


MARICOPA COUNTY  HUMAN SERVICES DEPARTMENT Workforce Development Division	SECTION/REFERENCE WIA Guidance Letter #05-07 WIA Guidance Letter #07-07, Change 1	PAGE 1 OF 7
	ORIGINAL ISSUE DATE June 2008	REVISION DATE July 2011
	AUTHORIZED BY: Patrick Burkhart, Assistant Director	
SUBJECT: Program Eligibility	ADDENDA: VOS Eligibility & Verification Checklist I- 9 Employment Eligibility Verification WIA Applicant Statement (Self Attestation) English / Spanish Maricopa County PY11 LLSIL Table LLSIL Work –Around Income Process	

Background:

WIA Youth Programs require all youth to be eligible under the Federal guidelines in order receive program services from a WIA Youth Program. Before the start of the eligibility screening, it must be determined that the applicant is a citizen or resident alien with a right to work status, and males, 18 to 21 years of age, must be registered with Selective Service. The applicant’s status (age, barrier, school status) does not change throughout his/her participation. The applicant is considered a WIA youth participant at the first WIA funded activity, which is always Objective Assessment. Eligibility is tracked and verified utilizing the Virtual One Stop (VOS) System and participant’s case file.

MWC Youth Providers will ensure that eligibility requirements are met. MWC Contract Unit will conduct on-going training to the youth providers, technical support, desktop and periodic reviews of case files to ensure compliance. Failure to comply may result in participant disenrollment, disallowed costs charged to the provider, and/ or findings identified during a quality assurance review for corrective action. Program eligibility determinations are to be based on a review of the VOS application signed by the WIA applicant and/or parent/guardian (in the case of a minor).

The following information provides for definitions and required documentation to support program eligibility.

Policy:

The Arizona Department of Economic Security/ WIA Section recently issued WIA Guidance Letter #05-07, which supersedes WIA guidance Letter #03-06, Change 1, dated October 17, 2006. Effective April 15, 2008, only the documents listed under “Acceptable Verification and Documentation” on the revised WIA Eligibility & Verification Checklist are acceptable verification of the data verification of the data element in VOS. Please note the changes to the Citizenship/ Right to Work element due to the federal elimination of certain documents used on the I-9 employment verification form and changes to the Self-Attestation criteria for the local area.

Responsibility:

- 1) It is the responsibility of all youth providers to ensure that staff is trained on program eligibility and kept current on all changes affecting eligibility provided by DOL, DES, and MWC. Training should be scheduled for new hires, transfers, and/or as determined by youth provider or MWC. It is the youth provider’s

responsibility for requesting access to VOS and requesting through MWC access to DES mainframe information.

- 2) MWC will provide training and technical support as needed or requested.

WIA YOUTH PROGRAM ELIGIBILITY ELEMENTS

Orientation/Initial Assessment to the program will be conducted individually or in groups and will consist of an overview of the enrollment process, assessments, training programs, attendance requirements while in training, and information regarding financial aid and support services. Not everyone is enrolled in the program; however, alternatives will be explored with each orientation attendee. If the youth is not enrolled at this time, a referral may be given for another program to better meet his or her needs.

Suitability should be determined during orientation. Not all youth who seek WIA-funded services will be suitable for the program, *at that given time*. The youth may have a problem or barrier that WIA services is unable to resolve or the youth's expectations may not be in-line with the services/ objective of WIA youth program. The Youth Providers must adequately assess the youth's goals, barriers, and expectations to determine if the youth is suitable for the program.

Eligibility must be determined prior to providing services to the participant in order to comply with WIA requirements. The term "eligible youth" means an individual who is:

- A low-income individual as defined by Public Law
- Not younger than age 14 and not older than age 21
- A citizen or resident alien with a right to work status
- Registered with Selective Service if a male between 18 to 21 years of age
- An individual with one or more of the following barriers:
 - Deficient in basic literacy skills as defined to include either:
 - Computes or solves problems, reads, writes, or speaks English at or below grade level 8.9
 - Is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society
 - School Dropout;
 - Homeless, runaway, or foster child;
 - Pregnant or parenting;
 - Offender; or
 - Is an individual (including a youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment as determined by the following criteria:
 - Other individuals defined as "at risk" by MWC, based upon assessment of skill needs, barriers, and/or referrals from:
 - Juvenile Justice Court system;
 - Youth services program providers;
 - Local education agencies

Non-Economically Disadvantage Youth

WIA required that at least ninety-five percent (95%) of registered participants be economically disadvantaged with a five percentage (5%) window allowing participants in each local area who do not meet the low-income eligibility requirements to be determined eligible.

DOCUMENTATION RELATED TO WIA TITLE 1B ELIGIBILITY**1. Date of Birth & Age Verification**

The documentation can be in the form of a copy of a AZ driver's license or AZ State ID, a copy of a birth certificate, public assistance or social service records, federal, state or local government identification card, passport, hospital record of birth, work permit, official school records/ID Card, baptismal record, Tribal Records and DD-214 Report of Transfer or Discharge.

2. Family Income

Documentation can consist of such items as: pay stubs, alimony agreement, award letter from Veterans Administration, compensation award letter, court award letter, employer statement, business financial records, housing authority verification, pension statements, quarterly estimated tax for self-employed persons, social security benefits, unemployment insurance documents, or public assistance records. An applicant statement can be used only in limited cases.

Inclusions in Family Income

Income that is considered when determining low-income status for the six (6) months prior to the date of application:

- Alimony
- College or university grants (excluding Pell Grants), fellowships, assistantships
- Dividends, interest, net rental income, net royalties, and periodic receipts from estates or trusts
- Gross wages/salaries paid, and military pay while on active duty and severance pay
- Military family allotments or other regular payments from an absent family member but not child support
- Net gambling or lottery winnings
- Net receipts from:
 - Non-farm self-employment (receipts from an individual's own unincorporated business, professional enterprise, or partnership after deductions for business expenses); **OR**
 - Farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses)
- Pensions, whether private or government (including military retirement pay)
- Regular disability insurance or annuity payments
- Regular payments from the following:
 - Railroad retirement
 - Strike benefits from union funds
 - Worker's compensation;
 - Training stipends
 - Supplemental unemployment benefits paid by the union or employer; **OR**
 - Work-study wages **not** issued on low-income status
- Tribal Per Capita payments per US Department of Labor DINAP Bulletin No. 00-11. According to this bulletin, per capita payments, regardless of the title attached to these payments, are considered "family income" with the exception of those payments "derived from an exercise of the trust responsibility".

Exclusions in Family Income

The income that is not considered when determining low income status:

- Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car

- Capital gains
- Child support payments (paid or received), **including foster care child payments**
- Veterans' benefits, i.e., compensation for a service-connected disability, compensation for service-connected death, vocational rehabilitation and education assistance
- WIA payments: training stipends, support, and wages
- Non-cash benefits such as employer-paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, Food Stamps, school meals, and housing assistance
- Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS, Stafford and Perkins loans (These are like any other type of loan, they represent debt and not income)
- Scholarships based on need
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury
- Unemployment compensation
- Welfare payments (including TANF, SSI, RCA, and GA)
- Work-study wages issued on low-income status
- Social Security (old age and survivors' insurance or disability insurance).

3. Family Size/ Individual Status

Under WIA, the term "family" related to two or more persons living in the same household who are related through blood, marriage, or court decree and are included in at least one of federal law groups below. The state further defines family as an economic unit of one or more person, as described below. Family, as defined below, must be used in determining financial eligibility where appropriate:

- A husband, wife, and their depended children
- A parent or guardian and his/ her dependent children
- Husband and wife
- An economic unit of one or more persons who receive at least 50% of their financial support from the economic unit

Note: If the individual is disabled, he/ she is considered a family of one. Verification of disability must be documented and maintained in a centralized location, separate from the program hard file. Reference to supporting documentation must be made in the case notes.

In determining whether an individual without a disability can be considered a family unit of one, consideration is to be given in the following situation:

- An individual 14 years of age or older, not living with his/ her family, and receiving less than 50 percent maintenance from the family in a six month period previous to program application
- An individual 18 years of age or older living with his/her family who received less than 50 percent maintenance from the family in the six month period previous to program application and is not the principal earner nor the spouse of the principle earner

If an individual qualified as a "family of one" because of more than one reason, only ONE reason needs to be documented (e.g. an individual who has a disability or who has been determined to be "financially independent" needs to have either the disability status or the "financial independence" status documented).

4. Lower Living Standard Annual Income Levels (LLSIL)

The 70% Lower Living Standard Annual income Levels (LLSILs) are published by the Secretary of Labor annually. They represent maximum annual income levels, adjusted for metropolitan and non-metropolitan areas, as well as family size, that are used as a criterion for eligibility under WIA. Specifically, **the 70% LLSILs are used to determine annual income for all eligible youth with the exception of those served under the 5% annual income window.**

Note: The 70% LLSIL table is not updated in VOS. The annual household income will need to be entered in the comment section of the VOS application. Refer to LLSIL Work- Around Income Process for instruction in entering the annualized income in VOS.

5. Right to Work

Participation in WIA Title IB programs or activities must be available to United States citizens, lawfully admitted permanent resident aliens, refugees, asylees, parolees, and other immigrants **authorized to work in the United States**. There are numerous documents which Local Workforce Investment Agencies (LWIAs) and Administrative Entities (AEs) can accept as verification for citizenship and right to work in the U.S.

<p>Right To Work Documentation MUST be in file</p>	<p>List A</p> <ul style="list-style-type: none"> <input type="checkbox"/> U.S. Passport (unexpired or expired) <input type="checkbox"/> Certificate of U.S. Citizenship (INS Form N-560 or N-561) <input type="checkbox"/> Certificate of Naturalization (INS form N-550 of N-570) <input type="checkbox"/> Unexpired Foreign Passport with I-155 Stamp or Attached I-94 w/valid <input type="checkbox"/> Employment Authorization <input type="checkbox"/> Permanent Resident Card or Alien Registration Receipt Card with Photo (INS Form I-151 or I-551) <input type="checkbox"/> Unexpired Temporary Resident Card (INS Form I-688) <input type="checkbox"/> Unexpired Employment Authorization Card (INS Form I-688A) <input type="checkbox"/> Unexpired Re-Entry Permit (INS Form I-327) <input type="checkbox"/> Unexpired Refugee Travel Document (INS Form I-571) <input type="checkbox"/> Unexpired Employment Authorization Document (INS Form I-688B) w/photo issued by DHS <p>List B When selecting from list 'B' there must also be a copy of one item from list 'C' as documentation in the participant file.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Driver's License or ID Card issued by a state or outlying possession of the U.S. provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address <input type="checkbox"/> ID Card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address <input type="checkbox"/> School ID Card with a photograph <input type="checkbox"/> Voter's Registration Card <input type="checkbox"/> U.S. Military Card or Draft Record <input type="checkbox"/> Military Dependent's ID Card <input type="checkbox"/> U.S. Coast Guard Merchant Mariner Card
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	<ul style="list-style-type: none"> <input type="checkbox"/> Native American Tribal Document <input type="checkbox"/> Driver’s license issued by a Canadian Government Authority <p>For persons under 18 who are unable to present a document listed above:</p> <ul style="list-style-type: none"> <input type="checkbox"/> School record or report card <input type="checkbox"/> Clinic, doctor or Hospital Record <input type="checkbox"/> Day-care or nursery school record <p>List C</p> <ul style="list-style-type: none"> <input type="checkbox"/> U.S. Social Security card issued by the Social Security Administration (other than a card stating it is not valid for employment) <input type="checkbox"/> Certification of Birth Abroad issued by the Department of State (<i>form FS-545 or Form DS-1350</i>) <input type="checkbox"/> Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal <input type="checkbox"/> Native American tribal documents <input type="checkbox"/> U.S. Citizen ID Card (<i>Form I-197</i>) <input type="checkbox"/> ID Card for use of Resident Citizen in the United States (<i>Form I-179</i>) <input type="checkbox"/> Unexpired employment authorization document issued by DHS (<i>other than those listed under List A</i>)
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6. Selective Service

Registration information must be documented for all males who were born on or after January 1, 1960, who are 18 years of age or older. Documentation can be in the form of a selective service registration card, a stamped post office receipt of registration, DD-214 Report of Transfer or Discharge, Selective Service Advisory Opinion Letter, Selective Service registration record, and Selective Service Verification Form. The selective service registration number may be obtained from the Selective Service Office at (847)688-6888. The youth may register at www.sss.gov, Selective Service Registration with WIA.

7. Applicant Statement

Self-attestation occurs when a participant states his or her status for a particular data element and then signs and dates a form acknowledging this status. In these instances, the state does permit self-attestation as an alternative means of verifying a **limited** number of factors related to the applicant status. The key elements for self-attestation are:

- 1) the participant identifying his or her status for permitted elements, and
- 2) signing and dating a form attesting to this self-identification.

The WIA Eligibility & Verification Checklist is used by Program Monitors when conducting data validation checks. Some of the elements states that the WIA application is sufficient proof, however, so require that if no documentation is provided, than the self-attestation form is used for validation. The checklist will enable easy identification of documents used to meet eligibility requirements.

The following youth element is the **only** instance where the **WIA Application** is a sufficient source for documentation:

- 1) Out-of-School status at participation/ Highest Grade Completed
- 2) Youth requires additional assistance

The following elements are instances where **an applicant statement** is permitted when efforts have been exhausted and it has been determined that the documentation is unavailable and obtaining the documentation will cause undue hardship for the individual:

- 1) Homeless individual and/or runaway youth
- 2) Youth Offender
- 3) Pregnant or parenting youth
- 4) Individual Status/ Family Size
- 5) Out-of-school status at participation

Applicant statement or WIA application is not allowable source documents for verifying in-school status at the time of program participation. Refer to the WIA Eligibility and Verification Checklist for supporting documentation for youth that are enrolled in school at the time of participation.

Note: The Arizona Department of Economic Security WIA Applicant Statement form is the only allowable source document in documenting the participant's self-attestation

For the pregnant or parenting youth, observation is also listed as a source documentation requirement for this element, in which the caseworker would have to document they have observed that the participant is pregnant or parenting in VOS case notes.

All reasonable attempts must be made to secure the co-signature of the parent or legal guardian to the WIA Application and/or Self-Attestation form in the instance where a minor is applying for WIA services. If there is no parent or legal guardian available, a responsible adult in the life of the minor will have to suffice. A responsible adult (age 18 or older) can be a family member who has no legal guardianship but provides room and board, a religious person currently familiar with the family history of the minor, a counselor at a homeless shelter, etc.