when determining eligibility and document the participant's priority level in their case file. To maintain compliance, staff supervisors will conduct periodic reviews of case files to verify that priority levels are correctly assigned and properly documented.

## WIOA Title I Eligibility Technical Assistance Guide

### Chapter 4 – Priority of Service

WIB policy adding other priority group(s) (if applicable):

Locally, individuals are categorized as **Priority Four** as referenced in section 4.3, if they are a Tulare County Resident, meet WIOA general eligibility, do not meet Priority 1, 2,3, and meet one or more of the following criteria, which do not require the individual to be low-income:

- They belong to a group of individuals identified by the Governor priority population as facing employment barriers:
  - a. Indians, Alaska Natives, and Native Hawaiians
  - b. Older Individuals (55+)
  - c. Justice-Involved
  - d. Eligible Migrant and seasonal farmworkers
  - e. Single parents, including single pregnant women
  - f. Lesbian, Gay, Bisexual, and Transgender and gender nonconforming individuals
    - i. A signed self-attestation from the participant verifying they meet one or more of the criteria must be documented in participant file.
- Individuals who receive Medi-Cal assistance (non-cash public assistance) who are not receiving cash aid or Supplemental Nutrition Assistance Program (SNAP) (CalFresh).
  - a. Acceptable documentation includes an eligibility printout, verification from the county human services system or portal access confirmation.
  - b. A signed self-attestation may be used if no other documentation is available and must be supported by case notes.

Written copies of local priority of service policies must be maintained at all service delivery points and, to the extent practicable, posted in a way that makes it possible for members of the general public to easily access the information.

#### 4.4 Applying Priority of Service

The application of priority of service varies depending on the eligibility requirements of the particular program. The following describes how priority of service applies within certain types of DOL-funded programs:

- *Universal Access Programs*  
Basic career services are universally accessible and must be made available to all individuals seeking employment and training services in at least one comprehensive AJCC per Local Area. While veterans and eligible spouses must receive priority of service over all other program participants, priority for low-income and basic skills deficient

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### Chapter 4 – Priority of Service

populations does not apply to basic career services in either the adult or dislocated worker programs.

- *Programs with Eligibility Criteria*

Eligibility criteria identify basic conditions a participant in a specific program must meet. For example, for the WIOA Title I Adult, Dislocated Worker, and Youth programs, every participant is required to meet the general program eligibility requirements listed in [Chapter 3](#) of this TAG. A veteran or eligible spouse must first meet all of these eligibility criteria in order to be considered eligible for participation in the program. Once determined eligible for participation, the veteran or eligible spouse receives priority for participation in the program and receipt of services.

- *Programs with Statutory Priorities*

Some programs are required by law to provide a priority preference for a particular group of individuals or require the program to spend a certain portion of program funds on a particular group. One example is the Adult program priority for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Veterans and eligible spouses must first meet both the program's eligibility criteria and statutory priority criteria to receive priority for participation in the program and receipt of services.

Note – For income-based eligibility and for priority of service determinations, many types of military service-related income are exempt, including any amounts received as military pay or allowances paid while on active duty, or paid by the VA for vocational rehabilitation disability payments, or related VA-funded programs. For detailed information on which types of military pay that are exempt, refer to TEGL 10-09, Attachment A.

### Priority of Service Levels

Priority must be provided in the following order for programs that require it:

| Levels of Priority of Service |                                                                                                                                                          |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority 1                    | Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient. |
| Priority 2                    | Individuals who are the recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.                     |
| Priority 3                    | Veterans and eligible spouses who are not recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.  |
| Priority 4                    | Any individual who does not belong to one of the above groups but belongs to a priority population established by the Governor or Local Board.           |
| Priority 5                    | All other individuals who do not meet the above priorities.                                                                                              |

(References: TEGL 10-09 and TEGL 19-16; WSD15-14 and WSD24-15)

## **Chapter 5 - Eligibility Criteria for Career and Training Services**

The WIOA authorizes the following services:

- Basic Career Services
- Individualized Career Services
- Training Services

While there are distinctions made between the types of services available (basic career services, individualized career services, and training services), individuals are not required to follow a sequence of services. Local Areas have the flexibility to provide services that best meet an individual's needs for their employment and career goals.

(References: WIOA Section 134(c)(2)(A); Title 20 CFR Section 678.430; TEGL 19-16)

### **5.1 Eligibility for Career Services**

For staff-assisted basic career services and individualized career services, Local Boards must identify the assessments to be used to determine eligibility and ensure eligibility determination procedures are consistent with state policies. AJCC staff may use recent interviews, evaluations, or assessments by partner programs to determine if individualized career services would be appropriate. Include below the local policy and procedures to be used for assessments.

(References: WIOA Section 134(c)(2); Title 20 CFR Section 678.430; TEGL 19-16)

WIB policy and procedures to be used for assessments for services:

Staff will utilize recent program-specific interviews, evaluations, or assessments from partner programs, such as vocational rehabilitation, Health and Human Services Agency (HHSA), Probation or other WIOA-funded programs to determine eligibility, ensuring compliance with local and state policies. To assess the need for individualized services, staff will consider partner referrals, assessments, and information from basic career services, including comprehensive interviews to identify any additional support the individual may need.

All basic career services and eligibility for individualized career services must be documented in the participant's case notes. Eligibility for training services and individualized career services - must be recorded in the participant's Individual Employment Plan (IEP) and case notes.

### **5.2 Eligibility for Training Services**

Training services include WIOA-funded and non-WIOA-funded partner training services. There is no sequence of service requirement for training. This means that AJCC staff may determine training is appropriate regardless of whether the individual has received any basic or individualized career services.

Before providing training services to adults and dislocated workers, AJCC staff must conduct an

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### **Chapter 5 – Eligibility Criteria for Career and Training Services**

interview, evaluation, or assessment to determine if the individual meets any of the following criteria:

1. Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone.
2. In need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment;
3. Has the skills and qualifications to successfully participate in the selected program of training services.
4. Unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as state-funded training funds or Federal Pell Grants established under Title IV of the Higher Education Act of 1965, or requires WIOA assistance in addition to other sources of grant assistance.
5. A member of a worker group covered under a petition filed for TAA and is awaiting a determination. If the petition is certified, the worker may then transition to TAA approved training. If the petition is denied, the worker will continue training under the WIOA.
6. Selected a program of training services that is directly linked to the employment opportunities in the Local Area or region, or in another area to which the individual is willing to commute or relocate.
7. Determined eligible in accordance with the state and local priority system in effect for adults, if training services are provided through the Adult program funding stream.

Where appropriate, Local Boards are encouraged to use previous assessments when making training determinations to reduce duplicate assessments and develop enhanced alignment across partner programs. This could include common intake forms across partner programs to encourage system alignment, reduce individual burden, and ensure customers greater access to programs based on their need.

The case file must contain a determination of need for training services as determined through the interview, evaluation, or assessment, and career planning informed by local labor market information and training provider performance information, or through any other career service received. There is no requirement that career services be provided as a condition to receipt of training services; however, if career services are not provided before training, the Local Board must document the circumstances that justified its determination to provide training without first providing such services. There is no required minimum time period for an individual to participate in career services before receiving training service.

(References: WIOA Section 134(c)(3); Title 20 CFR Sections 680.210 and 680.220; TEGL 19-16)

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### 5.3 Self-Sufficiency

In addition to providing career and training services to individuals who are unemployed, a significant number of job seekers are underemployed. Examples of underemployed individuals may include individuals who are any of the following:

- Employed less than full-time who are seeking full-time employment.
- Employed in a position that is inadequate with respect to their skills and training.
- Employed who meet the definition of a low-income individual in WIOA Section 3(36).
- Employed, but whose current job's earnings are not sufficient compared to their previous job's earnings.

To receive career or training services, employed adults and dislocated workers must be determined to be in need of those services to obtain or retain employment that allows for self-sufficiency. Local Boards must set criteria for determining whether employment leads to self-sufficiency. ***At a minimum, such criteria must provide that self-sufficiency means employment that pays at least 100 percent of the [lower living standard income level \(LLSIL\)](#) established for a Local Area.***

When setting criteria to determine self-sufficiency, Local Boards should consider different local conditions such as family size, an area's cost of living, and other local economic conditions. It may often occur that dislocated workers require a wage higher than the lower living standard income level to maintain self-sufficiency.

Local Boards may also consider the special needs of individuals with disabilities or other barriers to employment when setting criteria to determine self-sufficiency. This provision helps ensure that career and training services are provided to those employed individuals who are the most in need of services. These may include individuals employed in low skill/low wage jobs.

Local Boards may develop two sets of criteria for self-sufficiency: one for adults and another for dislocated workers. Self-sufficiency for dislocated workers may be defined in relation to a percentage of the layoff wage.

(References: Title 20 CFR Section 680.210; TEGL 19-16; WSD23-02)

WIB criteria for self-sufficiency:

Refer to the latest WIB Directive on Self-Sufficiency for the most current guidance.

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**Using WIOA Assistance in Addition to Other Sources of Grant Assistance**

WIOA funding for training is limited to participants who are unable to obtain grant assistance from other sources to pay the cost of their training or who require assistance beyond that which is available under grant assistance from other sources to pay the cost of such training. Programs and training providers must coordinate funds available to pay for training. In making the determination of need for WIOA assistance, Local Areas may take into account the full cost of participating in training, including support services and any other appropriate costs.

(References: Title 20 CFR Section 680.230; TEGL 19-16)

**5.4 Local Procedures and Eligibility Criteria**

In contrast to Work First programs, which hold the philosophy that any job is a good job and that the best way to succeed is to enter the labor market, the WIOA encourages Local Boards to offer higher-quality education and training options that go beyond job search.

The State Plan describes the state’s commitment to a High Road workforce development approach. The High Road system centers on meaningful industry engagement and placement of Californians in quality jobs that provide economic security. A key principle of the High Road approach is job quality by building the skills of the existing workforce and bringing new workers to the associated industry sector(s). Orienting the workforce development system toward job quality serves job seekers and workers by placing them in employment that allows them to sustain a high quality of life for themselves, their families, and broader community that depends on their earnings.

***Local Boards may not adopt a “work first” approach in developing local procedures and eligibility criteria for individualized and training services.*** Locally developed procedures and criteria must be designed to provide employment and training opportunities to those who can benefit from, and who are most in need of, such opportunities. The appropriate mix and duration of services should be based on each participant’s unique needs.

***In developing local procedures and eligibility criteria for individualized and training services, WIOA-funded Adult and Dislocated Worker services may not duplicate or supplant services traditionally funded by the Wagner-Peyser Act*** (this does not preclude cooperative efforts among AJCC partners to provide seamless and comprehensive services to customers.)

When reviewing a participant’s eligibility for basic career staff-assisted, individualized career, and training services, federal and state auditors and monitors will review a participant’s eligibility for services against each Local Board’s eligibility policy, procedures, and definitions. Local eligibility policies and procedures must comply with federal and state requirements.

(Reference: WIOA Section 194)

Include local policy and procedures for determining eligibility for services below:



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WIB policy and procedures for determining eligibility for training services:

Training services may be available to Tulare County residents, including employed and unemployed adults, dislocated workers (DWs), and youth. Eligibility is determined based on program requirements and the criteria outlined in Chapter 5, Section 5.2: Eligibility for Training Services of this directive.

Once eligibility is determined, staff must refer to program-specific directives (e.g Individual Training Accounts (ITA) Policy and Procedures Directive, Work Experience directive, program requirements directive), to ensure the appropriate next steps are followed.

## Chapter 6 - Eligibility Criteria for Dislocated Workers

To be eligible to receive dislocated worker services, an individual must meet the general WIOA eligibility criteria listed in [Chapter 3](#) of this TAG and the criteria included in at least one of the dislocated worker categories outlined in this chapter. Local policy, procedures and definitions may be established wherever there is flexibility authorized by the WIOA and regulations.

Once an individual is enrolled as a dislocated worker, the individual retains their eligibility as a dislocated worker until exited from the program regardless of employment status or earnings (e.g., an anticipated lay off or termination does not take place). If a participant becomes employed in a full-time, permanent job that pays a wage defined by the Local Board as [self-sufficient or leading to self-sufficiency](#), the participant may continue to be served, as needed, until they are formally exited from the program. However, if it is expected that the participant will not receive any future services, follow-up services may begin immediately following placement into unsubsidized employment.

(Reference: TEGL 10-16, Change 3)

### 6.1 Determining Dislocated Worker Status

In order to receive services as a dislocated worker, an individual must meet one of the following five criteria:

1. **General Dislocation.** An individual must meet all of the following criteria:
  - a. An individual who was terminated or laid off, or who received a notice of termination or layoff, from employment. This includes a separation notice, under other than dishonorable conditions, from active military service.
  - b. Meets either of the following conditions:
    - (i) Is eligible for or has exhausted entitlement to unemployment compensation.
    - (ii) Has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or because they performed services for an employer not covered under a state unemployment compensation law.
  - c. Is unlikely to return to a previous industry or occupation.
2. **Dislocation from Facility Closure/Substantial Layoff.** An individual must meet criteria a **or** b **or** c.
  - a. An individual who was terminated or laid off, or who received a notice of termination or layoff, from employment as a result of any permanent closure of, or substantial layoff at, a plant, facility, or enterprise.
  - b. An individual employed at a facility at which the employer made a general announcement that such facility will close within 180 days.
  - c. For purposes of eligibility for services other than training services included in WIOA Section 134(c)(3), career services included in WIOA Section 134(c)(2)(A)(xii), or supportive services, an individual must be employed at a facility at which the

employer made a general announcement that such facility will close.

3. **Self-employed Dislocation.** An individual who was self-employed (including farmers, ranchers, fishermen, independent contractors, and consultants) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of a natural disaster.
4. **Displaced Homemaker.** An individual who has been providing unpaid services to family members in the home and meets criteria a **and** b:
  - a. Meets either of the following conditions:
    - (i) Has been dependent on the income of another family member, but is no longer supported by that income (e.g., because the other family member was laid off, or because of death or divorce).; or
    - (ii) Is the dependent spouse of a member of the US Armed Forces on active duty and whose family income has been significantly reduced because of the service member's deployment, call or order to active duty, permanent change of station, or service-connected death or disability.
  - b. Is unemployed or underemployed and having trouble obtaining or upgrading employment.
5. **Spouse of Military Service Member.** A spouse of a member of the Armed Forces on active duty who meets either criteria a **or** b:
  - a. Has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station.
  - b. Is unemployed or underemployed and having trouble obtaining or upgrading employment.

(References: WIOA Sections 3(15)-(16); Title 20 CFR Sections 680.130, 680.660, and 682.305; TEGL 19-16)

Refer to Section 6.2 for local definitions and standards for the eligibility criteria.

## 6.2 Definitions and Standards for Eligibility Criteria

The DOL defers to states and Local Boards to define certain eligibility terms. This chapter provides recommendations for defining these terms. Local Boards need to establish definitions to use in determining an individual's eligibility as a dislocated worker so long as the definitions are consistent with the dislocated worker definition in WIOA Section 3(15).

(Reference: Title 20 CFR Section 680.130)

*Attachment to the Workforce* – “Attachment to the workforce” is not defined in the WIOA or DOL regulations. Local Boards may define this term to assist staff in identifying dislocated workers who are not eligible for unemployment compensation but who have been employed

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### Chapter 6 – Additional Eligibility Criteria for Dislocated Workers

for a duration sufficient to demonstrate an attachment to the workforce (e.g., someone who has worked at least three consecutive months during the last 12 months). Verification of attachment to the workforce is only necessary when an applicant was employed by an employer who is not covered under UI or has not worked a sufficient amount of time to qualify for UI.

Additionally, a separating service member who was discharged or released under conditions other than dishonorable, has demonstrated attachment to the workforce.

(References: WIOA Section 3(15)(A)(ii); Title 20 CFR Section 680.660)

WIB definition of attachment to the workforce:

A period of 90 cumulative workdays, either full-time or part-time employment, within the year prior to their WIOA application date. These workdays do not need to be consecutive and may include as little as two hours of work per day.

Acceptable forms of employment include:

- Part-time jobs.
- Self-employment/freelance.  
(examples: childcare provider, domestic workers, rideshare/food delivery driver, photographer, repairer, hairdresser/barber, etc.)

Acceptable forms of document verification include but are not limited to:

- Client pay records.
- Invoices or contracts.
- Self-employment income report.
- Self-attestation.

Employment across multiple employers can be combined to meet the 90-day requirement. Separating service members who were discharged under conditions other than dishonorable, as verified by their DD214 form, also qualifies if their military service demonstrates workforce attachment.

The term "cumulative" refers to the total number of workdays within the specified timeframe, even if they are non-consecutive.

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*Difficulty in Obtaining or Upgrading Employment* – The “difficulty in obtaining or upgrading employment” criterion is used as part of the displaced homemaker criteria but is not defined in the WIOA or regulations. Local Boards may define this term in order to assist staff in identifying displaced homemakers.

WIB definition for difficulty in obtaining or upgrading employment:

Staff must document the challenges individuals face securing employment leading to self-sufficiency, re-entering the workforce, or advancing in their careers after significant life changes. These challenges may result from factors such as:

- Skill gaps or outdated qualifications (e.g., certifications, licenses, or technical knowledge) that no longer meet current industry standards.
- Prolonged absence from the workforce due to caregiving responsibilities or economic dependency on a family member’s income, which has been lost due to separation, divorce, death, or disability.
- Underemployment, which is defined as working in roles that do not align with their skills or economic needs.
- Difficulty explaining the value of unpaid work experience as valid work history, such as caregiving or volunteer work.

Staff should document these challenges by adding case notes and collecting an applicant statement from the participant, which must then be included in the participant’s profile.

*General Announcement* – “General announcement” of intended layoff is not defined in the WIOA or DOL regulations. Local Boards may establish criteria for this term. Local criteria must require a credible source of information, or a documented confirmation from the employer (e.g., a newspaper article, a memorandum from the employer to all employees, a notice posted in the affected facility, notification to applicable labor unions, or any other forms of public notice).

Local criteria for general announcement:

A general announcement of a facility closing must be supported and documented by credible sources, such as a newspaper article, public notice, or other verified communications. It is essential to confirm that the information comes from a reliable source or includes documented confirmation directly from the employer. Additionally, a WARN (Worker Adjustment and Retraining Notification) notice, if available, serves as a key document to substantiate the announcement.

*General Economic Conditions* – “General economic conditions” is not defined in the WIOA or DOL regulations. Local Boards may establish criteria for this term. Local criteria may include,

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among other conditions, self-employment which locally has little demand or has been declining, or the local economy is declining.

WIB criteria for general economic conditions:

The “as a result of general economic conditions in the community in which the individual resides” criterion may include, among other factors, local criteria such as self-employment that has little demand or has been declining or evidence that the local economy is in decline. Examples of such conditions include seasonal economic fluctuations, unforeseen or unusual operating costs impacting business sustainability, and depressed market conditions affecting key industries or sectors within the community.

**Substantial Layoff** – “Substantial layoff” is not defined in the WIOA or DOL regulations. The Worker Adjustment and Retraining Notification (WARN) protects employees and communities by requiring that employers give a 60-day notice to the affected employees and both state and local representatives prior to a plant closing or mass layoff. In California, the threshold for WARN notification, which can be interpreted as a substantial layoff, is any plant closure affecting any number of employees, or a layoff of 50 or more employees within a 30-day period regardless of the percentage of the workforce, or relocation of at least 100 miles affecting any number of employees.

**Unlikely to Return** – “Unlikely to return” is not defined in the WIOA or DOL regulations. Local Boards may define “unlikely to return” to assist staff in identifying dislocated workers. Any of the following considerations may be helpful in defining “unlikely to return”:

- Worked in a declining industry/occupation, as documented on state or locally developed lists of such industries/occupations. State lists are available from the EDD’s Labor Market Information Division. Local lists must be developed by an appropriate entity, such as the Chamber of Commerce, Local Board, economic development agency, a qualified consultant/educational entity, or other valid public use quality source of labor market information.
- Has had a lack of job offers as documented by local EDD Workforce Services or UI staff, rejection letters from employers in the area, or other documentation of unsuccessful efforts to obtain employment in the prior industry/occupation.
- Worked in an industry/occupation with limited job orders in the CalJOBS system at the time of eligibility determination, as certified by staff.
- Is insufficiently educated and/or does not have the necessary skills for reentry into the former industry/occupation, as documented through the assessment of the individual’s educational achievement, testing, or other suitable means.
- Has physical or other challenges which would preclude reentry into the former industry/occupation, as documented by a physician or other professional (e.g., psychiatrist, psychiatric social worker, chiropractor, etc.).

“Unlikely to return” may be defined in terms of family, personal, or financial circumstances that

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may affect the likelihood of the individual returning to their previous occupation or industry for employment. Local definitions need not be based solely on economic conditions and job availability.

If an individual is likely to return to their previous industry or occupation, they should not be served as a dislocated worker during the period leading up to the date of their return to work but may be served in the adult program.

(References: Title 20 CFR Section 680.130; TEGL 19-16)

***Farmworkers, Ranchers, and Fishermen*** – Individuals that may have worked seasonally can be considered “unlikely to return” to work in a previous industry or occupation for a variety of reasons:

1. Change in family situation that requires higher income.
2. Disability that precludes returning to the same occupation.
3. Natural disaster that results in lost wages.
4. Loss of agricultural land.
5. Mechanization.
6. Any significant variance to normal seasonal employment patterns resulting in uncertain return-to-work dates.

Additionally, permanent closures or a substantial layoff from agricultural enterprises or facilities such as packaging or canneries are not excluded from the standard under the WIOA. The WIOA Section 3(15)(C) standard regarding those that were self-employed includes employment as farmers, ranchers, or fishermen and are unemployed due to economic conditions that resulted from general economic conditions in the community in which the individual resides or because of natural disasters. These conditions may include extreme or unusual weather patterns and agricultural and fishing market downturns.

***Profiled and Referred UI Claimants*** – UI profiling refers to a process which uses an automated system to identify claimants likely to exhaust regular UI benefits. After a UI claim is filed and a first payment is made, the EDD’s Worker Profiling and Reemployment Services System identifies claimants likely to exhaust their benefits and refers those claimants to the mandatory Reemployment Services and Eligibility Assessment (RESEA) through the CalJOBS system.

***The Governor has determined that the UI profiling methodology and referral process meets the dislocated worker eligibility criteria in WIOA Section 3(15).*** In this instance, if an individual receives an RESEA appointment then no further documentation is needed to establish the “unlikely to return” criterion at WIOA 3(15)(A)(iii).

(Reference: Title 20 CFR Section 680.130[b][3])

WIB definition of unlikely to return:

A dislocated worker is considered “Unlikely to Return” if they meet all three conditions listed under numbers 1-3. Additionally, Staff must document at least one category in 3 (A–F) that applies to the individual's situation, specify the relevant subcategory in case notes, and collect supporting documentation for the specific subcategory under criterion 3 (“Unlikely to Return”) that applies to their situation.

An individual must meet all of the following requirements:

1. Has been terminated or laid off (or received notice) from employment; or is a separating military service member with a DD-214 or similar documentation.  
**and**
2. Is eligible for or has exhausted unemployment benefits; or has demonstrated workforce attachment but is ineligible for unemployment benefits due to insufficient earnings or working for an employer not covered under state unemployment laws.  
**and**
3. Must be unlikely to return to their previous industry or occupation due to one or more of the following categories and its subcategory.

Criteria for "Unlikely to Return":

A. Labor Market & Employment Factors:

- Lack of job offers documented by rejection letters, job service agencies, or unemployment offices.
- Worked in a declining industry or occupation per labor market data (not just lack of job orders in CalJOBS) records.
- Physical/mental health limitations preventing re-entry, documented by a medical professional.
- Poor employment history, including multiple short-term jobs, long unemployment periods, or reliance on public assistance.
- Job loss due to automation or mechanization (replacement of human labor by machines).

B. Economic & Environmental Disruptions:

- The annual unemployment rate for Tulare County is above 150% of the national average.
- Lost wages (2+ weeks) due to natural disaster or public health emergency.
- Industry was impacted by a public health crisis.
- Labor market shifts (seasonal changes, extreme weather, or other disruptions).

This section continues on the next page.



**C. Barriers to Employment:**

- Offender history.
- High school dropout.
- Homelessness.
- English language learner.
- Older worker (50+).
- Disability (physical or cognitive).
- Basic skills deficient.
- Long-term unemployed (27+ weeks).

**E. Farmworkers & Seasonal Workers:**

- Loss of agricultural land or permanent closures.
- Mechanization replacing manual labor.
- Unpredictable return-to-work schedules.
  - No return-to-work date.

**F. Military Spouses (Special Consideration):**

A military spouse may be deemed "unlikely to return" if relocation or military service obligations significantly impact their ability to regain employment.

Supporting factors include:

- Relocation disrupting career continuity.
- Downgrade in job level/seniority after moving.
- Employment gaps due to frequent moves.
- Industry mismatch in the new location.
- Obsolete skills requiring retraining.

**Documentation & Case Note Requirements:**

- Staff must document all eligibility criteria and sub-criteria in case notes within the participant's file.
  - Case notes must clearly state:
    - The specific eligibility category the participant qualifies under.
    - The supporting evidence collected.
    - How the documentation confirms the "unlikely to return" status.
- The case file must include written documentation verifying the reason the individual is unlikely to return. Acceptable forms of documentation can be found in the WIB WIOA Title I Technical Assistance Guide Acceptable Documentation attachment A.

## 6.3 Layoffs, Furloughs, Temporary Layoffs, and Lockouts

*Layoff* – The permanent or temporary termination of employment of an employee due to a position being abolished, insufficient funds, lack of work, or any other reason not reflecting discredit on the employee (such as dismissal for inadequate performance, violation of workplace rules, cause, etc.).

*Furlough* – The placing of an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons (Title 5 USC Section 7511[a][5]). As such, it is a temporary termination of employment or layoff.

Individuals that are furloughed are laid off. Depending on the local definition of “unlikely to return,” the circumstances of the applicant, and local economic conditions, furloughed individuals may or may not be likely to return to their previous industry or occupation. Local Areas are in the best position to make this determination. If these individuals are likely to return to their previous industry or occupation and need more than basic career services, they may be served as adults, provided they meet the general eligibility criteria outlined in [Chapter 3](#) of this TAG. In some cases, a business, company, or corporation’s furloughs are in fact substantial layoffs and the “unlikely to return” provision does not apply. Local Boards have the discretion to define substantial layoff since the definition depends on local economic conditions.

*Lockout* – Any refusal by an employer to permit any group of five or more employees to work as a result of a dispute with such employees affecting wages, hours, or other terms or conditions of employment of such employees (California Labor Code Section 1132.8). A lockout does not terminate the employer-employee relationship, so locked out employees are not eligible dislocated workers since they have not been terminated or laid off, they are not eligible for unemployment compensation, and they are likely to return to the same industry or occupation once the dispute is resolved. The same guidance applies to employees that are on strike. There may be locked out employees who for financial reasons seek other employment. These individuals may be served as adults, provided they meet the general eligibility criteria outlined in [Chapter 3](#).

## 6.4 Veterans and Military Spouses

### Veterans

One of the criteria used to establish eligibility for a dislocated worker is determining whether the worker was terminated or laid-off. Per the DOL, a separating service member with a discharge that is anything other than dishonorable qualifies the individual for dislocated worker activities provided:

1. The separating service member has received a DD Form 214 Report of Separation or other documentation showing a separation or imminent separation from the Armed Forces to satisfy the termination or layoff part of the dislocated worker eligibility

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criteria.

2. The separating service member qualifies for the dislocated worker eligibility criteria on eligibility for or exhaustion of unemployment compensation.
3. As a separating service member, the individual meets the dislocated worker eligibility criteria that the individual is unlikely to return to the previous industry.

(Reference: Title 20 CFR Section 680.660)

### Military Spouses

The WIOA expanded the definition of dislocated workers and displaced homemakers to include military spouses. A military spouse qualifies for dislocated worker activities provided the following:

1. The military spouse meets the WIOA general eligibility criteria; and
2. The military spouse has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of the spouse, **or** is unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment; or
3. The military spouse's family income is significantly reduced because of any of the following:
  - a. A deployment.
  - b. A call to active duty.
  - c. A permanent change of station.
  - d. The service-connected death or disability of the service member.

(References: WIOA Sections 3[15][E] and 3[16][A]; TEGL 19-16)

The term "whose family income is significantly reduced" is not defined in the WIOA or the DOL regulations. Local Boards may establish criteria for this term.

WIB criteria for significantly reduced family income for veterans and military spouses:

Significantly Reduced Family Income for Veterans and Military Spouses is defined as:

A prolonged absence from the workforce due to caregiving responsibilities or the need to leave employment because of any of the above events listed in section 6.4.

For further guidance, please refer to the latest WIB Directive on Veterans' Priority of Service for the most current information regarding family income.

## 6.5 Related Definitions

*Active Duty* – Full-time duty in the active military service of the United States. Active duty includes full-time training duty, annual training duty, and attendance, while in the active military services, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty. (Reference: Title 10 USC Section 101[d][1])

*Armed Forces* – Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard. (Reference: 10 USC Section 101[4])

*Employment Status* – This following information is to be collected directly from the individual, not from wage records.

1. Employed
  - a. Did any work at all as a paid, unsubsidized employee on the date participation occurs.
  - b. Worked 15 hours or more in an unpaid job on a farm or business operated by a family member. (Reference: TEGL 10-16, Change 3, Attachment 1)
2. Employed, but received notice of termination or military separation
  - a. Has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close.
  - b. Is a transitioning service member.
3. Not Employed
  - a. Those that do not meet any one of the conditions described above.
4. Underemployed
  - a. Individuals employed less than full-time who are seeking full-time employment.
  - b. Individuals who are employed in a position that is inadequate with respect to their skills and training.
  - c. Individuals who are employed and meet the definition of low-income.
  - d. Individuals who are employed, but whose current job earnings are not sufficient compared to their previous job earnings from their previous employment.

(Reference: TEGL 19-16)

*Military Spouse* – An individual who is married to a member of the Armed Forces on active duty or the surviving spouse of an active-duty service member who lost their life while on active-duty service. Consistent with TEGL 26-13, the definition of “military spouse” includes same-sex spouses.

## Chapter 7 - Additional Eligibility Criteria for Youth

To be eligible to receive youth services, an individual must meet the general WIOA eligibility criteria listed in [Chapter 3](#) of this TAG and the additional program eligibility criteria included in this chapter. Local policy, procedures and definitions may be established wherever there is flexibility authorized by the WIOA and DOL regulations.

Local Boards are required to provide case management to all youth participants. Case management is the act of connecting youth to appropriate services and begins at the point of enrollment and must continue throughout program participation and follow-up. Note that, case management is not a program element and does not extend a youth's participation.

Local Boards must provide each participant with information on all applicable or appropriate services that are available through the AJCC system that support the participant's individual service strategy and ensure participants receive referrals to appropriate training and educational programs that have the capacity to serve the participant.

(References: WIOA Sections 129(c)(3)(A)(i) and (ii); 20 Title CFR Section 681.420(a)(3); TEGL 21-16)

### 7.1 Eligibility for Out-of-School Youth Services

To receive services as an OS youth, an individual must meet the following requirements.

*Eligible OS Youth* – Meets the definition provided below:

1. Not less than 16 years of age and not more than 24 years of age.
2. Not attending any secondary or postsecondary school.
3. Has one or more of the following barriers in the table below:  
A youth only needs to meet one of these barriers. However, Local Areas should document all barriers that apply.

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The following table provides clarity on the requirements to meet OS youth eligibility:

| Definition of Barriers for Eligibility of OS Youth: |                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Barrier 1                                           | A school dropout.                                                                                                                                                                                                                                                                                                                                                           |
| Barrier 2                                           | Within the age of compulsory school attendance but has not attended school for at least the most recent complete school year quarter.                                                                                                                                                                                                                                       |
| Barrier 3                                           | A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual <u>and</u> is either basic skills deficient or an English language learner.                                                                                                                                                                                           |
| Barrier 4                                           | An offender.                                                                                                                                                                                                                                                                                                                                                                |
| Barrier 5                                           | <ul style="list-style-type: none"><li>• A homeless individual.</li><li>• A runaway.</li></ul>                                                                                                                                                                                                                                                                               |
| Barrier 6                                           | <ul style="list-style-type: none"><li>• In foster care.</li><li>• Has aged out of the foster care system.</li><li>• Has attained 16 years of age and left foster care for kinship, guardianship, or adoption.</li><li>• A child eligible for assistance under Section 677 of the Social Security Act (42 USC Section 677).</li><li>• In an out-of-home placement.</li></ul> |
| Barrier 7                                           | Pregnant or parenting (including custodial and non-custodial parents).                                                                                                                                                                                                                                                                                                      |
| Barrier 8                                           | A youth with a disability.                                                                                                                                                                                                                                                                                                                                                  |
| Barrier 9                                           | A low-income individual who requires additional assistance to enter or complete an education program or to secure or hold employment.                                                                                                                                                                                                                                       |

(References: Title 20 CFR Section 681.210; WSD17-07)

## 7.2 Eligibility for In-School Youth Services

To receive services as an in-school (IS) youth, an individual must meet the following requirements.

*Eligible IS Youth* – Meets the definition provided below:

1. Is not less than 14 years of age and not more than 21 years of age (Youths with disabilities who are in an individualized education program at the age of 22 may be enrolled as an IS youth).
2. Attending school, including secondary and postsecondary school.
3. Low-income individual.

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### Chapter 7 – Additional Eligibility Criteria for Youth

4. Has one or more of the following barriers:

A youth only needs to meet one of the IS youth barriers in the table below, however Local Areas should document all barriers with the following exception: *IS youth who require additional assistance to complete an education program or secure or hold employment.*

The following table provides clarity on the requirements to meet IS youth eligibility.

| Definition of Barriers for Eligibility of IS Youth: |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Barrier 1                                           | Basic skills deficient.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Barrier 2                                           | An English language learner.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Barrier 3                                           | An offender.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Barrier 4                                           | <ul style="list-style-type: none"><li>• A homeless individual.</li><li>• A runaway.</li></ul>                                                                                                                                                                                                                                                                                                                                                        |
| Barrier 5                                           | <ul style="list-style-type: none"><li>• In foster care.</li><li>• Has aged out of the foster care system.</li><li>• Has attained 16 years of age and left foster care for kinship, guardianship, or adoption.</li><li>• A child eligible for assistance under Section 677 of the Social Security Act (42 USC Section 677).</li><li>• In an out-of-home placement.</li></ul>                                                                          |
| Barrier 6                                           | Pregnant or parenting (including custodial and non-custodial parents).                                                                                                                                                                                                                                                                                                                                                                               |
| Barrier 7                                           | A youth with a disability.                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Barrier 8                                           | <p>A low-income youth who requires additional assistance to complete an education program or to secure or hold employment.</p> <p>Note: No more than five percent of IS youth enrolled in a given program year may be found eligible based solely on meeting this category. WIOA Youth programs should only report IS youth as having this barrier if it is their only barrier, and therefore the barrier is used for eligibility determination.</p> |

(References: WIOA Section 129(a)(3); Title 20 CFR Sections 681.220 and 681.310; TEGL 09-22; WSD17-07)

### **Five Percent Limitation for In-School Youth Eligibility**

In each Local Area, not more than five percent of the IS youth newly enrolled in a given program year (PY) may be eligible based on the “requires additional assistance to complete an educational program or to secure or hold employment” criterion. To ensure as many IS youth as possible are served, Local Areas should only report a youth as having this barrier if it is their only barrier.

Note – The five percent limitation for IS youth who require additional assistance is not the same as the five percent low-income exception.

(Reference: TEGL 09-22)

### **7.3 Five Percent Low-Income Eligibility Exception**

The WIOA maintains a five percent low-income eligibility exception under which five percent of Local Area youth who ordinarily would need to be low-income do not need to meet the low-income provision. A program must calculate the five percent based on the percent of newly enrolled youth in the Local Area’s WIOA youth program in a given PY who would ordinarily be required to meet the low-income requirement.

To determine whether a youth must be low-income in order to qualify for the youth program, the Local Area should first consider whether the participant is an OS youth or IS youth. The low income requirement applies only to OS youth with certain barriers (see the section on Eligibility for OS Youth), whereas all IS youth must be low income unless the five percent eligibility exception is applied.

The five percent low-income exception may include OS youth, IS youth, or a combination of both, but must not exceed five percent of all WIOA youth participants served in a given PY.

(References: Title 20 CFR Section 681.250; WSD17-07)

### **7.4 Local Definitions and Eligibility Criteria**

*Basic Skills Deficient* – Meets the following definition with respect to an individual:

1. A youth who has English, reading, writing, or computing skills at or below the 8<sup>th</sup> grade level of a generally accepted standardized test.

In assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities.

2. A youth or adult 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.



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*Criteria used to determine whether an individual is basic skills deficient includes the following:*

- ***Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.***
- ***Enrolled in a Title II Adult Education/Literacy program.***
- ***English, reading, writing, or computing skills at an 8.9 or below grade level.***
- ***Determined to be Limited English Skills proficient through staff-documented observations.***
- ***Other objective criteria determined to be appropriate by the Local Area and documented in its required policy.***

Refer to the *WIOA Acceptable Documentation List* for more detailed information on determining whether an individual meets the basic skills deficient criterion.

The WIOA and DOL regulations do not further define the level of literacy necessary to function on the job, in the individual's family, or in society. Survival skills such as computer skills, balancing a checkbook, budgeting a family's income, or filing a tax return, may be considerations when defining these areas. Such definitions may provide greater flexibility in achieving basic skills goals for an individual who is basic skills deficient and may have difficulty achieving an 8th grade level of literacy within a specified program period.

Describe the local definition and eligibility documentation requirements for "deficient in basic literacy skills" below:

The WIB's definition of deficient in basic literacy skills:

- The WIB adopts the state's criteria to determine whether an individual is basic skills deficient, as identified above.
- For ***English, reading, writing, or computing skills***, the WIB's local policy is to utilize the Comprehensive Adult Student Assessment Systems (CASAS) assessment results to document basic literacy.

(References: WIOA 3[5]; Title 20 CFR Section 681.290; WSD15-14)

### **Use of Funds for Youth Who Require Additional Assistance**

Section 7.2 describes the five percent limitation for IS youth where no more than five percent of IS youth in a given PY may be found eligible based on the criterion "requires additional assistance to complete an educational program or to secure or hold or to secure or hold employment."

For OS youth, the criterion is similar, but the provision is changed to add the phrase "to enter": an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

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Local Boards are responsible for establishing local definitions and eligibility documentation requirements for “requires additional assistance” as it relates to both OS youth and IS youth. The local policy should be reasonable, quantifiable, and based on evidence that the specific characteristic of the youth identified in the policy objectively requires additional assistance. As outlined in the State Plan, examples could include, but are not limited to, the following:

- Have repeated at least one secondary grade level or are one year over age for grade.
- Have a core grade point average (GPA) of less than 1.5.
- For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school.
- Are emancipated youth.
- Have aged out of foster care.
- Are previous dropouts or have been suspended five or more times or have been expelled.
- Have received court/agency referrals mandating school attendance.
- Are deemed at risk of dropping out of school by a school official.
- Have been referred to or are being treated by an agency for a substance abuse related problem.
- Have experienced recent traumatic events, are victims of abuse, or reside in an abusive environment as documented by a school official or other qualified professional.
- Have serious emotional, medical or psychological problems as documented by a professional.
- Have never held a job (applies to older youth).
- Have been fired from a job within the 12 months prior to application (applies to OS youth).
- Have never held a full-time job for more than 13 consecutive weeks (applies to OS youth).

Again, the eligibility criterion is slightly different for IS youth and OS youth, in that the criterion for OS youth contains the phrase “to enter or complete an education program” while the IS youth language states “to complete an education program.” The DOL determined that the difference is significant enough to require Local Areas to establish definition of “requires additional assistance” for both OS youth and IS youth.

(References: Title 20 Sections 681.300 – 681.310; WSD17-07)

Include the local definition for an IS youth who “requires additional assistance” below:

The WIB’s policy for an ISY individual who requires additional assistance to complete an educational program, or to secure and hold employment:

Subrecipients must obtain prior approval before enrolling an ISY participant under the "Requires Additional Assistance" eligibility criterion. It is important to note that, under WIOA regulations, the number of In-School Youth determined eligible based on this criterion must not exceed five percent of the total ISY enrollment in any program year.

The WIB defines an **ISY** requiring additional assistance as an individual who meets one or more of the following education or personal boundaries:

**1. Educational Barriers:**

- a) Has repeated at least one secondary grade level or is one year over the grade level age.
- b) Is a previous dropout or has been suspended three or more times, or has been expelled.
- c) Has a cumulative grade point average (GPA) of a 2.0 or below.
- d) Has received a court or agency referral mandating school attendance.
- e) Is deemed at risk of dropping out of school documented by a school official.
- f) For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school.

**2. Personal Barriers:**

- a) Has aged out of foster care.
- b) Is an emancipated youth.
- c) Has an incarcerated parent(s).
- d) Is a gang-involved youth or at risk of gang involvement.
- e) Has been referred to or is being treated by an agency for a substance abuse related problem.
- f) Has experienced a recent traumatic event or is a victim of abuse, or resides in an abusive environment.
- g) Has an emotional, medical, or psychological problem as documented by a professional (i.e., counselor, medical institution, therapist, etc.).
- h) An individual or is a member of a household who performs agricultural work.
- i) An individual who identifies as Lesbian, Gay, Transgender, Queer or Questioning, Plus (LGBTQ+).

This section continues on the next page.

**Request for Requires Additional Assistance**

To request approval of the "Requires Additional Assistance" eligibility criterion, the Staff

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must follow these steps:

1. Complete the WIB Subsequent Request Form:
  - Under "Type of Request," check the "Other" box and specify: Request additional assistance to complete an educational program.
  - Provide justification by referencing one or more of the defined criteria.
2. Submit the Form:
  - The Staff must submit the completed form to the WIB Program Team.
3. Review Process:
  - WIB staff will review the request within three business days and issue either an approval or denial.

Include the local definition for an OS youth who “requires additional assistance” below:

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The WIB's policy for an OSY individual who requires additional assistance to enter or complete an educational program, or to secure and hold employment:

To align with the WIB's and WIOA's mission of supporting youth facing educational and employment barriers, the WIB defines an **out-of-school youth** requiring additional assistance as an individual who meets one or more of the following educational, employment or personal barriers:

**1. Educational Barriers:**

- a) Has not regularly attended school in the past six months.

**2. Employment Barriers:**

- a) Has not been employed full-time or part-time in the past six months.
- b) Has been terminated from a job within the 12 months preceding the application.
- c) Has never held a full-time job for more than 13 weeks.

**3. Personal Barriers:**

- a) Has aged out of foster care.
- b) Is an emancipated youth.
- c) Has an incarcerated parent(s).
- d) Is a gang-involved youth or at risk of gang involvement.
- e) Has been referred to or are being treated by an agency for a substance abuse related problem.
- f) Has experienced a recent traumatic event or is a victim of abuse, or resides in an abusive environment.
- g) Has an emotional, medical, or psychological problem as documented by a professional (i.e., counselor, medical institution, therapist etc.).
- h) An individual or is a member of a household who performs agricultural work.
- i) An individual who identifies as Lesbian, Gay, Transgender, Queer or Questioning, Plus (LGBTQ+).

*Dropout* – School dropouts and youth who are within the age of compulsory school attendance but have not attended school for at least the most recent complete school year quarter are two separate barriers but share many of the same characteristics. The confusion for a youth within compulsory school age is determining an exact date for when dropout occurred or if instead the Local Area must wait one school quarter for the youth to qualify for the OS youth program.

Neither the California Department of Education (CDE) nor the US Department of Education (DOE) have established a set number of days a student must miss before the school determines dropout status. Instead, the CDE and DOE define dropout for the purpose of annual statistics. Local educational agencies are responsible to report student exit codes for annual dropout rate statistics to the CDE (California Education Code 48070.6). This means Local Areas working with school districts are in the best position to determine dropout status.

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Note that a school district may designate a youth as a dropout prior to the end of a school quarter, which would qualify the youth as a dropout. Conversely, a school district may not report dropout status well past a school quarter, in which case the youth may qualify under the compulsory school age barrier.

*Compulsory School Age* – Compulsory school attendance in California is between the ages 6 and 18. On a youth's 18<sup>th</sup> birthday, the youth is no longer subject to compulsory attendance, but they may continue to attend school until high school graduation. The CDE strongly recommend that 18-year-old high school students finish their high school education, but it is not a legal mandate for them to attend after their 18<sup>th</sup> birthday. (Reference: Education Code [EC] Section 48200) A youth who chooses not to attend school after their 18<sup>th</sup> birthday may be reported as a dropout.

The following table will help Local Areas distinguish these two barriers:

| Dropout                                                                                                                                                                                                                                                                                                                   | Within compulsory school age                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• Age 16-24 years old</li></ul>                                                                                                                                                                                                                                                     | <ul style="list-style-type: none"><li>• Age 16-17 years old</li></ul>                         |
| <ul style="list-style-type: none"><li>• Not attending school</li></ul>                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"><li>• Not attending school</li></ul>                        |
| <ul style="list-style-type: none"><li>• Has not received a secondary diploma or GED</li></ul>                                                                                                                                                                                                                             | <ul style="list-style-type: none"><li>• Has not received a secondary diploma or GED</li></ul> |
| No specific wait time: <ul style="list-style-type: none"><li>• The school district identifies a youth who is under 18 years of age as a dropout.</li><li>• The youth is 18 - 24 years old and self-attests to dropout status. This includes 18-year-olds who attend school on the day previous to dropping out.</li></ul> | Must not have attended school for a school/calendar quarter.                                  |

*Truancy* – California defines truancy as being absent from school without a valid excuse three full days in one year or tardy or absent more than any 30-minute period during the school day without a valid excuse on three occasions in one year, or any combination thereof, unless excused or exempted. A truant (and also a dropout) is in violation of California's compulsory school attendance laws and is subject to arrest, and the parents are subject to infraction fines. Additionally, a school district is not permitted to sanction violation of truancy laws by issuing a youth a work permit. A truant (and also a dropout) is subject to arrest, and the parents are subject to infraction fines if the minor is found working without a work permit.

(References: EC Sections 48260, 48264, 48293, and 49112)

## 7.5 Youth Related Definitions

*Attending School* – an individual is considered to be attending school if the individual is enrolled

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### Chapter 7 – Additional Eligibility Criteria for Youth

in secondary or postsecondary school. If a youth is between high school graduation and postsecondary education, the youth is considered an IS youth if they are registered for postsecondary education, even if they have not yet begun postsecondary classes. However, if the youth registers for postsecondary education, but does not follow through with attending classes, the youth is considered OS youth if the eligibility determination is made after the youth decided not to attend postsecondary education. Youth on summer break are considered IS youth if they are enrolled to continue school in the fall.

*Not Attending School* – an individual who is not attending a secondary or postsecondary school. In addition, individuals enrolled in the following programs would be considered an OS youth for eligibility purposes:

- WIOA Title II Adult Education, YouthBuild, Job Corps, high school equivalency program, or dropout re-engagement programs. However, youth attending high school equivalency programs funded by the public K-12 school system who are classified by the school system as still enrolled in school are the exception; they are considered IS youth.
- Non-credit bearing postsecondary classes only.  
Note – Youth enrolled in any credit-bearing postsecondary education classes, including credit-bearing community college classes and credit-bearing continuing education classes, then they are considered attending postsecondary education, and, therefore, an IS youth.
- ***A charter school program that provides instruction exclusively in partnership with WIOA, federally-funded YouthBuild programs, federal Job Corps training, instruction, California Conservation Corps or a state certified local conservation corps (in alignment with EC Section 47612.1).***

More detailed guidance related to determining an individual's school status can be found in TEGL 21-16.

(References: 20 CFR Sections 681.210-681.230; TEGL 21-16; State Plan; WSD17-07)

*Offender* – Any adult or juvenile who meets the following criteria:

1. Is or has been subject to any stage of the criminal justice process, for whom services under the WIOA may be beneficial.
2. Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

(Reference: WIOA Section 3[38])

*Out-of-Home Placement* – Encompasses the placements and services provided to youths and families when a youth must be removed from their homes because of safety concerns, as a result of serious parent-youth conflict, or to treat serious physical or behavioral health conditions which cannot be addressed within the family. Youths in out-of-home care may live in a number of possible settings. These include kinship or relatives' homes, family foster homes,

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treatment foster homes, or group or residential care. (US Department of Health and Human Services information)

*Pregnant or Parenting Youth* – An individual who is pregnant or a custodial or non-custodial parent including non-custodial fathers

***Postsecondary School – Postsecondary education means a formal institutional educational program whose instruction is designed primarily for students who have completed or terminated their secondary education or are beyond the compulsory age of secondary education, including programs whose purpose is academic, vocational, or continuing professional education. (EC 94857)***

*School Dropout* – an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent (WIOA Section 3[54]). In accordance with TEGL 08-15, this term does not include individuals who dropped out of postsecondary school.

*Secondary School* – a nonprofit institutional day or resident school, including a public secondary charter school, that provides secondary education, as determined under state law, except that the term does not include any education beyond grade 12 (Title 20 USC Section 1401[27]).



## Chapter 8 - Low-Income Individual Determination

The determination of low-income status applies to the WIOA youth and adult programs.

### 8.1 Low-Income Individual

*Low-Income Individual* - An individual, who meets the following criteria:

1. Receives, or in the past six months has received, or is a member of a family that receives or in the past six months has received:
  - a. Supplemental nutrition assistance program (SNAP).
  - b. Temporary assistance for needy families (TANF).
  - c. Supplemental security income (SSI).
  - d. Local income-based public assistance.
2. Is in a family with total family income that does not exceed the higher of the following:
  - a. The [federal poverty line](#).
  - b. Seventy percent of the [LLSIL](#).
3. Qualifies as a [homeless](#) individual.
4. Receives or is eligible to receive a free or reduced-price lunch under the *Richard B. Russell National School Lunch Act*.
5. Is a foster child on behalf of whom state or local government payments are made.
6. Is an [individual with a disability](#) whose own income meets the requirements of a program described in (2), but who is a member of a family whose income does not meet such requirements.

(Reference: WIOA Section 3[36])

### Low-Income Exceptions for Youth

In addition to the above criteria, an IS youth or OS youth automatically qualifies as low-income if the youth lives in a high-poverty area. A high-poverty area is one of the following that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey (ACS) 5-Year data:

- A County
- A Census tract
- A set of contiguous Census tracts
- An American Indian Reservation
- Other tribal land as defined by USDOL in guidance

Local Areas may access ACS 5-Year data on the [US Census Fact Finder](#) website to determine the poverty rate. WSD17-07 provides step-by-step instruction on how to calculate the poverty rate.

(References: Title 20 CFR Section 681.260; TEGL 21-16, WSD17-07)

Additionally, an IS youth who receives or is eligible to receive free or reduced-price lunch would

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meet low-income requirements. However, in schools where the entire school automatically receives free or reduced-price lunch, WIOA programs must base low-income status on the individual student's eligibility to receive free or reduced-price lunch or on their ability to meet one of the other low-income categories outlined above.

In accordance with TEGL 21-16, an OS youth who is a parent living in the same household as a child who receives or is eligible to receive free or reduced-price lunch based on their income level, can also meet low-income criteria in the same manner as IS youth based on their child's qualification.

(References: TEGL 21-16; WSD17-07)

## **8.2 Low-Income Related Definitions**

*Lower Living Standard Income Level* – The income level (adjusted for regional, metropolitan, urban, and rural differences and family size), determined annually by the US Department of Labor based upon the most recent lower living family budget. The LLSIL is published annually in the Federal Register. (Reference: WIOA Section 3[36][B])

*Federal Poverty Line* – The income level at which families are considered to live in poverty, as annually determined by the US Department of Health and Human Services. The poverty level is published annually in the Federal Register. (Reference: Title 42 USC Section 9902[2])

*Public Assistance* – Federal, state, or local government cash payments for which eligibility is determined by a needs or income test. The statutory definition of public assistance contains a two-part test:

1. The program must provide cash payments.
2. Eligibility for the program must be determined by a needs or income test.

(Reference: WIOA Section 3[50])

*Homeless* – Any adult or youth meeting the conditions as defined in the *Violence Against Women Act of 1994* (Title 42 USC Section 14043e-2[6]) or the *McKinney-Vento Homeless Assistance Act* (Title 42 USC Section 11434a[2]). Conditions include the following:

1. An individual who lacks a fixed, regular, and adequate nighttime residence to include any of the following:
  - a. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.
  - b. Living in a motel, hotel, trailer park, or campground due to lack of alternative adequate accommodations.
  - c. Living in an emergency or transitional shelter.
  - d. Abandoned in a hospital.
  - e. Awaiting foster care placement.
2. An individual who has primary nighttime residence that is a public or private place not

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designed for or ordinarily used as a regular sleeping accommodation (e.g., cars, parks, public spaces, abandoned buildings, substandard housing, bus train station, or similar settings).

3. A child who is a migratory agricultural worker or fisher or living with a parent who is a migratory agricultural worker or fisher and is living in circumstances described above.

*Individual with a Disability* – The term disability means one of the following, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities:
  - a. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
  - b. Major life activities also include the operations of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
2. A record of such an impairment; or
3. Being regarded as having such impairment.
  - a. The individual establishes that they have been subjected to an action prohibited under the Americans with Disabilities Act (ADA) because of an actual or perceived physical or mental impairment, whether or not the impairment limits or is perceived to limit a major life activity.
  - b. “Being regarded as having such an impairment” shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

(Reference: Title 42 USC Section 12102)

***Emancipated Minor – Any person under the age of 18 who meets any of the following criteria:***

- 1. Has entered into a valid marriage, whether or not such marriage was terminated by dissolution.***
- 2. Is on active duty with any of the armed forces of the United States of America.***
- 3. Has received a declaration of emancipation pursuant to California Family Code 7122.***

***(Reference: California Family Code, Section 7002)***

*Runaway Youth* – A person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of a parent or legal guardian. (Reference: Title 42 USC Section 5732 a[4])

*Out-of-Family Youth* – Court adjudicated youth separated from the family (including

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incarcerated youth), homeless, runaway, and emancipated youth. For purposes of determining income eligibility, out-of-family youth are considered a “family of one.”

*Family* – Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories:

1. A married couple and dependent children.
2. A parent or guardian and dependent children.
3. A married couple.

Refer to the *WIOA Title I Acceptable Documentation List* for a list of documents that can be used to determine family size.

(References: Title 20 CFR Section 675.300; TEGL 21-16)

*Foster Child* – A youth participant who is currently in foster care or who 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 the *John H. Chafee Foster Care Independence Program*, or in an out-of-home placement.

(References: Title 20 CFR Sections 681.210 and 681.220; TEGL 21-16)

### 8.3 Dependent Children

*Dependent Children* – Children who can be claimed as a dependent on their parent’s income tax return. To meet the Internal Revenue Service qualifications a child must meet relationship, age, residency, support, and joint return criteria:

1. Relationship – A child must be as follows:
  - a. A son, daughter, stepchild, foster child, or a descendant (including adopted and foster child).
2. Age – A child must be as follows:
  - a. Under age 19 at the end of the calendar year.
  - b. A student under age 24 at the end of the calendar year.
  - c. Permanently and totally disabled at any time of the year regardless of age.
3. Residency – A child must have lived with the WIOA participant for more than half the year (Exception to the time requirement include temporary absences, children who were born or died during the year, kidnapped children and children of divorced or separated parents).
  - a. Temporary absences include illness, education, business, vacation, military service, and detention in a juvenile facility.
4. Support – A child pays less than half of their own support for the year.
5. Joint return – A child cannot file a joint tax return for the year unless the joint return is only to claim a refund of income tax withheld or estimated tax paid:

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- a. Example of joint return exception: A WIOA participant's 18-year old son and his 17-year old wife had \$800 of wages from part-time jobs and no other income. They lived with the WIOA participant all year. Neither is required to file a tax return, but taxes were taken out of their pay so they filed a joint return only to get a refund of the withheld taxes.

For additional examples of each qualifying criterion see [IRS publications](#) on personal exemptions and dependents.

Local Boards may establish policy and procedures for determining the dependency of youth who do not fall into one of the defined categories above, or for whom income tax information is not available. As it is not possible to develop policy that will cover every situation, Local Boards should establish policy that allows for common sense, humanity, and good case records. Include these local policy and procedures below.

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WIB dependency policies and procedures apply to Youth and Adult Services.

The table below is designed to help staff determine whether an individual is considered a dependent or has a dependent. When verifying family size or dependency status, staff must determine whether the individual is classified as dependent or independent as appropriate.

| <b>Automatically Considered Independent</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• <b>Individuals aged 18-24</b> who are attending school and living independently (without parental support).</li><li>• <b>Individuals aged 21 and older</b> who are not enrolled in school.</li><li>• <b>Individuals over the age of 18</b>, regardless of living situation or school status, is considered independent if they meet any of the following criteria:<ul style="list-style-type: none"><li>○ Are a parent between the ages of 18-24.</li><li>○ Receive TANF, food stamps, or Social Security benefits.</li><li>○ Are married (including separated but not divorced).</li><li>○ Live in their own residence or a residence without financial or other support from parents or guardians.</li><li>○ Are a veteran of the U.S. Armed Forces.</li><li>○ Provides a minimum of 51 percent of their own financial support.<ul style="list-style-type: none"><li>▪ This means that the participant is responsible for covering the majority of their living expenses, such as rent, utilities, food, transportation, and other personal costs, without significant assistance from parents, guardians, or other individuals. Staff may use the WIB Directive on 70% LLSIL, Poverty Guidelines, and Self-Sufficiency Levels for 2024 to determine if the participant earns 51% or more of their own income to be considered independent.</li></ul></li></ul></li></ul> |
| <b>Dependency Status Must Be Determined</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <ul style="list-style-type: none"><li>• <b>Individuals aged 18-24</b> who are attending school and live with a parent or guardian in a single residence must verify their dependency status.</li><li>• <b>Individuals aged 18-20</b> who do not meet the criteria above, are not enrolled in school but live with a parent or guardian in a single residence must verify their dependency status.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |






This section continues on the next page.

**Verification of Dependency Status:**

To confirm dependency, the following documentation may be required:

- A. Income Tax Records: Submit copies of the participant's or their parents' most recent tax returns.
  - If providing the participant's parents' tax return:  
Locate the "Dependents" section. If the participant's name appears here, it indicates they were claimed as a dependent.
  - If providing the participant's own tax return:  
Locate the section that states "Someone can claim you as a dependent on their return." If the checkbox next to this statement is marked, the participant was claimed as a dependent.
- B. Court Documents: Legal records such as custody agreements, guardianship orders, or adoption papers.
- C. Self-Attestation: A signed statement from the participant or their parent/guardian explaining their dependency status.

**Documentation of Verification of Independent Status:**

- A. Income Tax Records.
  - Locate the section that states "Someone can claim you as a dependent on their return." If the checkbox next to this statement is not checked, it indicates that the participant was not claimed as a dependent.
- B. Birth Record with a case note stating the relationship with the participant.
- C. Records from a government agency stating benefits.
- D. Marriage License.
- E. For veterans: DD-214, Military ID card, or other documents listed in Attachment Table 7 – Category 1 are acceptable forms of documentation.
- F. Self-attestation: A signed statement from the participant verifying that they meet one of the independent status criteria.

**Claimant Status Update:**

When a participant's tax claimant status is updated from the most recent tax filing period, a self-attestation must be collected to verify the participant's new status (dependent or independent).

## 8.4 Determining Low-Income Status

### Income Sources

Low-income status is one of the barriers to employment and is used in determining priority of service for the Adult program and eligibility for the Youth program. Income is also used to calculate economic self-sufficiency and is a part of the definition of displaced homemaker. The guidance below outlines the type of income that can be considered for these purposes.

### *Included Income*

The following income sources should be included in an individual's income calculation:

1. Monetary compensation for services, including wages, tips, salary, commissions, or fees before any deductions.
2. Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expense).
3. Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses).
4. Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends (e.g., wages from the California Conservation Corp).
5. Alimony, military family allotments, or other regular support from an absent family member or someone not living in the household.
6. Private pensions, government employee pensions (including military retirement pay).
7. Regular insurance or annuity payments (including state disability insurance).
8. College or university scholarships (not needs-based), grants, fellowships, and assistantships.
9. Net gambling or lottery winnings.
10. Severance payments.
11. Terminal leave pay.
12. Social Security Disability Insurance (SSDI) payments.
13. Social Security old age and survivors' insurance benefits.
14. Unemployment insurance.
15. Regular child support payments (including foster care child payments).

The following income sources should **not** be included in an individual's income calculation:

1. Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants.
2. Supplemental Educational Opportunity Grants and Federal Work Study.
3. Needs-based scholarship assistance.
4. Loans.
5. Veterans' benefits.
6. All pay and/or financial allowances earned while the veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education



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assistance. (Title 20 CFR Section 683.230)

7. Capital gains.
8. Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car.
9. Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury.
10. Non-cash benefits such as employer paid or union-paid portion of health insurance or other fringe benefits, food or housing received in lieu of wages.
11. The value of food and fuel produced and consumed on farms.
12. The imputed value of rent from owner occupied nonfarm or farm housing.
13. Indian General Welfare Benefits (Reference: [Title 26 USC Section 139E](#))
14. Medicare, Medicaid, food stamps, school meals, and housing assistance, and other state or local income-based public assistance.
15. Allowances, earnings, and payments to individuals participating in programs under WIOA Title 1. (Reference: Title 20 CFR Section 683.275[d])
16. When a federal statute excludes income received under that statute in determining eligibility for programs operated under other federal laws, such income is *excluded* in WIOA eligibility determination as well.

(Reference: WIOA Section 3[36])

### Calculating Income

Individuals normally receive income as salary, varying, or intermittent payments. Local Areas may calculate an individual's income using the following methods:

1. Salary – Salary is income received without variation in gross pay from pay period to pay period. Salary information may be provided in a series of pay stubs or one, cumulative pay stub.

To determine an individual's gross income for the most recent six-month time period, multiply the individual's weekly gross pay by 26, bi-weekly pay by 13, bi-monthly pay by 12, or monthly pay by 6.

**Example:** Bi-weekly pay stubs indicate a gross amount of \$548.

$\$548 \times 13 = \$7,124$ , the income for the most recent six-month time period

To determine the individual's annual gross income, multiply their weekly gross pay by 52, bi-weekly pay by 26, bi-monthly pay by 24, or monthly pay by 12.

**Example:** Year-to-date earnings of \$16,812 with bi-monthly payments. There were 18 bi-monthly payments of \$934.

$\$16,812 \div 18 = \$934$ , the bi-monthly payment amount  
 $\$934 \times 24 = \$22,416$ , the annual gross income

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2. Varying – When reported earnings vary from pay period to pay period, annualize the average of the earnings submitted. The earnings may be submitted on a number of pay stubs or on one cumulative pay stub.

**Example:** Six weekly pay stubs report the following gross earnings: \$534, \$475, \$398, \$534, \$498, and \$534.

Add:  $\$534 + \$475 + \$398 + \$534 + \$498 + \$534 = \$2,973$

Divide:  $\$2,973 \div 6 = \$495.50$ , the average gross weekly earnings

Multiply:  $\$495.50 \times 52 = \$25,766$ , the annual gross income

3. Intermittent – Earnings are varied and include periods of unemployment. With as much data as possible, determine the annual gross income by adding the reported earnings.

### The Lower Living Standard Income Level and Poverty Guidelines

The LLSIL and poverty guidelines are used to establish low-income status for WIOA Title I programs. Local Areas use the LLSIL and poverty guidelines respectively to determine eligibility for certain youth, eligibility for employed adults for certain services, and self-sufficiency. The LLSIL and poverty guidelines can be found in the EDD LLSIL and Poverty Guidelines webpage.

The WIOA specifies that only the income received during the six-month period immediately prior to the individual's application for WIOA-funded services is used for income determination. Depending on an individual's situation, their income for eligibility purposes may include only their income (e.g., out-of-family youth) or their total family income. The total family income includes the income from each family member.

For more information on how to use the LLSIL and poverty guidelines to determine low-income status or self-sufficiency for WIOA Title I programs, refer to the [LLSIL and Poverty Guidelines Directive WSD24-02](#).

## Chapter 9 - Definitions

Below is a list of terms defined throughout the TAG.

**Active Duty** – Full-time duty in the active military service of the United States. Active duty includes full-time training duty, annual training duty, and attendance, while in the active military services, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty. (Reference: Title 10 USC Section 101[d][1])

**Armed Forces** – Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard. (Reference: 10 USC Section 101[4])

**Attachment to the Workforce** – Locally defined. Click on the term to go to the local definition.

**Barriers to Employment** – As defined in the WIOA Section 3(24), the term “individual with a barrier to employment” means a member of *one or more* of the following populations:

1. [Displaced Homemakers](#)
2. [Low-income individuals](#)
3. Indians, Alaska Natives, and Native Hawaiians (WIOA Section 166)
4. Individuals with disabilities, including youth who are individuals with disabilities (WIOA Section 3(25))
5. Older individuals (WIOA Section 3(39))
6. [Offender/Ex-offenders](#)
7. [Homeless Individuals](#)
8. Youth who are in or have aged out of the [foster care](#) system
9. Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers (WIOA Sections 3(21) and 203(7))
10. Eligible migrant and seasonal farmworkers (WIOA Section 167(i))
11. Individuals within 2 years of exhausting lifetime eligibility under part A of Title IV of the Social Security Act (42 USC Section 601 et seq.)
12. Single parents (including single pregnant women)
13. Long-term unemployed individuals (TEGL 19-16)
14. Such other groups as the Governor involved determines to have barriers to employment. As of January 1, 2018, California includes:
  - ***Transgender and gender non-confirming individuals (Senate Bill 396)***  
(Workforce Services Information Notice WSIN17-22)

**Basic Skills Deficient** – The following definition applies with respect to an individual:

1. A youth who has English, reading, writing, or computing skills at or below the 8<sup>th</sup> grade level of a generally accepted standardized test. In assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target

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population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. (Reference: Title 20 CFR Section 681.290)

2. A youth or adult 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. (Reference: WIOA Section 3[5])

**CalJOBS<sup>SM</sup>** – CalJOBS is California's online resource to help job seekers and employers navigate the state's workforce services and serves California's WIOA Titles I and III federally recognized "system of record" for the participant tracking and reporting for the WIOA and the W-P.

**Covered Person** – Related to the application of priority of service, a covered person is a veteran or eligible spouse.

**Deficient in Basic Literacy Skills** – Locally defined. Click on the term to go to the local definition.

**Dependent Children** – Children who can be claimed as a dependent on their parent's income tax. To meet the Internal Revenue Service qualifications a child must meet relationship, age, residency, support, and joint return criteria.

**Displaced Homemaker** –An individual who has been providing unpaid services to family members in the home and meets criteria a **and** b:

- a. Meets either of the following conditions:
  - (i) Has been dependent on the income of another family member, but is no longer supported by that income (e.g., because the other family member was laid off, or because of death or divorce); or
  - (ii) Is the dependent spouse of a member of the US Armed Forces on active duty and whose family income has been significantly reduced because of the service member's deployment, call or order to active duty, permanent change of station, or service-connected death or disability.
- b. Is unemployed or underemployed and having trouble obtaining or upgrading employment.

**Eligible Spouse** – The spouse (including the same-sex spouse) of any of the following:

1. Any veteran who died of a service-connected disability.
2. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - a. Missing in action.
  - b. Captured in the line of duty by a hostile force.
  - c. Forcibly detained or interned in the line of duty by a foreign power.
3. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the VA.

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4. Any veteran who died while a disability was in existence.

(Reference: Title 38 USC Section 4215[a]).

**Emancipated Minor** – Any person under the age of 18 who meets the following criteria:

1. *Has entered into a valid marriage, whether or not such marriage was terminated by dissolution.*
2. *Is on active duty with any of the armed forces of the United States of America.*
3. *Has received a declaration of emancipation pursuant to California Family Code 7122.*

(Reference: The California Family Code, Section 7002)

**Employed** – An individual is considered employed at the date of participation if they meet any of the following criteria:

1. Employed
  - a. Did any work at all as a paid, unsubsidized employee on the date participation occurs.
  - b. Worked 15 hours or more in an unpaid job on a farm or business operated by a family member. (Reference: TEGL 10-16, Change 3, Attachment 1)
2. Employed, but received notice of termination or military separation
  - a. Has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close.
  - b. Is a transitioning service member.

(Reference: TEGL 10-16, Change 3, Attachment 1)

**Equal Opportunity (EO) Data** – Data on race and ethnicity, age, sex, and disability required by 29 CFR Part 38 governing nondiscrimination. Although staff must ask, participants are not required to provide information.

**Family** – Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories:

1. A married couple and dependent children.
2. A parent or guardian and dependent children.
3. A married couple.

(References: Title 20 CFR Section 675.300; TEGL 21-16 and TEGL 26-13)

**Foster Child** – A youth participant who is currently in foster care or who 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 the *John H. Chafee Foster Care Independence Program*, or in an out-of-home placement.

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(References: Title 20 CFR Sections 681.210 and 681.220; TEGL 21-16)

**Furlough** – The placing of an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons [Title 5 USC Section 7511(a)(5)]. As such, it is a temporary termination of employment or layoff.

**General Announcement** – Locally defined. Click on the term to go to the local definition.

**General Economic Conditions** – Locally defined. Click on the term to go to the local definition.

**Homeless** – The term homeless, homeless individual, or homeless person includes the following:

1. An individual who lacks a fixed, regular, and adequate nighttime residence.
2. An individual with 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, including a car, park, abandoned building, bus or train station, airport, or camping ground.
3. An individual living in a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing).
4. An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided.
5. An individual who meets the following criteria:
  - a. Will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by any of the following:
    - i. A court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days.
    - ii. The individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days.
    - iii. Credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause.
  - b. Has no subsequent residence identified.
  - c. Lacks the resources or support networks needed to obtain other permanent housing.
6. Unaccompanied youth and homeless families with children and youth defined as homeless under other federal statutes who meet the following criteria:

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- a. Have experienced a long-term period without living independently in permanent housing.
- b. Have experienced persistent instability as measured by frequent moves over such period.
- c. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

**Individual Employment Plan** – An individualized career service, that is developed jointly by the participant and career planner when determined appropriate by the one-stop center or one-stop partner. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

**Individual with a Disability** – The term disability means, with respect to an individual, one of the following:

1. A physical or mental impairment that substantially limits one or more of the major life activities:
  - a. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
  - b. Major life activities also include the operations of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
2. A record of such an impairment; or
3. Being regarded as having such impairment.
  - a. The individual establishes that they have been subjected to an action prohibited under the Americans with Disabilities Act (ADA) because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
  - b. “Being regarded as having such an impairment” shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

(Reference: Title 42 USC Section 12102)

**Layoff** – The permanent or temporary termination of employment of an employee due to a position being abolished, insufficient funds, lack of work, or any other reason not reflecting discredit on the employee (e.g., dismissal for inadequate performance, violation of workplace rules, cause, etc.).

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**Lockout** – Any refusal by an employer to permit any group of five or more employees to work as a result of a dispute with such employees affecting wages, hours or other terms or conditions of employment of such employees (California Labor Code Section 1132.8). A lockout does not terminate the employer-employee relationship, so locked out employees are not eligible dislocated workers since they have not been terminated or laid off, are not eligible for unemployment compensation, and are likely to return to the same industry or occupation once the dispute is resolved. The same guidance applies to employees that are on strike. There may be locked out employees who for financial reasons seek other employment. These individuals may be served as adults.

**Low-Income Individual** – An individual, who meets any of the following criteria:

1. Receives, or in the past six months has received, or is a member of a family that receives or in the past six months has received any of the following:
  - a. Supplemental nutrition assistance program (SNAP).
  - b. Temporary assistance for needy families (TANF).
  - c. Supplemental security income (SSI).
  - d. Local income-based public assistance.
2. Is in a family with total family income that does not exceed the higher of the following:
  - a. The poverty line.
  - b. Seventy percent of the LLSIL.
3. Qualifies as a homeless individual.
4. Receives or is eligible to receive a free or reduced-price lunch under the *Richard B. Russell National School Lunch Act*.
5. Is a foster child on behalf of whom state or local government payments are made.
6. Is an individual with a disability whose own income meets the requirements of a program described in (2), but who is a member of a family whose income does not meet such requirements.

(Reference: WIOA Section 3[36])

WIOA Section 129(a)(2) states that low-income additionally includes youth living in a census tract that has a poverty rate of at least 25 percent as set every five years using the American Community Survey 5-year data.

**LLSIL** – The income level (adjusted for regional, metropolitan, urban, and rural differences and family size), determined annually by the DOL based upon the most recent lower living family budget. The LLSIL is published annually in the [Federal Register](#).

**Military Spouse** – An individual who is married to an active-duty service member, including National Guard or Reserve personnel on active duty. The surviving spouse of an active-duty service member who lost his/her life while on active-duty service in Afghanistan, Iraq, or other combat-related areas is considered to be a military spouse.

Consistent with TEGL 26-13, the definition of “military spouse” includes same-sex spouses.



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**Non-Covered Person** – Persons who is not a veteran or spouse as relating to priority of service application.

**Not Employed** – An individual is considered not employed at the date of participation when he/she meets any of the following criteria:

1. Is not a paid employee in an unsubsidized job.
2. Did not work more than 15 hours in an unpaid job on a farm or business operated by a family member. (Reference: TEGl 10-16, Change 3, Attachment 1)
3. Has received a notice of termination of employment or the employer has issued a WARN or other notice that the facility or enterprise will close.
4. Is a transitioning service member.

**Offender** – The term offender means any adult or juvenile who meets any of the following criteria:

1. Is or has been subject to any stage of the criminal justice process, for whom services under this act may be beneficial.
2. Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

**Out-of-Family Youth** – Court adjudicated youth separated from the family (including incarcerated youth), homeless, runaway, and emancipated youth. For purposes of determining income eligibility, out-of-family youth are considered a “family of one.”

**Poverty Line** – The income level at which families are considered to live in poverty, as annually determined by the US Department of Health and Human Services. The poverty level is published annually in the Federal Register.

**Pregnant or Parenting Youth** – An individual who is pregnant or a custodial or non-custodial parent.

**Priority of Service** – “Priority of service” means the right to take precedence over a person with a lower priority in obtaining employment and training services. Veterans and eligible spouses are entitled to receive precedence over non-covered persons for employment, training, and placement services. Specifically, a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

**Program Year** – Often abbreviated as PY, a WIOA program year begins on July 1 and ends on June 30.

**Public Assistance** – Federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

**Runaway Youth** – A person under 18 years of age who absents himself or herself from home or

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place of legal residence without the permission of his or her family.

**Self-Attestation** – Self-attestation, also referred to as a participant statement or self-certification, occurs when a participant declares their status for eligibility in writing or via an electronic/digital method. The key elements for self-attestation are as follows:

1. The participant identifying their status for permitted elements/eligibility criteria, and
2. Signing and dating a form attesting to this self-identification (e.g., a signed WIOA Program Application).

Electronic/digital 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, such as hard copies or in CalJOBS with a remote signature.

**School Dropout** – An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent (WIOA Section 3[54]). Per TEGL 8-15, this term does not include individuals who dropped out of postsecondary school.

**Self-Service or Informational Activities** – Services an individual can access in an AJCC with minimal or no staff assistance (e.g., self-service labor market research, resume preparation, job search, etc.). These services are general in nature and not customized to an individual's needs.

**Self-Sufficiency** – Locally defined. Click on the term to go to the local definition.

**Substantial Layoff** – Locally defined. Click on the term to go to the local definition.

**Transitioning Service Member** – A service member in active-duty status (including separation leave) who participates in employment services and is within 24 months of retirement or 12 months of separation.

**Truancy** – A truant is in violation of California's compulsory school attendance laws and a school district is not permitted to sanction violation of those laws by issuing a permit to work. A truant/dropout is subject to arrest, and the parents are subject to infraction fines if the minor is found working without a work permit.

**Underemployed** – An individual who is working part-time but desires full time employment, or who is working in employment not commensurate with the individual's demonstrated level of educational attainment.

**Unlikely to Return** – Locally defined. Click on the term to go to the local definition.

**Veteran** – 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 USC Section 101(2). A recently separated veteran means any veteran who applies for participation under the WIOA within 48 months after the discharge or release from active

## **WIOA Title I Eligibility Technical Assistance Guide**

### **Chapter 9 – Definitions**

military, naval, or air service.

***Work First*** – Work first programs share the philosophy that any job is a good job and that the best way to succeed in the labor market is to join it, developing work habits and skills on the job rather than in a classroom.

## Acceptable Documentation for WIOA Title I Program Eligibility

Local Workforce Development Areas (Local Area) must verify or confirm an individual's eligibility for the Adult, Dislocated Worker or Youth programs through an examination of documents. The following tables are an accompaniment to the *Workforce Innovation and Opportunity Act (WIOA) Title I Technical Assistance Guide (TAG)* and are designed to assist Local Areas in documenting participant eligibility. Only the documentation sources included in these tables are acceptable for establishing WIOA Title I eligibility. Information must be collected from the individual to support a determination of eligibility. This information is collected through the individual's WIOA Program Application, which may be a paper application that is physically signed or an electronic application that is electronically signed.

Eligibility verification is not the same as Data Element Validation (DEV). While DEV may verify the existence of acceptable documentation for certain eligibility criteria, DEV does not verify participant eligibility. For more information on DEV, refer to Workforce Services Directive, *WIOA Data Validation Source Documentation* ([WSD22-15](#)).

Personally Identifiable Information (PII) must be collected, used, and maintained properly. Medical or disability information must be collected and stored separately in accordance with Title 29 *Code of Federal Regulations* (CFR) Section 38.41(b)(3).

This directive attachment contains WIB and State-imposed requirements. WIB-imposed requirements are in **bold underlined italics**.

| Definitions                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| The following definitions apply for types of acceptable documentation. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Case Notes                                                             | Case notes are paper or electronic statements by the case manager that identify, at a minimum, (1) a participant's status for a specific data element, (2) the date on which the information was obtained, and (3) the case manager who obtained the information. If case notes are used as a documentation source, the case notes must provide a documented trail back to the source of information verified.                                                                                                                                                                                                                                                                                                                                                                                              |
| Self-Attestation                                                       | Self-attestation, also referred to as a participant statement or self-certification, occurs when a participant declares their status for eligibility in writing or via an electronic/digital method. The key elements for self-attestation are:<br>(1) The participant identifying their status for permitted elements/eligibility criteria, and<br>(2) Signing and dating a form attesting to this self-identification.<br>Electronic/digital 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.<br>Grantees must retain documentation of the self-attestation, such as hard copies or in CalJOBS with a remote signature. |

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#### References:

Title 20 CFR Section [675.300](#)

Training and Employment Guidance Letter (TEGL) [09-22](#), *Workforce Innovation and Opportunity Act Title I Youth Formula Program Guidance*  
[TEGL 23-19, Change 2](#), *Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs*, Revised Attachment II, *Source Documentation for WIOA Core/Non-Core Programs*  
Workforce Services Directive, WSD15-14, *Adult Program Priority of Service*

#### Table 1 – General Eligibility

The General Eligibility criteria apply to all WIOA Title I Adult, Dislocated Worker, and Youth programs. **Individuals must meet all applicable general eligibility criteria** to be eligible for WIOA-funded services.

| Eligibility Criteria                                                                                                                                                                                  | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>1. Birth date/age</b><br><br><i>References: WIOA Sections <a href="#">3(2)</a>, <a href="#">129(a)(1)(B)(ii)</a>, and <a href="#">129(a)(1)(C)(ii)</a>; 20 CFR Section <a href="#">680.120</a></i> | <p>The document must display the individual's name and date of birth.</p> <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Birth Certificate (United States [US] or non-US issued)</li><li>• Federal, state, or local Identification Card (including Tribal Records)</li><li>• Driver's License</li><li>• Passport (US or non-US issued)</li><li>• Mexico Consular Identification Card (Matricula Consular)</li><li>• Baptismal Record</li><li>• DD-214</li><li>• Report of Transfer or Discharge Paper</li><li>• Selective Service Registration</li><li>• Hospital Record of Birth (US or non-US issued)</li><li>• Public Assistance/Social Services/Justice System Record</li><li>• School Record or Identification (ID) Card (US or non-US issued)</li><li>• Work Permit</li><li>• Family Bible</li><li>• Signed Letter from Parent/Guardian</li></ul> |

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| <b>2. Authorization to Work in the US</b><br><br><i>References: WIOA Section <a href="#">188[a][5]</a></i>                                                                                                                                                                                                                       | <p>The following documentation may be used to satisfy this criterion:</p> <ul style="list-style-type: none"><li>• One verification document from List A of the <a href="#">I-9 Form</a>, or</li><li>• One verification document from List B <u>and</u> one verification document from List C of the I-9 Form</li><li>• USCIS Systematic Alien Verification for Entitlements (SAVE) verification</li><li>• Employment Authorization Documents (EAD)</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>3. Selective Service System Registration</b><br>Applicable for individuals born male on or after January 1, 1960<br><br><i>References: WIOA Section <a href="#">189[h]</a>; TEGL <a href="#">11-11</a>, <a href="#">Change 2</a>, <a href="#">Selective Service Registration Requirements for Employment and Training</a></i> | <ul style="list-style-type: none"><li>• For individuals who registered with the Selective Service System as required between the ages of 18 and 25:<ul style="list-style-type: none"><li>○ DD Form 214 (DD-214)</li><li>○ Selective Service Acknowledgement Letter</li><li>○ Selective Service Registration Card</li><li>○ Selective Service System Telephone Verification (1-847-688-6888)</li><li>○ Screen printout from <a href="#">Selective Service verification</a> website</li><li>○ Selective Service Registration Record (Form 3A)</li><li>○ Stamped Post Office receipt of Registration</li></ul></li><li>• For individuals who did not register with the Selective Service System by their 26<sup>th</sup> birthday or who believe they were exempt from registering:<ul style="list-style-type: none"><li>○ Selective Service System Status Information Letter (SIL)<br/>(Available on the <a href="#">Selective Service System</a> website along with a list of acceptable documentation)</li><li>○ Self-attestation – Signed statement that explains why the individual’s failure to register was not knowing and willful.</li></ul></li><li>• For non-US citizens born male who entered the country for the first time after their 26<sup>th</sup> birthday:<ul style="list-style-type: none"><li>○ Date of entry stamp in passport (non-citizens)</li><li>○ Department of Homeland Security Form I-94, Arrival-Departure Record with date of entry stamp (non-citizens)</li><li>○ Letter from US Citizenship and Immigration Services showing date of entry <b>and</b> documentation to confirm age (non-citizens)</li></ul></li></ul> <p>Note – Refer to <i>Section 3.1, Selective Service System Registration</i>, of the WIOA TAG for local policy and procedures determining if an individual knowingly and willfully failed to register.</p> |

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| <b>4. <u>Tulare County Resident</u></b> | <ul style="list-style-type: none"><li>• <b><u>Computer Printout from other Government Agencies</u></b></li><li>• <b><u>Federal, State, or Local Identification Card (including Tribal Records)</u></b></li><li>• <b><u>Driver's License</u></b></li><li>• <b><u>Food Stamp Award Letter</u></b></li><li>• <b><u>Homeless (See Requirements for Homeless Individuals)</u></b></li><li>• <b><u>Housing Authority Verification</u></b></li><li>• <b><u>Insurance Policy (Residence or Auto)</u></b></li><li>• <b><u>Landlord Statement</u></b></li><li>• <b><u>Lease</u></b></li><li>• <b><u>Letter from Social Service Agency or School</u></b></li><li>• <b><u>Library Card</u></b></li><li>• <b><u>Medicaid/Medicare Verification Letter</u></b></li><li>• <b><u>Phone Directory</u></b></li><li>• <b><u>Postmarked Mail Addressed to Applicant</u></b></li><li>• <b><u>Property Tax Record</u></b></li><li>• <b><u>Public Assistance Records</u></b></li><li>• <b><u>Rent Receipt</u></b></li><li>• <b><u>School Identification Card</u></b></li><li>• <b><u>Selective Service Registration Card</u></b></li><li>• <b><u>Utility Bill (gas, electric, water, cable, telephone, etc.)</u></b></li><li>• <b><u>Voter Registration Card</u></b></li><li>• <b><u>Applicant Statement</u></b></li></ul> |
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| Table 2 – Dislocated Worker Eligibility                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| To be eligible as a Dislocated Worker, an individual must meet the WIOA General Eligibility criteria ( <a href="#">Table 1</a> ) <b>and</b> one of the eligibility criteria below.                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Eligibility Criteria                                                                                                                                                                                                                                                                                                                            | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>1. General Dislocation</b><br>An individual looking to satisfy this criterion, must meet <b>all</b> of the following: 1a, 1b, and 1c.<br>Note – There are two options for meeting 1b.<br><br><i>References: WIOA Section <a href="#">3[15][A]</a>; TEGL <a href="#">19-16 and Attachment III</a>; 20 CFR Section <a href="#">680.660</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>1a.</b><br>An individual who was terminated or laid off, or who received a notice of termination or layoff, from employment. This includes a separation notice, under other than dishonorable conditions, from active military service.                                                                                                      | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Notice of layoff or termination, including a Worker Adjustment and Retraining Notification (WARN notice)</li><li>• DD-214 or other documentation issued by the Department of Defense, showing separation or imminent separation from the Armed Forces with a discharge that is anything other than dishonorable Screen print or photocopy of a media article describing the layoff. The printout <b>must</b> include the name of the publication and date of the article</li><li>• Verbal or written verification from employer documented in case notes that includes employer name, title, phone number, and date of dislocation</li><li>• Rapid Response List/Sign-In Sheet</li><li>• WIOA UI – Data Consent Authorization Form</li><li>• Copy of DE 1101CLMT Notice of Unemployment Insurance Claim Filed</li><li>• Copy of DE 8406 Personalized Job Search Assistance (PJSA) Appointment Notice</li><li>• Copy of DE 8530 Reemployment Services and Eligibility Assessment (RESEA) Appointment Notice</li><li>• Case Notes verifying attendance of RESEA or PJSA</li><li>• PJSA and RESEA CalJOBS Activities entered by EDD Staff</li><li>• Self-attestation</li></ul> |



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| <p><b>1b.</b><br/>(i) Is eligible for or has exhausted entitlement to unemployment compensation; or</p>                                                                                                                                                                                           | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• UI records, including:<ul style="list-style-type: none"><li>○ DE 1180PH Claim Status and Payment History</li><li>○ DE 4581 Continued Claim Form</li><li>○ Copy of UI Online Payment Information</li><li>○ Telephone Verification through EDD Tele-Cert<sup>SM</sup></li></ul></li><li>• Copy of DE 429Z Notice of UI Award</li><li>• Copy of DE 8406 PJSA Appointment Notice</li><li>• Copy of DE 8530 RESEA Appointment Notice or referral to RESEA</li></ul>                                                                  |
| <p>(ii) Has been employed for a duration sufficient to demonstrate 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.</p> | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Paycheck stubs</li><li>• W-2 and/or tax returns</li><li>• UI records, including any of the following:<ul style="list-style-type: none"><li>○ DE 429Z Notice of UI Award</li><li>○ DE 4581 Continued Claim Form</li></ul></li><li>• Written statement by the employer or union representative</li><li>• Self-attestation</li></ul> <p>Refer to <i>Section 6.2, Definitions and Standards for Eligibility</i> in the WIOA TAG for the local definition of attachment to the workforce and a list of acceptable documentation.</p> |

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| <b>1c.</b><br>Is unlikely to return to a previous industry or occupation.                                                                                                                                                                                                   | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• DD-214 or other documentation with a discharge status that is anything other than dishonorable, showing separation or imminent separation from the Armed Forces.</li><li>• Copy of DE 8530 RESEA Appointment Notice or referral to RESEA</li><li>• Case Notes verifying attendance of RESEA</li><li>• Screen print from internet site such as CalJOBS<sup>SM</sup> or the Labor Market Information Division that indicates lack of industry/occupation availability</li><li>• Doctor statement indicating applicant's inability to return to previous industry/occupation due to physical limitations</li><li>• Vocational rehabilitation counselor's statement indicating applicant's inability to return to previous industry/occupation due to physical limitations</li><li>• Copy of Supplemental Job Displacement Benefit (SJDB) voucher issued by the Division of Worker's Compensation for state-approved educational retraining or skills enhancement</li><li>• Employment Specialist's determination</li><li>• Self-attestation</li></ul> |
| <b>2. Dislocation from Plant Closure/Substantial Layoff</b><br>An individual looking to satisfy this criterion, must meet any of the following: 2a or 2b or 2c.<br><br><i>References: WIOA Section <a href="#">3[15][B]</a>; TEGL <a href="#">19-16, Attachment III</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>2a.</b><br>An individual who was terminated or laid off, or who received a notice of termination or layoff, from employment as a result of any permanent closure of, or substantial layoff at, a plant, facility, or enterprise.                                         | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Copy of media article/announcement describing the closure or mass layoff; the copy must include the name of the medium in which published and the date of publication</li><li>• Bankruptcy documents, if declared under <i>Chapter 7</i>, Title 11 U.S.C. Notice of foreclosure or a similar document provided by a financial institution when such document clearly shows that a closure or mass layoff will occur as a result of its issuance</li><li>• Statement from the employer or union representative</li><li>• Statement from the employer's bank official, attorney, supplier, accountant, or another knowledgeable individual</li><li>• WARN notice</li><li>• Rapid Response List/Sign-In Sheet</li><li>• Telephone verification with employer</li><li>• Self-attestation</li></ul>                                                                                                                                                                                                                                                     |

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| <b>2b.</b><br>An individual employed at a facility at which the employer made a general announcement that such facility will close within 180 days.                                                                                                                                                                                                                | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• <b><u>Copy of media article/announcement describing the closure or mass layoff; the copy must include the name of the medium in which published and the date of publication.</u></b></li><li>• WARN notice</li><li>• UI records, including the following:<ul style="list-style-type: none"><li>○ DE 429Z Notice of UI Award</li><li>○ DE 4581 Continued Claim Form</li></ul></li><li>• Copy of other specific notice to employee of intent to layoff</li><li>• UI Form 501 (Separation Statement), when completed on both sides and signed by an employer representative</li><li>• Employer or union representative letter or statement</li><li>• Written statement from the employer’s bank official, attorney, supplier, accountant, or another knowledgeable professional</li><li>• Telephone verification with employer</li><li>• Self-attestation</li></ul> |
| <b>2c.</b><br>For purposes of eligibility for services other than training services included in WIOA Section 134(c)(3), career services included in WIOA Section 134(c)(2)(A)(xii), or supportive services, an individual must be employed at a facility or military installation at which the employer made a general announcement that such facility will close. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>3. Self-Employed Dislocation</b><br>An individual looking to satisfy this criterion, must meet the following:<br><br><i>References: WIOA Section <a href="#">3[15][C]</a>; TEGL <a href="#">19-16</a>, <a href="#">Attachment III</a></i>                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| An individual who was self-employed (including farmers, ranchers, fishermen, independent contractors, and consultants) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of a natural disaster.                                                                                             | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Bankruptcy documents listing both the name of the business and the applicant's name</li><li>• Business license</li><li>• Copy of a completed federal income tax return (Schedule SE) for the most recent tax year</li><li>• Copy of media article/announcement describing the closure or mass layoff; the copy must include the name of the medium in which published and the date of publication</li><li>• Copy of articles of incorporation for the business listing the applicant as a principal</li><li>• Self-attestation that the individual was self-employed and is now unemployed as the result of general economic conditions or natural disaster</li></ul>                                                                                                                                                                                            |

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| <b>4. Displaced Homemaker</b><br>To be eligible under this criterion, the individual must provide proof of 4a <b>and</b> 4b:<br>Note – There are two options for meeting 4a.<br><br><i>References: WIOA Section 3[15][D] and 3[16][A][i] and [B]; TEGL 19-16, Attachment III</i>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>4a.</b><br>(i)<br>Has been dependent on the income of another family member, but is no longer supported by that income (e.g., because the other family member was laid off, or because of death or divorce), or                                                                        | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Cross match with public assistance records</li><li>• Copy of applicable Court records</li><li>• Copy of Divorce papers or Legal Separation</li><li>• Copy of Bank records showing financial dependence on spouse, no separate individual income support, or no employment income earned</li><li>• Notarized Statement from family member of ex-spouse of non-support</li><li>• Spouse's layoff notice</li><li>• Spouse's death record</li><li>• Self-attestation</li></ul>                                                |
| (ii)<br>Is the dependent spouse of a member of the US Armed Forces on active duty and whose family income has been significantly reduced because of the service member's deployment, call or order to active duty, permanent change of station, or service-connected death or disability. | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Spouse's Permanent Change of Station Orders for a military move or assignment</li><li>• Documentation certifying a service-connected death or disability</li><li>• Self-attestation that the individual is the spouse of an active member of the US Armed Forces and has experienced the loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station</li></ul>                                                                                             |
| <b>4b.</b><br>Is unemployed or underemployed and having trouble obtaining or upgrading employment.                                                                                                                                                                                        | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Wage Record or Employer Statement</li><li>• Self-attestation (This could include statement of continuous effort to seek employment that meets the local definition for difficulty in obtaining or upgrading employment. Refer to <i>Section 6.2, Definitions and Standards for Eligibility Criteria</i> for more detailed information.)</li></ul><br>Note – Refer to <i>Section 6.5, Related Definitions</i> in the WIOA TAG for detailed information on employment status (i.e., employed, underemployed, not employed). |

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| <b>5. Spouse of an Active-Duty Military Service Member</b><br>To be eligible under this criterion, the individual must provide proof of either of the following: 5a or 5b:<br><br><i>References: WIOA Sections <a href="#">3[15][D]</a> and <a href="#">3[16][A][ii]</a> and <a href="#">[B]</a>; TEGL <a href="#">19-16, Attachment III</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>5a.</b><br>Has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station; <b>or</b>                                                                                                                                                                            | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Spouse's Permanent Change of Station Orders for a military move or assignment</li><li>• Self-attestation that the individual is the spouse of an active member of the US Armed Forces and has experienced the loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station</li></ul>                                                                                                                                                                                                                                          |
| <b>5b.</b><br>Is unemployed or underemployed and having trouble obtaining or upgrading employment.                                                                                                                                                                                                                                               | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Wage Record or Employer Statement</li><li>• Needs Assessment</li><li>• Signed Individual Employment Plan</li><li>• Self-attestation that the individual has made continuous effort to seek employment that meets the local definition for difficulty in obtaining or upgrading employment. Refer to <i>Section 6.2, Definitions and Standards for Eligibility Criteria</i> for more detailed information.</li></ul><br>Note – Refer to <i>Section 6.5, Related Definitions</i> in the WIOA TAG for detailed information on employment status (i.e., employed, underemployed, not employed). |

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| Table 3 – Youth Eligibility                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| A youth participant must meet the WIOA General Eligibility criteria ( <a href="#">Table 1</a> ) and eligibility criteria for either Out-of-School (OS) Youth or In-School (IS) Youth.                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Eligibility Criteria                                                                                                                                                                                                                                                  | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>OS Youth</b><br>To be determined eligible as an OS youth, an individual must provide proof that they meet <b>all</b> of the following:<br><br><i>References: 20 CFR Section <a href="#">681.210</a>; TEGL <a href="#">09-22</a> and TEGL <a href="#">21-16</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Are not less than 16 years of age and not more than 24 years of age.                                                                                                                                                                                                  | See “Age/Date of Birth” criteria in <a href="#">Table I – General Eligibility</a> for the list of acceptable documentation.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Are not attending any secondary or postsecondary school.                                                                                                                                                                                                              | The following documentation may be used to determine school status (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Copy of educational institution enrollment record</li><li>• Applicable records from school or educational institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation)</li><li>• Signed WIOA Program Application or registration form</li><li>• Electronic records</li><li>• File documentation with notes from program staff</li><li>• Self-attestation</li></ul> |

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| <p>Have <b>one</b> or more of the following barriers:</p> <ul style="list-style-type: none"><li>• A school dropout</li><li>• A youth who is within the age of compulsory school attendance but has not attended school for at least the most recent complete school year quarter.</li><li>• 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.</li><li>• An offender.</li><li>• A homeless individual or a runaway.</li><li>• An individual in foster care or who 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 <i>Social Security Act</i>, or in an out-of-home placement.</li><li>• An individual who is pregnant or parenting (custodial and non-custodial parent including non-custodial fathers).</li><li>• An individual with a disability.</li><li>• A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.</li></ul> | <ul style="list-style-type: none"><li>• See <a href="#">Table 4 – Barriers to Education and Employment</a> for the list of acceptable documentation.</li><li>• See <a href="#">Table 6 – Low Income Eligibility</a> for the list of acceptable documentation.</li></ul> |
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| <b>IS Youth</b><br>To be determined eligible as an IS youth, an individual must provide proof that they meet <b>all</b> of the following:<br><br><i>References: 20 CFR Section <a href="#">681.210</a>; TEGL <a href="#">09-22</a> and TEGL <a href="#">21-16</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Are not less than 14 years of age and not more than 21 years of age.<br><br><i>Note – Youth with disabilities who are in an individualized Education program at the age of 22 may be enrolled as an IS youth (TEGL <a href="#">21-16</a>).</i>                        | See Age/Date of Birth criteria in <a href="#">Table I – General Eligibility</a> for the list of acceptable documentation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Are attending school, including secondary and postsecondary school.                                                                                                                                                                                                   | The following documentation may be used to determine school status (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Copy of educational institution enrollment record</li><li>• Applicable records from school or educational institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation)</li><li>• Current financial award disbursement letter/record</li><li>• Signed WIOA Program Application or registration form</li><li>• Electronic records</li><li>• Verbal Verification</li><li>• Case Notes</li><li>• Self-attestation</li></ul> |
| Are a low-income individual.                                                                                                                                                                                                                                          | See <a href="#">Table 6 – Low Income Eligibility</a> for the list of acceptable documentation.<br><br>All IS youth must be low-income to meet the IS youth eligibility criteria, except those who fall under the low-income exception (20 CFR Section <a href="#">281.250[b]</a> ). Refer to <i>Section 7.3, Five Percent Eligibility</i> of the WIOA TAG for more detailed information.<br><br>Note - Only OS youth with certain barriers are required to be low-income (20 CFR Section <a href="#">681.250[a]</a> ).                                                                                            |



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| <p>Have <b>one</b> or more of the following barriers.</p> <ul style="list-style-type: none"><li>• Basic skills deficient</li><li>• An English language learner</li><li>• An offender</li><li>• A homeless individual or runaway</li><li>• An individual in foster care or who 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 <i>Social Security Act</i>, or in an out-of-home placement</li><li>• Pregnant or parenting (custodial and non-custodial parent including noncustodial parents)</li><li>• An individual with a disability</li><li>• An individual who requires additional assistance to complete an educational program or secure and hold employment.</li></ul> | <p>See <a href="#">Table 4 – Barriers to Education and Employment</a> for the list of acceptable documentation.</p> |
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| Table 4 – Barriers to Education and Employment – Youth and Adult Programs                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Each criterion below indicates which program(s) it is applicable for – OS Youth, IS Youth, and Adults.                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Eligibility Criteria                                                                                                                                                                                                                                                                   | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Basic Skills Deficient</b><br><i>Applicable for IS Youth and Adults</i><br><br><i>References: 20 CFR Sections <a href="#">664.205</a> and <a href="#">681.290</a>; <a href="#">WSD15-14</a></i>                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| To meet this criterion and individual must meet one of the following:<br><br>Have English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test.                                                                             | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Applicable Records from Education Institution (transcripts or other school documentation, including a referral or records from a Title II Basic Adult Education program or English Language Learner program)</li><li>• Assessment Test Results</li><li>• Case notes</li></ul>                    |
| Be unable to compute and solve problems, or read, write, or speak English at a level necessary to function on the job, in the participant’s family, or in society.                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>English Language Learner</b><br><i>Applicable for IS Youth and Adults</i><br><br><i>References: WIOA Section <a href="#">203[7]</a>; 20 CFR Section <a href="#">688.120</a></i>                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Determine if the participant, at program entry, is a person who has limited ability in speaking, reading, writing or understanding the English language <b>and</b> also meets at least one of the following two conditions:<br>Their native language is a language other than English. | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Case notes</li><li>• Assessment Test Results</li><li>• Applicable Records from Education Institution (transcripts, or other school documentation)</li><li>• Self-attestation</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Signed Individual Service Strategy</li></ul> |

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| They live in a family or community environment where a language other than English is the dominant language.                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>An Offender</b><br><i>Applicable for OS Youth, IS Youth, and Adults</i><br><br><i>References: WIOA Section <a href="#">3[38]</a>; 20 CFR Section <a href="#">688.120</a>; TEGL <a href="#">21-16</a></i>                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Determine if the participant, at program entry, is a person who meets either of the following conditions:<br><br>Has been subject to any stage of the criminal justice process for committing a status offense or delinquent act. | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Documentation from the Juvenile or Adult Criminal Justice System (includes Education Partner within the Juvenile or Adult Criminal Justice System)</li><li>• Written Statement, Referral Document, or Documented phone call from a Court or Probation Officer</li><li>• Referral Transmittal from a Reintegration Agency</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Case Notes</li><li>• Needs Assessment</li><li>• Signed Individual Service Strategy</li><li>• Federal Bonding Program Application</li><li>• Self-attestation</li></ul> |
| Requires assistance in overcoming barriers to employment resulting from a record of arrest or conviction.                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Homeless or Runaway</b><br><i>Applicable for OS Youth and IS Youth</i><br><br><i>Reference: TEGL <a href="#">19-16</a>, <a href="#">Attachment III</a></i>                                                                     | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Written Statement or Referral Transmittal from a Shelter or Social Service Agency</li><li>• Needs Assessment</li><li>• Case Notes</li><li>• Signed Individual Service Strategy</li><li>• A letter from caseworker or support provider</li><li>• Self-attestation</li></ul>                                                                                                                                                                                                                               |

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| <p><b>Foster Care</b><br/><i>Applicable for OS Youth and IS Youth</i></p> <p><i>References: 20 CFR Sections <a href="#">681.210</a> and <a href="#">681.220</a>; TEGL <a href="#">21-16</a></i></p>                                                                                                       | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Written Confirmation from Social Services Agency</li><li>• Case Notes</li><li>• Foster Care Agency Referral Transmittal</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Needs Assessment</li><li>• Signed Individual Service Strategy</li><li>• Self-attestation</li></ul>                                                                                                                                                                                                                       |
| <p><b>Pregnant or Parenting (Includes custodial and non-custodial parents) whose dependent(s) are under 18 years of age</b><br/><i>Applicable for OS Youth and IS Youth</i></p> <p><i>References: 20 CFR Sections <a href="#">681.210</a> and <a href="#">681.220</a>; TEGL <a href="#">21-16</a></i></p> | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Copy of Birth Certificate</li><li>• Baptismal Record</li><li>• Medical Records confirming pregnancy</li><li>• Case Notes</li><li>• Needs Assessment</li><li>• Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Eligibility Verification</li><li>• Temporary Assistance for Needy Families (TANF)/W-2 Single Parent Eligibility Verification</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Signed Individual Service Strategy</li><li>• Self-attestation</li></ul> |
| <p><b>A Youth with a disability (Includes Learning Disabilities)</b><br/><i>Applicable for OS Youth, IS Youth, and Adult</i></p> <p><i>References: 20 CFR Section <a href="#">681.280</a>; TEGL <a href="#">21-16</a></i></p>                                                                             | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Medical Records or Physician's Note</li><li>• Individualized Education Plan (IEP), School 504 Records, other School Records, or Letter from School</li><li>• Social Security Disability Records</li><li>• Veteran's Administration Records</li><li>• Verification from Social Services Agency</li><li>• Assessment Test Results</li><li>• Self-attestation</li></ul>                                                                                                                                                    |

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| <p><b>An individual who requires additional assistance to complete an education program or to secure or hold employment.</b><br/><i>Applicable for OS Youth and IS Youth</i></p> <p><i>References: 20 CFR <a href="#">681.210</a> and <a href="#">681.220</a>; TEGL <a href="#">21-16</a></i></p> | <p>Local Boards are responsible for establishing local definitions and eligibility documentation requirements for “requires additional assistance” as it relates to both OS and IS youth. Refer to <i>WIOA Youth Program Requirements</i> (<a href="#">WSD17-07</a>) for more detailed information.</p> <p>Refer to <i>Section 7.4, Local Definitions and Eligibility Criteria</i>, for the local definition of “an individual who requires additional assistance” and the list of acceptable documentation.</p> <p><b><i>The following documentation may be used to satisfy this criterion (only one is required):</i></b></p> <ul style="list-style-type: none"><li>• <b><i>Medical Records or Physician’s Note</i></b></li><li>• <b><i>School Records or Letter from School</i></b></li><li>• <b><i>Referral Transmittal from Substance Abuse Agency or Social Services Agency</i></b></li><li>• <b><i>Case Notes</i></b></li><li>• <b><i>Self-attestation</i></b></li></ul> |
| <p><b>A School Dropout</b><br/><i>Applicable for OS Youth</i></p> <p><i>References: WIOA Section <a href="#">3(54)</a>; TEGL <a href="#">21-16</a></i></p>                                                                                                                                        | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• Copy of Educational Institution Enrollment Record</li><li>• Applicable Records from Education Institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation)</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Electronic Records</li><li>• Self-Attestation</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year quarter</b><br/><i>Applicable for OS Youth</i></p> <p><i>References: 20 CFR Section <a href="#">681.210</a>; TEGL <a href="#">21-16</a></i></p>               | <ul style="list-style-type: none"><li>• Copy of Educational Institution Enrollment Record</li><li>• Applicable Records from Education Institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation)</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Electronic Records</li><li>• Self-attestation</li></ul> <p>Note – In cases where schools do not use quarters, local programs must use calendar year quarters.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| <b>A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual <i>and</i> is either basic skills deficient <i>or</i> an English language learner.</b><br><i>Applicable for OS Youth</i><br><br><i>Reference: 20 CFR Section <a href="#">681.210</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| An individual meets this criterion if the individual is:<br><br>A recipient of a secondary school diploma or its recognized equivalent<br><br><b>and</b>                                                                                                                                          | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Applicable records from school or educational institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation)</li><li>• Signed WIOA Program Application or Enrollment Form</li><li>• Electronic Records</li><li>• Self-attestation</li></ul> |
| A low-income individual<br><br><b>and is either</b>                                                                                                                                                                                                                                               | See <a href="#">Table 6 – Low-Income Eligibility</a> for the list of acceptable documentation.                                                                                                                                                                                                                                                                                                                                     |
| Basic skills deficient<br><br><b>or</b><br><br>An English language learner                                                                                                                                                                                                                        | See the “ <a href="#">Basic Skills Deficient</a> ” criterion detailed within this table for the list of acceptable documentation.<br><br>See the “ <a href="#">English Language Learner</a> ” criterion detailed within this table for the list of acceptable documentation.                                                                                                                                                       |

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**Table 5 – Family Size**

An individual's family size must be determined before making a low-income determination.

Note: Documentation should be provided for all income sources for each family member for the six-month income period immediately preceding the determination date.

| Eligibility Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p><b>Individual Status/Family Size</b><br/>Family means two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories:</p> <p>(1) A married couple and dependent children</p> <p>(2) A parent or guardian and dependent children</p> <p>(3) A married couple</p> <p><i>References: 20 CFR Section 675.300; TEGL 23-16 and TEGL 19-16, Attachment III</i></p> | <p>The following documentation may be used to satisfy this criterion (only <b>one</b> is required but enough information must be provided to accurately determine family size):</p> <ul style="list-style-type: none"><li>• Birth Certificate</li><li>• Social Security Card</li><li>• Decree of Court</li><li>• Divorce Decree</li><li>• Individual with a disability<br/>(See <a href="#">Table 6 – Low Income Eligibility</a> regarding family size and income requirements for individuals with disabilities)</li><li>• Landlord Statement/Lease (with family members listed)</li><li>• Marriage Certificate</li><li>• Most Recent Tax Return (if current)</li><li>• Public Assistance Records</li><li>• Social Service Agency Records</li><li>• Public Housing Authority (if Resident of or on Waiting List)</li><li>• Written Statement from a Publicly supported 24-hour Care Facility or Institution (e.g., Mental, Prison)</li><li>• Self-attestation</li></ul> <p>Refer to <i>Section 8.2, Low-Income Related Definitions</i>, of the WIOA TAG for definitions related to family size.</p> |

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**Table 6 – Low-Income Eligibility Criteria**

To be eligible as low-income, an individual must meet **one** of the criteria below. An individual's family size must be determined before making a low-income determination. (See [Table 5 – Family Size](#))

Refer to *Section 8.4, Determining Low-Income Status* in the WIOA TAG for more information and for the list of acceptable (and excludable) documentation for calculating an individual's income.

| Eligibility Criteria                                                                                                                                                                                                                                                                                                                              | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                      |
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| <p><b>The individual receives (or in the past six months has received), or is a member of a family that receives (or in the past 6 months has received) <i>one</i> of the following:</b></p> <p><i>Applicable for OS Youth, IS Youth, and Adults</i></p> <p><i>References: WIOA Section <a href="#">3[36]</a>; TEGL <a href="#">21-16</a></i></p> |                                                                                                                                                                                                                                                                                                                                                                               |
| Assistance through the Supplemental Nutrition Assistance Program (SNAP)/CalFresh                                                                                                                                                                                                                                                                  | <p>The following documentation may be used to satisfy this criterion: (Only <b>one</b> document is required)</p> <ul style="list-style-type: none"><li>• SNAP/CalFresh Eligibility Verification</li><li>• Copy of Authorization to receive SNAP/CalFresh</li><li>• Documentation of SNAP/CalFresh Benefit Receipt</li><li>• Referral Transmittal from SNAP/CalFresh</li></ul> |
| Temporary Assistance for Needy Families (TANF)                                                                                                                                                                                                                                                                                                    | <p>The following documentation may be used to satisfy this criterion: (Only <b>one</b> document is required)</p> <ul style="list-style-type: none"><li>• TANF Eligibility Verification</li><li>• TANF Period of Benefit Receipt Verification</li><li>• Referral Transmittal from TANF</li></ul>                                                                               |
| Supplemental Security Income (SSI)                                                                                                                                                                                                                                                                                                                | <p>The following documentation may be used to satisfy this criterion: (Only <b>one</b> document is required)</p> <ul style="list-style-type: none"><li>• SSI Receipt of Benefits Verification</li><li>• Referral Transmittal from SSA</li><li>• SSI Eligibility Verification</li></ul>                                                                                        |



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| Other State or Local income-based public assistance                                                                                                                                                                                                                                                                                                                                                                   | <p>The following documentation may be used to satisfy this criterion: (Only <b>one</b> document is required)</p> <ul style="list-style-type: none"><li>• Copy of Authorization to Receive Cash Public Assistance</li><li>• Copy of Public Assistance Check</li><li>• Medical Card Showing Cash Grant Status</li><li>• Public Assistance Eligibility Verification</li></ul> |
| <p><b>Is in a family with total family income that does not exceed the higher of the following:</b></p> <ol style="list-style-type: none"><li>a. The federal poverty line</li><li>b. Seventy percent of the Lower Living Standard Income Level (LLSIL)</li></ol> <p><i>Applicable for OS Youth, IS Youth, and Adults</i></p> <p><i>References: WIOA Section <a href="#">3[36]</a>; TEGL <a href="#">21-16</a></i></p> | <p>Refer to <i>Section 8.4, Determining Low-Income Status</i> in the WIOA TAG for more information and for the list of income sources to be used when calculating an individual's income.</p> <p>Refer to the LLSIL and Poverty Guidelines Directive <a href="#">WSD24-02</a>, for additional information.</p>                                                             |

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| <b>Homeless individual</b><br><i>Applicable for OS Youth, IS Youth, and Adults</i><br><br><i>Reference: WIOA Section <a href="#">3[36]</a></i>                                                                                                                                                                                                                                                                                         | See <a href="#">Table 4 – Barriers to Education and Employment</a> for “Homeless” criteria.                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Receives or is eligible to receive a free or reduced-price lunch under the <i>Richard B. Russell National School Lunch Act</i></b><br><i>Applicable for IS Youth</i><br><br><i>References: 20 CFR Section <a href="#">681.270</a>; TEGL <a href="#">21-16</a>; <a href="#">WSD17-07</a></i>                                                                                                                                         | The following documentation may be used to satisfy this criterion (only <b>one</b> is required): <ul style="list-style-type: none"><li>• Documentation from school</li><li>• Self-attestation</li></ul><br>Note – In schools where the entire school automatically receives free or reduced-price lunch, WIOA programs must base low-income status on an individual student’s eligibility to receive free or reduced-price lunch or on meeting one of the other low-income categories under WIOA. |
| <b>Is a foster child on behalf of whom state or local government payments are made</b><br><i>Applicable for OS Youth and IS Youth</i><br><br><i>References: WIOA Section <a href="#">3[36]</a>; TEGL <a href="#">21-16</a></i>                                                                                                                                                                                                         | See <a href="#">Table 4 – Barriers to Education and Employment</a> for “Foster Care” criteria.                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Is an individual with a disability whose own income does not exceed the higher of the Federal Poverty Guidelines or 70% of the Lower Living Standard Income Level Guidelines, but who is a member of a family whose income does not meet such requirements.</b><br><i>Applicable for OS Youth, IS Youth, and Adults</i><br><br><i>References: WIOA Section <a href="#">3[36][A][vi]</a>; 20 CFR Section <a href="#">663.640</a></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| See that the individual meets all of the following:<br><br>Has a disability (including learning disability).                                                                                                                                                                                                                                                                                                                           | See “Disability” criterion in <a href="#">Table 4 – Barriers to Education and Employment</a> .                                                                                                                                                                                                                                                                                                                                                                                                    |

## **WIOA Title I Eligibility Technical Assistance Guide**

### **Acceptable Documentation**

|                                                                                                                    |                                                                               |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| The individual's own income does not exceed the higher of the Federal Poverty Guidelines or 70% of the LLSIL.      | See " <a href="#">Family Income</a> " criterion detailed above in this table. |
| Is a member of a family whose income does exceed the higher of the Federal Poverty Guidelines or 70% of the LLSIL. | See " <a href="#">Family Income</a> " criterion detailed within this table.   |

## WIOA Title I Eligibility Technical Assistance Guide

### Acceptable Documentation

| Table 7 – Priority of Service                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| References: WIOA Section <a href="#">134[c][3][E]</a> ; 20 CFR Section <a href="#">680.600</a> ; TEGL <a href="#">10-09</a> and <a href="#">19-16</a> ; <a href="#">WSD15-14</a> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Priority of Service Category                                                                                                                                                     | Acceptable Documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Category 1:</b><br><br>Veteran’s and Eligible Spouses who are Low-Income or Basic Skills Deficient                                                                            | <p>To qualify, an individual must meet criteria 1 <b>and</b> 2 below:</p> <p>(1) Eligible veterans’ status<br/>The following documentation may be used to satisfy this criterion (only <b>one</b> is required):</p> <ul style="list-style-type: none"><li>• DD-214</li><li>• Military ID Card</li><li>• State issued ID or Driver’s License showing Veteran Designation</li><li>• Cross-Match with Department of Defense Records</li><li>• Cross-Match with Veterans Service Database</li><li>• Letter from the Veterans' Administration</li></ul> <p>(2) Are determined to be either a recipient of public assistance, low-income individual <b>or</b> basic skills deficient.</p> <ul style="list-style-type: none"><li>• See <a href="#">Table 6 – Low-Income Eligibility</a> for the “Recipients of SNAP, TANF, SSI, or other Public Assistance” criterion and a list of acceptable documentation.</li><li>• See <a href="#">Table 6 – Low-Income Eligibility</a> for the list of acceptable documentation.</li><li>• See <a href="#">Table 4 – Barriers to Employment and Education</a> for the “Basic Skills Deficient” criterion and a list of acceptable documentation.</li></ul> <p>Refer to <i>Priority of Service for Veterans and Eligible Spouses</i> <a href="#">WSD24-15</a> for more detailed information on Veteran’s Priority of Service and when verification of status for veterans and eligible spouses is required.</p> |

## WIOA Title I Eligibility Technical Assistance Guide

### Acceptable Documentation

|                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Category 2:</b><br><br>Non-covered persons (individuals who are not veterans or eligible spouses) who are recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. | An individual qualifies under this category if they are <b>not</b> a veteran or eligible spouse; and are <b>any</b> of the following: <ul style="list-style-type: none"><li>• A recipient of public assistance.<br/>See <a href="#">Table 6 – Low-Income Eligibility</a> for the “Recipients of SNAP, TANF, SSI, or other Public Assistance” criterion and list of acceptable documentation.</li><li>• Other low-income individual.<br/>See <a href="#">Table 6 – Low-Income Eligibility</a> for the list of acceptable documentation.</li><li>• An individual who is basic skills deficient.<br/>See <a href="#">Table 4 – Barriers to Employment and Education</a> for the “Basic Skills Deficient” criterion list of acceptable documentation.</li></ul> |
| <b>Category 3:</b><br><br>Veterans and eligible spouses who are not recipients of public assistance, low-income, or basic skills deficient.                                                                                 | An individual qualifies under this category if they meet the following criteria: <ul style="list-style-type: none"><li>• Have veteran’s status as outlined in <a href="#">Category 1</a> above.</li><li>• Are <b>not</b> a recipient of public assistance, a low-income individual, or basic skills deficient.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Category 4:</b><br><br>Anyone who does not belong to one of the above categories, but who belongs to a priority population established by the Governor or Local Board.                                                   | Refer to the Local Board policy for locally designated priority populations and acceptable documentation requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Category 5:</b><br><br>Other individuals not included in WIOA’s priority groups.                                                                                                                                         | The individual’s WIOA Program Application shows no indication of the priority groups listed above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

# SUMMARY OF COMMENTS

## ***TUL 25-04: WIOA Title I Eligibility Technical Assistance Guide (TAG)***

### Errata Comments

There were three (3) comments to the draft version of this Directive:

**Comment#1** – On page 28- Priority Four Service Level. The revised introduction states that individuals categorized under Priority Four are not required to meet low-income criteria. Question is if an individual does not meet the low-income requirements but falls under one of the locally defined Priority Four Categories:

- a. Indians, Alaska Natives, and Native Hawaiians
- b. Older-Individual (55+)
- c. Justice-Involved
- d. Eligible Migrant and Seasonal Farmworker
- e. Single parents, including single pregnant women
- f. Lesbian, Gay, Bisexual, Transgender, and gender non-conforming individual

Does this automatically make the individual WIOA eligible for career and training services?

**Resolution** – Individuals categorized as Priority Four are not required to be low-income; however, they must meet all of the WIOA general eligibility requirements to be eligible for career and training services.

**Comment#2** – On page 28- Priority Four Service Level – Individuals who receive Medi-Cal assistance (non-cash public assistance) who are not receiving cash aid or Supplemental Nutrition Assistance Program (SNAP) (CalFresh). Clarifications on the acceptable documentation listed in a and b. are different than Attachment A. Table 6: Low-Income Eligibility Criteria (page 22) ***lists a Medi-Cal showing cash grant status as an acceptable documentation for low-income verification.***

**Resolution** – Because Attachment A, Table 6 lists documentation only for verifying low-income status, it does not apply to Priority Four individuals. Staff must instead follow the acceptable documentation listed on page 28:

- a. Acceptable documentation includes an eligibility printout, verification from the county human services system, or portal access confirmation.
- b. A signed self-attestation may be used if documentation is not available and must be supported by a case note.

**Comment #3** – Can further clarification be provided that specifies that local priority groups should not be interpreted as additional eligibility criteria?

**Resolution** – Local Priority Groups are not additional eligibility criteria and should not be interpreted as such. WIOA eligibility requirements remain the same for all participants,

# SUMMARY OF COMMENTS

## ***TUL 25-04: WIOA Title I Eligibility Technical Assistance Guide (TAG)***

### Errata Comments

regardless of priority group. Priority of Service determines the *order* in which eligible individuals are served, not whether they are eligible. Acceptable documentation is still required to establish WIOA eligibility, and priority group documentation is used only to determine service priority once eligibility has been confirmed.



## INTEROFFICE MEMORANDUM

**TO:** Mary Rodarte, Workforce Services Manager

**FROM:** Desiree Landeros, Career Services Coordinator

**DATE:** November 24, 2025

**SUBJECT:** Program Year (PY) 2025-2026 Prison to Employment Grant (P2E)

| Item                 | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Date</b>   | WIB Meeting – Wednesday, December 10, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Request</b>       | <ul style="list-style-type: none"> <li>i. Accept the no-cost extension agreement with San Joaquin County Employment &amp; Economic Development Department through June 30, 2026.</li> <li>ii. Modify PY 2025-2026 WIOA Title I Career Services Agreements for the P2E grant to incorporate a no-cost extension from December 31, 2025, to June 30, 2026, as follows: <ul style="list-style-type: none"> <li>a. Community Services Employment Training (CSET) for the West Region- Agreement #3812526</li> <li>b. Proteus Inc. for the East Region- Agreement #3822526</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Summary</b>       | <p>The Prison to Employment (P2E) initiative is a three-year grant originally operating from June 1, 2023, through December 31, 2025. The funding source has approved a six-month no-cost extension, extending the grant period through June 30, 2026. This extension will allow us to continue all grant activities without additional funding, ensuring adequate time to complete all program deliverables and to fully expend the total allocation of \$442,661.</p> <p>The P2E initiative is designed to strengthen coordination between state workforce and corrections systems and improve how formerly incarcerated and justice involved individuals transition back into society and the labor force.</p> <p>To date, the program has enrolled 76 participants—more than doubling our enrollment target and reaching 256 percent of the projected performance goal. Of those enrolled, 23 individuals have been placed in paid work experience opportunities. The program is progressing toward its internal target of 29 total work experience placements by the end of the grant period.</p> |
| <b>Fiscal Impact</b> | There is no impact on funding as this is a no-cost extension.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



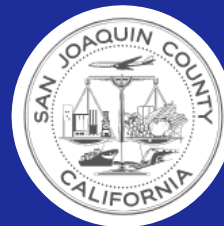
|                                           |                                                                                                                                                                           |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Alternatives</b>                       | The Board may choose not to approve the extension and instead request that WIB staff terminate the program effective December 31, 2025.                                   |
| <b>Involvement of Other Organizations</b> | <ul style="list-style-type: none"> <li>• Tulare County Probation</li> <li>• California Department of Corrections and Rehabilitation (Division of Adult Parole)</li> </ul> |



PATRICIA VIRGEN  
EXECUTIVE DIRECTOR

NICOLE SNYDER  
DEPUTY DIRECTOR  
TINA LaBOUNTY  
DEPUTY DIRECTOR

**COUNTY OF SAN JOAQUIN**  
EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT



AGREEMENT NO. P2E 2.0-2023-04, AMENDMENT No. 02  
PROGRAM: PRISON TO EMPLOYMENT 2.0  
CONTRACTOR: WORKFORCE INVESTMENT BOARD OF TULARE

1. This SECOND AMENDMENT is entered into by and between the COUNTY OF SAN JOAQUIN, a political subdivision of the State of California, acting through the EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT, hereinafter referred to as "COUNTY", and the WORKFORCE INVESTMENT BOARD OF TULARE COUNTY, hereinafter referred to as "CONTRACTOR."

The original Agreement No. P2E 2.0-2023-04, effective June 1st, 2023, was previously modified by Amendment No.01, dated June 25th, 2025.

This SECOND AMENDMENT serves the purpose of EXTENDING the term of the existing Agreement for the Prison to Employment 2.0 (P2E 2.0) program by an additional six (6) months, through June 30, 2026, with no change to the total contract amount, scope of work, or any other terms and conditions of the Agreement.

2. Agreement No. P2E 2.0-2023-04 is hereby modified as follows:
  - 2.1 Page 2, Article IV. GENERAL PROVISIONS, Section I. Term of Agreement is modified to read:

This Agreement shall commence when fully executed and end on June 30, 2026, unless Work is completed on a date prior thereto or unless terminated earlier as provided herein.
  - 2.2 Except as expressly modified by this Amendment No. 02, all other provisions, terms, and conditions of Agreement No. P2E 2.0-2023-04, as previously amended by Amendment No. 01, shall remain unchanged and in full force and effect.

APPROVED FOR THE COUNTY:

APPROVED FOR THE CONTRACTOR:

By \_\_\_\_\_

By \_\_\_\_\_



PATRICIA VIRGEN  
EXECUTIVE DIRECTOR

NICOLE SNYDER  
DEPUTY DIRECTOR  
TINA LaBOUNTY  
DEPUTY DIRECTOR

**COUNTY OF SAN JOAQUIN**  
EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT



PATRICIA VIRGEN,  
EXECUTIVE DIRECTOR  
San Joaquin County Employment &  
Economic Development Department

6221 West Lane, Suite 105  
Stockton, CA 95210

Jennie C. Bautista,  
INTERIM EXECUTIVE DIRECTOR

Workforce Investment Board of Tulare County

309 W. Main Street, Suite 120  
Visalia, CA 93291

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

APPROVED AS TO FORM:  
KIRIN K. VIRK  
San Joaquin County Counsel

By \_\_\_\_\_  
KIRIN K. VIRK  
DEPUTY COUNTY COUNSEL



## INTEROFFICE MEMORANDUM

**TO:** Mary Rodarte, Workforce Services Manager

**FROM:** Desiree Landeros, Career Services Coordinator

**DATE:** November 24, 2025

**SUBJECT:** 2023 Quality Jobs, Equity, Strategy and Training (QUEST) Disaster Recovery National Dislocated Worker Grant (DR NDWG)

| Item               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Date</b> | WIB Meeting – Wednesday, December 10, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Request</b>     | <ul style="list-style-type: none"> <li>i. Modify PY 2025-26 WIOA Title I Career Services Agreements listed below to increase the QUEST DR NDWG Occupational Skills Training (OST) performance goals from 22 to 42 and increase the training obligation through June 30, 2026: <ul style="list-style-type: none"> <li>a. Community Services Employment Training (CSET) for the West Region-Visalia agreement #3812526 Appendix 6B</li> <li>b. Proteus Inc. for the East Region – Porterville agreement #3822526 Appendix 6A</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Summary</b>     | <p>On May 5, 2023, the Department of Labor released the 2023 QUEST DR NDWG funding announcement. Employment Development Department (EDD) applied for this initiative and approached the WIB to submit proposals to provide services. On January 10, 2024, the WIB took action to accept \$1,000,000 to operate the project for three years (October 1, 2023 - September 30, 2026).</p> <p><b>Purpose</b><br/> The QUEST project aims to strengthen Tulare County’s agricultural workforce by equipping farmworkers, their families, and residents of disinvested communities with the skills needed to secure good jobs in the evolving agricultural landscape and other growth sectors.</p> <p>In terms of job seeker goals, the project serves farmworkers, their household members, and adult children who typically rely on seasonal income and face significant barriers to accessing education, training opportunities and quality jobs. The grant will serve 100</p> |

customers and allow 50 participants to attend OST training and 20 customized training and receive job placement assistance.

**Progress to Date (October 1, 2023- October 31, 2025)**

As of October 31, 2025, the program has made strong progress toward the OST component of the grant, with 42 enrollments toward a target of 50. This reflects both participant interest and the ability of our Subrecipients to deliver individualized, high-quality training.

The customized training component—originally intended to launch a single cohort based on employer-driven curriculum under the Next Gen Sector Partnership model, to serve 20 participants was not feasible within the grant timeline. While businesses provided valuable insights on needs, the conditions required to design and implement cohort-based customized training did not materialize.

To better meet participant needs and ensure full utilization of QUEST DR NDWG resources, EDD has approved the modification request, to reallocate funds and performance goals from customized training component to OST.

WIB staff requests Board authorization to apply this change. This adjustment prioritizes participant choice, aligns training to individual goals, and remains responsive to industry-identified needs while increasing the number of farmworkers and household members who can directly benefit from OST services.

The modification will increase the overall OST goal and obligations for PY 25-26 to 42 participants, who will receive training rather than a single cohort-based model. The WIB retains OST funds and the Subrecipient obligates the training cost for each OST.

Contingent upon Board authorization, staff propose the following changes to Subrecipient performance goals and OST obligation plans for PY 25-26:

**Adjusted Performance Goals by Region for PY 25-26:**

| Region              | Current Goals | Proposed Increase | Total Adjusted Goals |
|---------------------|---------------|-------------------|----------------------|
| East Region-Proteus | 12            | 10                | 22                   |
| West Region- CSET   | 10            | 10                | 20                   |

**Adjusted OST Obligation for PY 25-26:**

| Region              | Current Plan | Proposed Increase | Total Adjusted OST Obligation |
|---------------------|--------------|-------------------|-------------------------------|
| East Region-Proteus | \$50,000     | \$50,000          | \$100,000                     |
| West Region- CSET   | \$50,000     | \$50,000          | \$100,000                     |

|                                           |                                                                                                                                                                             |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fiscal Impact</b>                      | No additional funding is requested.                                                                                                                                         |
| <b>Alternatives</b>                       | The Board may choose not to approve an increase in performance goals and instead request that WIB staff maintain current targets or develop an alternative adjustment plan. |
| <b>Involvement of Other Organizations</b> | N/A                                                                                                                                                                         |



## INTEROFFICE MEMORANDUM

**TO:** Jennie Bautista, Interim Executive Director

**FROM:** Monica Andrade, Business Services Coordinator

**DATE:** December 10, 2025

**SUBJECT:** Agreement with Foundation for California Community Colleges, Career Catalyst Program

| Item               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Date</b> | WIB Meeting – Wednesday, December 10, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Request</b>     | Approve an agreement with the Foundation for California Community Colleges (FoundationCCC) to provide employer-of-record services for up to 23 participants in the MC3 Pre-Apprenticeship Project. The agreement is not-to-exceed \$213,787.76 and runs through August 31, 2026.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Summary</b>     | <p>The WIB seeks approval to contract with the Foundation for California Community Colleges (FoundationCCC) to administer payroll, human resources, and employer-of-record functions for MC3 pre-apprenticeship participants as part of the Sequoias High Road Construction Careers Partnership Grant. The Career Catalyst Program provides a fully managed service that allows WIB and its partner worksites to host work-based learning participants without assuming direct employer liability, payroll processing, or HR compliance responsibilities. The Foundation for California Community Colleges' Career Catalyst Program was selected because it provides employment-of-record services at a lower overall cost than other vendors.</p> <p><b>Program Purpose and Structure</b><br/> Under this agreement, FoundationCCC will serve as the employer of record for 23 participants enrolled in the Multi-Craft Core Curriculum (MC3) Pre-Apprenticeship Project. Participants will be placed at approved worksites for structured work-based learning aligned with construction trades, career exploration, and workplace readiness skill development. The Career Catalyst model ensures that participants are hired as temporary, part-time, non-benefited employees of FoundationCCC, while WIB and each host worksite remain responsible for day-to-day supervision, training, and adherence to workplace safety and program requirements.</p> <p><b>FoundationCCC Responsibilities</b></p> <ul style="list-style-type: none"> <li>• FoundationCCC will provide comprehensive employer-of-record services, including:</li> <li>• Payroll administration: payment of wages, management of tax withholdings, overtime, premiums, and compliance with the Career Catalyst Payroll Calendar.</li> </ul> |

|                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | <ul style="list-style-type: none"> <li>• Human resources management: onboarding and offboarding processing, I-9 verification audits, personnel file maintenance, leaves of absence, unemployment claims, and employee relations support.</li> <li>• Pre-employment screening: background checks and drug screenings when required.</li> <li>• Workers' compensation insurance: coverage for all participants and management of claims.</li> <li>• Compliance oversight: ensuring HR and payroll practices adhere to federal, state, and local labor laws.</li> </ul> <p><b>WIB Responsibilities</b></p> <ul style="list-style-type: none"> <li>• Ensuring completion of FoundationCCC's onboarding and training requirements.</li> <li>• Executing Worksite Agreements with each placement location.</li> <li>• Submitting job descriptions and required onboarding documents.</li> <li>• Monitoring participant eligibility and ensuring no participant exceeds the 1,000-hour annual limit.</li> <li>• Managing biweekly timekeeping and ensuring meal and rest break compliance at worksites.</li> <li>• Conducting monthly site visits and ongoing case management for participants.</li> <li>• WIB must also collect worksites' Injury and Illness Prevention Programs (IIPPs) and Certificates of Insurance and provide them to FoundationCCC upon request.</li> </ul> <p><b>Worksite Responsibilities</b></p> <ul style="list-style-type: none"> <li>• Provide job assignments aligned with MC3 competencies.</li> <li>• Supervise participants and provide required training, PPE, and safety instruction.</li> <li>• Maintain compliance with OSHA, Cal/OSHA, wage and hour laws, and all other relevant regulations.</li> <li>• Verify time records and ensure compliance with rest and meal break standards.</li> <li>• Notify WIB promptly of any incidents or participant separations.</li> </ul> <p><b>Cost Structure</b><br/>The not-to-exceed contract amount of \$213,787.76 covers:</p> <ul style="list-style-type: none"> <li>• Participant-related expenses (\$178,020) <ul style="list-style-type: none"> <li>○ Participant wages (\$147,200)</li> <li>○ Payroll taxes (\$16,192)</li> <li>○ Workers' compensation (\$13,248)</li> <li>○ Background checks and drug tests (\$782)</li> </ul> </li> <li>• A one-time \$100 per-participant onboarding fee (\$2,300)</li> <li>• An 18.8% federally approved indirect rate applied by FoundationCCC (\$33,467)</li> </ul> <p>Billing occurs biweekly based on actual expenditures. If participant costs exceed the contract amount, WIB is responsible for the additional costs.</p> |
| <b>Fiscal Impact</b>                      | Approval authorizes expenditures up to \$213,787.76 from the Sequoias High Road Construction Careers Partnership Grant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives</b>                       | The Board may choose not to approve the agreement, which would prevent WIB from placing MC3 participants into paid work-based learning opportunities under this grant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Involvement of Other Organizations</b> | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |





## INTEROFFICE MEMORANDUM

**TO:** Jennie Bautista, Interim Executive Director

**FROM:** David McMunn, Deputy Director- Administration

**DATE:** November 18, 2025

**SUBJECT:** Revisions to the WIB Bylaws

| Item                                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Date</b>                        | WIB Meeting – Wednesday, December 10, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Summary</b>                            | <p>WIB staff are recommending targeted revisions to the WIB Bylaws to provide additional clarity, strengthen transparency, and formally document governance practices that the Board has long followed but were not explicitly reflected in the written bylaws. During a recent internal review, staff identified four sections where current procedures were being implemented consistently but were not clearly described in the governing document:</p> <ol style="list-style-type: none"><li><b>1. Nomination process for the Board of Supervisors (BOS) to appoint Board members and select the WIB Chair;</b></li><li><b>2. Staggering of Board member terms to ensure only a portion of appointments expire in any given year;</b></li><li><b>3. Process for notifying the BOS of vacancies to ensure timely nomination and appointment; and</b></li><li><b>4. Proxy or alternate designee process for Board members.</b></li></ol> <p>These revisions are grounded in the federal requirements outlined in <b>20 CFR 679.310(g)</b>, which identifies the minimum governance elements that local workforce development boards must include in their bylaws. The updates strengthen the bylaws by codifying long-standing WIB practices, improving clarity for current and future Board members, and ensuring that the bylaws accurately reflect the Board's current business practices.</p> <p>Overall, these revisions modernize and clarify the bylaws, enhance transparency, and reinforce consistent governance in alignment with both established WIB practice and federal regulatory guidance.</p> |
| <b>Fiscal Impact</b>                      | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Alternatives</b>                       | Request that WIB staff recommend alternative language.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Involvement of Other Organizations</b> | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

2/21/2018

**BYLAWS**

**OF THE**

**TULARE COUNTY WORKFORCE INVESTMENT BOARD, INCORPORATED**

A NONPROFIT ENTITY FORMED  
PURSUANT TO CALIFORNIA'S  
NONPROFIT CORPORATION LAW (Cal. Corp. Code§ 5000 *et seq.*)

**ARTICLE I**  
**GENERAL**

**SECTION 1.1          NAME**

The complete name of this organization is the Tulare County Workforce Investment Board, Incorporated ("WIB"). The WIB is a nonprofit public benefit entity formed in accordance with the Nonprofit Public Benefit Corporation Law of California, as currently in effect and as may be amended.

**SECTION 1.2          PRINCIPAL OFFICE**

The principal office for the transaction of the business for the WIB is located at 309 W. Main Street, Suite 120, Visalia, California 93291. The WIB may change the principal office from one location to another by amending these Bylaws.

**SECTION 2.1**

## **ARTICLE II PURPOSE**

### **GENERAL PURPOSE**

The WIB is organized by mandate of the Workforce Innovation and Opportunity Act 2014 (Public Law 113-128, 29 U.S.C. § 3101 *et seq.*), as currently in effect and as may be amended (the "WIOA" or the "Act"), to set policy for the portion of the statewide workforce development system within the local area in order to, among other things:

- (1) Make investments in the skills and talent of our workforce to advance Tulare County's economic vitality;
- (2) Lead efforts to engage with a diverse range of employers to ensure that workforce investment activities meet the needs of employers and support economic growth in the region; and,
- (3) Conduct workforce research and regional labor market analysis regarding economic conditions, workforce availability, and needed knowledge and skills.

**SECTION 2.2            SPECIFIC PURPOSES**

The WIB shall do any and all things necessary to administer workforce development projects within the local area in accordance with the WIOA.

The primary purposes of the WIB are:

- A.     To develop a local plan for the local workforce area;
- B.     To select the local One-Stop Operator through a competitive procurement process;
- C.     To develop memoranda of understanding with all service providers operating within WIB's One-Stop system;
- D.     To identify eligible training services providers;
- E.     To identify eligible youth activities providers and award grants or contracts on a competitive basis;
- F.     To develop the budget of the WIB;
- G.     To conduct oversight of the One-Stop system and employment and training activities within the workforce development area;
- H.     To perform all functions in partnership with the Tulare County Board of Supervisors (BOS), also known as the Chief Elected Official ("CEO"), as defined in the WIOA;
- I.     To develop and implement all workforce development policy recommendations and actions for the County of Tulare;
- J.     To provide local leadership to plan, change, and oversee the local workforce development system;
- K.     To forecast and identify local workforce needs and develop innovative solutions to meet those needs;
- L.     To streamline access to employment, training, workforce development, and other services in the One-Stop system to benefit job seekers and employers;
- M.     Ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, education and other partners;
- N.     To collaborate with workforce boards in other areas, statewide and nationwide, when the WIB can benefit from such collaboration; and,
- O.     To perform any other function as required under the WIOA.

**ARTICLE III**  
**POWERS**

**SECTION 3.1            GENERAL POWERS**

The Tulare County Board of Supervisors (BOS), as the Chief Elected Official, has designated the WIB, pursuant to Resolution No. 2000-390 adopted May 23, 2000, and pursuant to the Administrative Services Agreement executed August 22, 2017 and as periodically amended, as the lead agency to: (a) respond to both State and Federal directives relating to workforce activities; (b) educate the public about workforce activities offered within the community; (c) develop and implement the WIB's One-Stop system of service delivery for workforce development within the County; and (d) to enter into memoranda of understanding with required and permitted workforce partners and to identify each partner's role and responsibility within the One-Stop service delivery system.

**SECTION 3.2            ENUMERATED POWERS**

Without prejudice to such general powers, it is hereby expressly declared that the WIB, within the limitations imposed by these Bylaws and the WIOA, has the following powers and may:

- A.     Prepare a comprehensive local plan for the One-Stop service delivery system;
- B.     Prepare an annual budget and cost allocation plan;
- C.     Receive and disburse all funds related to program operations of, and act as fiscal agent under, the WIOA;
- D.     Develop procedures for governance, planning, operation, assessment, and fiscal management;
- E.     Monitor and evaluate program performance based on measurable outcomes and customer satisfaction and determine resulting needs and reallocation of resources;
- F.     Execute and/or modify grant agreements with the U.S. Department of Labor, the State of California, and the County of Tulare, as may be necessary or desirable from time-to-time;
- G.     Enter into subgrants, contracts, and other agreements;
- H.     Upon obtaining prior consent of its Board of Directors, select and hire personnel as specifically detailed in the Administrative Services Agreement referenced in Section 3.1 above;
- I.     Acquire, by lease or purchase, buildings or sites, and construct, maintain, manage, or operate the same for public purposes;

- J. Hold or dispose of property by lease or sale;
- K. Incur debts, liabilities, or obligations required by the exercise of these powers;
- L. Secure proper and adequate insurance for public liability, property damage, fire, theft, workers' compensation, and other risks or exposures necessary for the administration of employment and training programs;
- M. Sue and be sued;
- N. Delegate some or all of its powers to an Executive Director; and,
- O. Carry out the specific purposes enumerated in SECTION 2.2 of these Bylaws.

## **ARTICLE IV**

### **BOARD OF DIRECTORS**

#### **SECTION 4.1            GENERAL**

The WIB shall be administered solely by the WIB's Board of Directors (sometimes referred to as the "Board"). The Board shall be deemed, for all purposes, the policy making body of the WIB. Subject to the provisions and limitations of these Bylaws, the activities and affairs of the WIB shall be managed, and all corporate powers shall be exercised by, or under the direction of, the Board of Directors.

#### **SECTION 4.2            SPECIFIC POWERS AND RESPONSIBILITIES**

Without prejudice to the general powers set forth in SECTION 4.1 of these Bylaws, but subject to the same limitations, the Board of Directors shall have the power to do the following:

- (1) Perform any and all duties imposed upon them collectively or individually by law or by any agreement with the State of California, the Federal government, or by these Bylaws; and,
- (2) Change the principal executive office in the State of California from one location to another; cause the WIB to conduct its activities within or without the State of California; and designate any place within or without the State of California for holding any meeting of the Board of Directors;
- (3) To appoint committees and delegate to such committees the powers and authority of the Board of Directors in the management of the activities and affairs of the WIB, except as otherwise set forth herein.

### SECTION 4.3 COMPENSATION

Directors shall not receive any compensation for their service on the Board but shall be entitled to reimbursement for any reasonable expenses actually incurred in connection with serving as a member of the Board, if the WIB determines that such expense shall be reimbursed and there are unencumbered funds available for such purpose.

### SECTION 4.4 NUMBER AND REPRESENTATION

The composition of the WIB Board may be changed from time to time with the approval of the Board, provided that sector representation requirements of the **WIOA** are met (e.g., business, labor, education, employment services, community based organizations, economic development, etc.) and shall not exceed a maximum of nineteen (19).

### SECTION 4.5 APPOINTMENT OF MEMBERS

The WIB shall identify, review, and recommend nominees to the BOS for appointment to the WIB in accordance with the WIOA Section 107(b) and 20 CFR 679.320. **The BOS retains final appointment authority for all WIB members.**

The WIB Executive Director shall solicit nominations from among appropriate entities representing business, education, labor, economic development agencies, chambers of commerce, trade associations, labor organizations, government agencies, and other stakeholder groups as required by WIOA.

The WIB shall review all nominations to ensure eligibility and appropriate representation of required membership categories and shall take formal action to recommend nominees to the BOS for appointment. A member of the BOS shall administer the oath of office to newly appointed members prior to the commencement of their service.

### SECTION 4.6 TERM OF OFFICE

The WIB operates on a four-year, staggered term system. Board member terms are divided into two groups so that approximately one-half of the Board seats expire every two years. Members appointed to fill a vacancy serve only the remainder of the unexpired term, and any reappointment thereafter is for a full four-year term. This structure ensures continuity and prevents all terms from expiring at the same time. Members whose terms are completed may be recommended to the BOS for reappointment.

### SECTION 4.7 VACANCIES

A vacancy or vacancies on the Board of Directors shall be deemed to exist on the occurrence of any of the following: (a) the death of any Director; (b) the increase of the authorized number of Directors; (c) the removal of a Director; (d) the resignation of any Director; or (e) if the Director is a County of Tulare elected official, the expiration, resignation, suspension, or termination of the elected official's term of office with the County of Tulare, as the case may be.

When a vacancy occurs, the WIB Executive Director shall promptly notify the **BOS** and the **Clerk of the Board** in accordance with the **Maddy Act (Government Code §54970 et seq.)**. The vacancy shall be posted publicly to ensure transparency and opportunity for nomination.

The WIB Executive Director shall initiate the nomination process consistent with Section 4.5, seeking nominees from eligible organizations and sectors. The WIB shall review and recommend nominees to the BOS for appointment.

#### **SECTION 4.8            RESIGNATIONS**

Any WIB member may resign by submitting written notice to the Board Chairperson. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective.

#### **SECTION 4.9            REMOVAL**

Any member may be removed if a two-thirds (2/3) majority of the Board approves such action at a legally constituted meeting for the following causes: (a) the member ceases to be representative of the group from which the member was selected; (b) the member lacks adequate participation in the business of the Board; and/or (c), the member has other activities or interests detrimental to or in conflict with the interests of the Board.



Any such removal action must be consistent with the BOS's policy, if any.

## **ARTICLE V** **OFFICERS**

### **SECTION 5.1           GENERAL**

The officers of the WIB shall be a Chairperson, Vice-Chairperson, and a Secretary/Treasurer. The Chairperson and Vice-Chairperson shall be from private sector businesses. The Chairperson, Vice-Chairperson, and Secretary/Treasurer shall not be the same individual.

The WIB may, from time-to-time, appoint such other officers with such titles, authority, and duties as it may designate and deem appropriate.

### **SECTION 5.2           ELECTION OF OFFICERS**

The officers of the WIB shall be chosen every two (2) years by the members without approval of the BOS, and shall be chosen from among the Board members. The Chair (or designee) shall notify in writing the BOS of the election of any officer.

### **SECTION 5.3           TERM OF OFFICE**

Each officer shall serve for a period of two (2) years or until a successor is elected. Officers are eligible for reelection to serve consecutive terms. No more than three (3) consecutive terms may be served unless the Board waives this limit for a particular officer.

### **SECTION 5.4           DUTIES OF THE CHAIRPERSON**

The Chairperson shall preside at all meetings.

Except as otherwise expressly provided by law or by these Bylaws, the Chairperson shall, in the name of the WIB, execute any instruments which may be authorized by the Board.

The Chairperson may appoint such temporary *ad hoc* committees as in his or her discretion the activities of the Board require, and shall appoint a chairperson to convene each of such temporary ad hoc committees, and shall delegate to such committees such powers and duties as he or she may deem appropriate within the limitations prescribed by these Bylaws and otherwise by law.

### **SECTION 5.5           DUTIES OF THE VICE-CHAIRPERSON**

The Vice-Chairperson shall perform all the duties of the Chairperson in his or her absence or in the event of his or her inability or refusal to act.

The Vice-Chairperson shall have all the powers of, and be subject to all the restrictions on, the Chairperson. The acting Vice-Chairperson shall have other powers and perform such other duties as may be prescribed by the WIB.

#### **SECTION 5.6 DUTIES OF THE SECRETARY /TREASURER**

The Secretary/Treasurer shall have the responsibility to keep a full and complete record of the proceedings of the meetings of the Board. The Secretary/Treasurer shall also perform or cause to be performed the following duties: (a) certify these Bylaws and maintain the original or a copy of the same; (b) keep and maintain an official listing of the current members of the Board, including contact information for each member; and, (c) give official notice of all meetings of the Board and its actions.

#### **SECTION 5.7 RESIGNATION OF OFFICERS**

Any officer may resign at any time by giving written notice to the Chairperson. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the WIB or the County of Tulare under any contract to which the officer is a party.

#### **SECTION 5.8 OFFICER VACANCIES**

In the event of a vacancy during the term of an office, the Chairperson shall appoint an interim replacement, subject to approval of the full Board.

#### **SECTION 5.9 COMPENSATION AND EXPENSES**

Officers shall serve without compensation except as provided in Section 4.3 above.

### **ARTICLE VI COMMITTEES**

#### **SECTION 6.1 GENERAL POWERS AND LIMITATIONS**

The WIB shall appoint standing committees at any regular meeting. The Chairperson shall appoint temporary ad hoc committees as required. The Chairperson shall appoint the chairpersons for all standing committees, provided that the chairperson of each standing committee shall be a voting member of the WIB. Standing committees may include other members of the WIB and must include other individuals appointed by the WIB who are not members of the WIB and who have demonstrated experience and expertise in accordance with WIOA.

The Board may delegate decision-making authority to committees according to their purpose. All actions of any committee shall be advisory to the full Board, unless the full Board has expressly delegated final authority to a given committee.

**SECTION 6.2                    PROGRAM AND EVALUATION COMMITTEE**

The Program and Evaluation Committee shall be designated as a standing committee of the WIB and will provide for development and implementation of the following WIB objectives:

- A        Program procurement; and,
- B.       Review and oversight for monitoring and evaluation of the WIB workforce development system activities under the local plan.

The Program and Evaluation Committee chair will be appointed by the WIB Chairperson from among the WIB membership. As chair of the Program and Evaluation Committee, the appointee shall represent the WIB.

**SECTION 6.3                    EMPLOYMENT CONNECTION COMMITTEE**

An Employment Connection Committee shall be designated as a standing committee of the WIB and will provide information and assist with operational and other issues relating to the One-Stop delivery system. The Employment Connection Committee will provide the means by which the local One-Stop partners will have opportunities for input regarding the operations of the local One-Stop workforce delivery system.

The Employment Connection Committee representatives shall be from WIB partners which have successfully negotiated a Memorandum of Understanding with the WIB. Each partnering agencies shall have no more than one (1) representative on the Employment Connection Committee.

The Employment Connection Committee Chair will be appointed by the WIB Chairperson from among the WIB membership. As chair of the Employment Connection Committee, the appointee shall represent the WIB.

**SECTION 6.4                    YOUTH COMMITTEE**

A Youth Committee shall be designated as a standing committee of the WIB to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth.

The Youth Committee shall be comprised of members in compliance with WIOA, State Law, and the local workforce development area needs.

The Youth Committee chair shall be appointed by the WIB Chairperson from the among the WIB membership. As chair of the Youth Committee, the appointee shall represent the WIB.

## **SECTION 6.5            AD HOC COMMITTEES**

The Chairperson may appoint temporary ad hoc committees as necessary for performance of one-time projects or activities projected to require no more than twelve (12)-months' activity.

## **ARTICLE VII** **STAFF SUPPORT**

### **SECTION 7.1            EXECUTIVE DIRECTOR**

Staff support is provided to the WIB by the County of Tulare. The County shall, after consultation with the WIB Board of Directors, appoint an Executive Director of the corporation. The Executive Director shall:

- A      Direct and supervise day-to-day operations and affairs of the WIB;
- B.     Advise the WIB on all aspects of and developments relating to the Board's objectives;
- C.     Provide for program planning and development;
- D.     Prepare a report on the Board's performance and activities at least annually; and,
- E.     Perform such other duties as from time-to-time may be prescribed by the Chairperson of the Board.
- F.     Appoint committees that are advisory to the Executive Director.

## **ARTICLE VIII** **VOTING**

### **SECTION 8.1            GENERAL**

Each regular member of the Board of Directors shall have one vote. A majority vote of a quorum is needed to pass a motion.

### **SECTION 8.2            NON-VOTING MEMBERS**

Non-voting members shall not count in establishing a quorum at WIB meetings. Non-voting members may fully participate in all discussions with the same restrictions applied to voting members; however, they may not vote.

### **SECTION 8.3            QUORUM**

The presence of fifty percent plus one of the voting members shall constitute a quorum for the transaction of WIB business at any meeting. Every action or decision

by a majority of the voting members present at a meeting duly held at which a quorum is present shall be regarded as an act by the members, unless a greater number is required by law.

#### **SECTION 8.4 CONFLICT OF INTEREST**

The WIB shall comply with the conflict of interest and disclosure code established by the BOS. At a minimum, this code shall provide that members and committee members employed or in any way affiliated with an organization receiving or attempting to receive funding from the WIB shall abstain from discussing or voting on any official action relating to that organization. In the event such a potential conflict of interest does arise, the member shall be required to disclose such interest, which shall be recorded in the official minutes of the corporation prior to the vote.

#### **Section 8.9 – Proxy and Alternate Designee Policy**

In accordance with the **Ralph M. Brown Act (Government Code §54950 et seq.)**, **proxy voting designees are not permitted** unless specifically authorized by federal or state law.

Alternate designees will not be used.

Only duly appointed WIB members may participate and vote in WIB meetings. Members may attend in person or, when permitted, participate remotely in compliance with **Government Code §54953** and **Assembly Bill (AB) 2449**.

The WIB shall maintain attendance and participation records consistent with these requirements.

### **ARTICLE IX** **MEETINGS**

#### **SECTION 9.1 GENERAL**

Meetings of the WIB and its duly appointed standing committees shall be open to the public and shall comply with the provisions of the Ralph M. Brown Act, as currently in effect and as may be amended. Participation shall be limited to members of the Board, its committees, or their designated representatives with the following exceptions:

- A Participation by the public, pursuant to the Ralph M. Brown Act, at appropriate times and as reflected by the WIB's agendas for each of its meetings;
- B. Regularly scheduled agenda items that call for reports of participation by non-members; and,
- C. At the discretion of the Chairperson or with the majority consent of members present, comment by non-members which is relevant to the matter under consideration.

Minutes of the proceedings shall be taken at all meetings of the Board and its duly appointed standing committees, be distributed to all members, and be made available to the public for review.

## **SECTION 9.2                    REGULAR MEETINGS**

Regular meetings of the WIB shall generally be quarterly and at such time, date, and place as the Chairperson designates. The Chairperson may call additional meetings as necessary.

Regular meetings of the standing committees shall be held no less than two (2) times per year, but may be held more frequently as needed.

### **SECTION 9.3            SPECIAL MEETINGS**

Special meetings of the WIB may be called by the Chairperson, the Executive Director, or any three (3) members at such time, date, and place and only for the purpose(s) specified by the meeting notice.

### **SECTION 9.4            ADVANCE MEETING NOTICE**

Advance notice of the time, date, place and general purpose for all meetings shall be given to each member, and to any other interested party who in writing has requested such advance notices, and shall be posted at public locations designated by the Board.

Advance notices for meetings of the WIB and its duly appointed standing committees shall meet the requirements of the Ralph M. Brown Act. Standing committees shall include the standing committees.

The official record of members, and the mailing list of other interested parties shall be maintained and used by the Executive Director for such notices.

## **ARTICLE X AMENDMENTS**

### **SECTION 10.1        PROCEDURE**

These Bylaws may be altered, amended or repealed and new Bylaws adopted by the vote of a majority of the voting members at any meeting of the WIB, provided notice has been given at the previous meeting or thirty (30)-day's written notice has been given.

## **ARTICLE XI GENERAL PROVISIONS**

### **SECTION 11.1        PARLIAMENTARY PROCEDURES**

When parliamentary procedures are not covered by these Bylaws, the latest edition of Robert's Rules of Order, as amended or revised, shall prevail.

### **SECTION 11.2        PRECEDENCE**

Nothing in these Bylaws shall be construed to take precedence over federal, state, or local laws and regulations.

2/21/2018

## CERTIFICATIONS

I, the undersigned, certify that I am the presently elected Chairperson of the WIB, and the above Bylaws consisting of eleven (11) pages are the Bylaws of the WIB as adopted at a meeting of the Board members held on February 21, 2018.

APPROVED BY  
WORKFORCE INVESTMENT BOARD  
MINUTES OF 02-21-2018

  
\_\_\_\_\_  
Chairperson  
2/21/2018  
\_\_\_\_\_  
Date

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2081210v1 / 20400.0001



## WIB Bylaws Revisions Side-by-Side

|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SECTION 4.5 APPOINTMENT OF MEMBERS</b></p> | <p><b>SECTION 4.5 APPOINTMENT OF MEMBERS</b><br/> The WIB shall identify, review, and recommend nominees to the BOS for appointment to the WIB in accordance with the WIOA Section 107(b) and 20 CFR 679.320. <b>The BOS retains final appointment authority for all WIB members.</b></p> <p>Nominations shall be solicited by the WIB Executive Director from among appropriate entities representing business, education, labor, economic development agencies, chambers of commerce, trade associations, labor organizations, government agencies, and other stakeholder groups as required by WIOA.</p> <p>The WIB shall review all nominations to ensure eligibility and appropriate representation of required membership categories and shall take formal action to recommend nominees to the BOS for appointment. A member of the BOS shall administer the oath of office to newly appointed members prior to the commencement of their service.</p> |
| <p><b>SECTION 4.6 TERM OF OFFICE</b></p>         | <p><b>SECTION 4.6 TERM OF OFFICE</b><br/> The WIB operates on a four-year, staggered term system. Board member terms are divided into two groups so that approximately one-half of the Board seats expire every two years. Members appointed to fill a vacancy serve only the remainder of the unexpired term, and any reappointment thereafter is for a full four-year term. This structure ensures continuity and prevents all terms from expiring at the same time.</p> <p>Members whose terms are completed may be recommended to the BOS for reappointment.</p>                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SECTION 4.7 VACANCIES</b></p> <p>A vacancy or vacancies on the Board of Directors shall be deemed to exist on the occurrence of any of the following: (a) the death of any Director; (b) the increase of the authorized number of Directors; (c) the removal of a Director; (d) the resignation of any Director; or (e) if the Director is a County of Tulare elected official, the expiration, resignation, suspension, or termination of the elected official's term of office with the County of Tulare, as the case may be.</p> | <p><b>SECTION 4.7 VACANCIES</b></p> <p>A vacancy or vacancies on the Board of Directors shall be deemed to exist on the occurrence of any of the following: (a) the death of any Director; (b) the increase of the authorized number of Directors; (c) the removal of a Director; (d) the resignation of any Director; or (e) if the Director is a County of Tulare elected official, the expiration, resignation, suspension, or termination of the elected official's term of office with the County of Tulare, as the case may be.</p> <p>When a vacancy occurs, the WIB Executive Director shall promptly notify the <b>BOS</b> and the <b>Clerk of the Board</b> in accordance with the <b>Maddy Act (Government Code §54970 et seq.)</b>. The vacancy shall be posted publicly to ensure transparency and opportunity for nomination. The WIB Executive Director shall initiate the nomination process consistent with Section 4.5, seeking nominees from eligible organizations and sectors. The WIB shall review and recommend nominees to the BOS for appointment.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><b>(New) Section 8.9 – Proxy and Alternate Designee Policy</b></p> <p>In accordance with the <b>Ralph M. Brown Act (Government Code §54950 et seq.)</b>, <b>proxy voting designees are not permitted</b> unless specifically authorized by federal or state law.</p> <p>Alternate designees will not be used.</p> <p>Only duly appointed WIB members may participate and vote in WIB meetings. Members may attend in person or, when permitted, participate remotely in compliance with <b>Government Code §54953</b> and <b>Assembly Bill (AB) 2449</b>.</p> <p>The WIB shall maintain attendance and participation records consistent with these requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                         |



## INTEROFFICE MEMORANDUM

**TO:** Jennie C. Bautista, Interim Executive Director

**FROM:** Sam Williford, Strategic Initiatives Coordinator

**DATE:** December 5, 2025

**SUBJECT:** Progress Update on Middlestate Partnership

| Item                               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Date                        | WIB Meeting – Wednesday, December 10, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Summary                            | <p>The WIB has enjoyed a beneficial partnership with Middlestate for the last 3 years beginning with our involvement in the JFF Fellows program. This past year, funded in large part from our Irvine Foundation grant (in which they played a key role in our successful application), Middlestate has completed a series of projects and outreach activities that have improved WIB services, increased awareness of our system, and given our staff a clearer picture of the challenges that many in our community face.</p> <p>Their work has included:</p> <ul style="list-style-type: none"><li>• Continued community outreach and insights that have informed the revised RFP and contracting process and are now supporting implementation of key changes.</li><li>• Establishing a community council (staff, partners, and soon customers) to inform learning priorities and co-design solutions for rural services.</li><li>• Launched Ag Skills Advancement branding, marketing, web presence, and on-the-ground outreach with community partners.</li><li>• Piloting an automated customer satisfaction survey system via Calendly, with system-wide rollout planned for Q1.</li><li>• Created a co-design team and a new, highly collaborative case review meeting for job-ready customers completing Talent Pool Milestones.</li><li>• Co-designed and partially facilitated Navigate training sessions.</li></ul> |
| Involvement of Other Organizations | <ul style="list-style-type: none"><li>• Irvine Foundation</li><li>• Middlestate</li><li>• CSET</li><li>• Proteus, Inc.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |