

# ETO Policy 15-Documentation of Program Eligibility- Adult Blue Collar Programs

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## **Purpose**

The purposes of this policy are to establish who is eligible for Blue Collar Adult programs and to provide guidance on how to document the required eligibility. In order to be considered a participant enrolled in a Blue Collar Adult program, all required eligibility must be documented unless it is specifically specified otherwise in this policy or the agreement/contract. This policy replaces ETO policy 14.8 for Adult Blue Collar Programs only.

## **References**

Delaware Blue Collar Jobs Act (BC), Delaware Workforce Development Board (DWDB) Policy

## **Attachments:**

ATTACHMENT A – Adult Blue Collar Criteria for Enrollment

ATTACHMENT B - Selective Service Registration

ATTACHMENT C - Definitions for Eligibility

ATTACHMENT D - Acceptable Eligibility Verification Listing

ATTACHMENT E - Self-Certification

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### Adult Blue Collar Criteria for Enrollment

**An individual shall be eligible to participate in the Adult Blue Collar Programs if such individual meets:**

GENERAL ELIGIBILITY
Citizenship/Immigration Status Social Security Number Birth Date/Age (18 years or older) Residency Selective Service Registrant

All eligibility will be documented and verified.

It is important to note that verification is far different than hard copy documentation.

Verification means to confirm eligibility requirements through examination of official documents: for example, birth certificates, public assistance records, or speaking with official representatives of cognizant agencies.

Documentation means to maintain physical evidence, which is obtained during the verification process. Documentation to support General Eligibility will be uploaded in Delaware Job Link (DJL). Such evidence would be copies of documents, completed telephone/document inspection forms, and signed self-certification statement.

All Adult Blue Collar enrollments must verify and document the General Eligibility criteria, which consist of citizenship or eligible to work, residency, selective service registrant (if applicable), and age. All enrollments must be determined eligible through verifying and documenting the General Eligibility prior to the start of the program.

**Individuals must meet General Eligibility, which consists of Citizenship or Eligible to Work, Social Security Card, Residency, Age, and Selective Service Registration.**

**Citizenship or Eligible to Work** – participation in programs and activities financially assisted in whole or part under DWDB / Delaware Department of Labor (DDOL) /Division of Employment and Training (DET) shall be open to citizens and nationals of the United States, lawfully admitted permanent resident immigrants, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States (applies to all programs under Blue Collar).

**Social Security Number** – all clients shall provide documentation of their social security number.

**Selective Service Registrant** – the Secretary shall ensure that each individual participating in any program established under DWDB / DDOL / DET or receiving any assistance or benefit under Blue Collar, has not violated Section 3 of the Military Selective Service Act (MSSA) (50 U.S.C. App. 453) by not presenting or submitting to registration as required pursuant to such section. The Director of the Selective Service System shall cooperate with the Secretary in carrying out this section.

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Note: Males born after December 31, 1959 must register with the selective service system within 30 days after their 18<sup>th</sup> birthday or at least before they reach the age of 26.

**The contractor may make a request to DOL/DET to waive the selective service requirement for males who did not register for selective services because they were either exempt from registering (see Attachment B for allowable exemptions) or failed to register. In all cases, exemptions must be documented, or a letter from the client must be written explaining why they failed to register. The documentation or letter must be submitted to DOL/DET with the request to waive the selective service requirement prior to enrollment. DOL/DET has sole discretion to approve or deny such requests. Approvals will be kept to a minimum.**

**Age** – Not less than age 18.

**Residency** – participation in a program administered by the DWDB / Delaware Department of Labor, Division of Employment and Training (DDOL / DET) shall be open to all residents of Delaware. Residency is determined at time of application. Exceptions to Delaware residency may be permissible if approved by DET/DWDB. Requests to serve out of state residence should be sent to DOL/DET prior to enrollment. DET/DWDB has sole discretion to approve or deny requests. Approvals will be kept to a minimum. An exception to Delaware residency is allowed if the adult is enrolled in a Delaware school and lives in a town split by state boundaries: for example, Delmar and Marydel.

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### Selective Service Registration

In accordance with Section 189(h) of the Workforce Investment Act, which states that the U.S. Secretary of Labor shall insure that each individual participating in any program established under this Act, has not violated Section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not presenting and submitting to registration as required pursuant to such section.

#### *WHO MUST REGISTER*

**Almost all male U.S. Citizens and male aliens living in the U.S., who are 18 through 25, are required to register with Selective Service.** It's important to know that even though he is registered, a man will not automatically be inducted into the military. In a crisis requiring a draft, men would be called in sequence determined by random lottery number and year of birth. Then, they would be examined for mental, physical, and moral fitness by the military before being deferred or exempted from military service or inducted into the Armed Forces.

A chart of who must register is available below.

#### *NON-CITIZENS*

**Some non-citizens are required to register. Others are not. Non-citizens who are not required to register with Selective Service include men who are in the U.S. on student or visitor visas and men who are part of a diplomatic or trade mission and their families. Almost all other male non-citizens are required to register, including undocumented immigrants, legal permanent residents, and refugees. The general rule is that if a male non-citizen takes up residency in the U.S. before his 26<sup>th</sup> birthday, he must register with Selective Service. For a more detailed list of which non-citizens must register, see the Who Must Register for Selective Service Chart.**

#### *DUAL NATIONALS*

**Dual nationals of the U.S. and another country are required to register, regardless of where they live, because they are U.S. nationals.**

#### *HOSPITALIZED OR INCARCERATED MEN*

Young men in hospitals, mental institutions, or prisons do not have to register while they are committed. However, they must register within 30 days after being released if they have not yet reached their 26<sup>th</sup> birthday.

#### *DISABLED MEN*

Disabled men who live at home must register with Selective Service if they can reasonably leave their homes and move about independently. A friend or relative may help a disabled man fill out the registration form if he can't do it himself.

Men with disabilities that would disqualify them from military service still must register with Selective Service. Selective Service does not presently have authority to classify men, so even men with obvious handicaps must register now, and if needed, classifications would be determined later.

#### **FULL-TIME MILITARY EXEMPTED FROM REQUIREMENT**

Young men serving in the military on full-time active duty do not have to register. Those attending the service academies do not have to register. If a young man leaves the military before turning 26, he must register.

#### *NATIONAL GUARD AND RESERVES*

Members of the Reserve and National Guard not on full-time active duty must register.

#### *CONSCIENTIOUS OBJECTORS*

Men who would be classified as conscientious objectors if they were drafted must also register with Selective Service. If a draft begins and they are called, they would have the opportunity to file a claim for exemption from military service based upon their religious or moral objection to war.

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For information on Selective Service regulations, please refer to the following:

- TEGL 11-11, Change 2 (dated May 16, 2012) Selective Service Registration Requirements for Employment and Training Administration Funded Programs
- Selective Service Telephone Verification No. (847) 688-6888 or toll-free: (888) 655-1825  
TTY: (847) 688-2567  
Hours of operation: 8:00 a.m. to 3:30 p.m., Central Time. Have your date of birth and social security number handy
- Internet Verification/Registration ([www.sss.gov](http://www.sss.gov)).

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### **WHO MUST REGISTER FOR SELECTIVE SERVICE?**

With only a few exceptions, the registration requirement applies to all male U.S. citizens and male immigrants residing in the United States who are 18 through 25 years of age.

Category	Yes	No
All male U.S. citizens born after December 31, 1959, who are 18 but not yet 26 years old, except as noted below:	<b>X</b>	
<i>Military Related</i>		
Members of the Armed Forces on active duty (active duty for training does not constitute "active duty" for registration purposes)		<b>X*</b>
Cadets and Midshipmen at Service Academies or Coast Guard Academy		<b>X*</b>
Cadets at the Merchant Marine Academy	<b>X</b>	
Students in Officer Procurement Programs at the Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University		<b>X*</b>
National Guardsmen or Reservists not on active duty	<b>X</b>	
Delayed Entry Program enlistees	<b>X</b>	
ROTC Students	<b>X</b>	
Separatees from Active Military Service, separated for any reason before age 26	<b>X*</b>	
Men rejected for enlistment for any reason before age 26	<b>X</b>	
Civil Air Patrol members	<b>X</b>	
<i>Immigrants**</i>		
Lawful non-immigrants on visas (e.g., diplomatic and consular personnel and families, foreign students, tourists with unexpired Forms I-94 or Border Crossing Documents DSP-150)		<b>X</b>
Permanent resident immigrants (USCIS Form I-551)	<b>X</b>	
Special agricultural workers	<b>X</b>	
Seasonal agricultural workers (H-2A Visa)		<b>X</b>
Refugee, parolee, and asylee immigrants	<b>X</b>	
Undocumented immigrants	<b>X</b>	
Dual national U.S. citizens	<b>X</b>	

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<i>Confined</i> Incarcerated, hospitalized, or institutionalized for medical reasons		<b>X*</b>
<i>Handicapped physically or mentally</i> Able to function in public with or without assistance	<b>X</b>	
Continually confined to a residence, hospital, or institution		<b>X</b>

\* **MUST** register within 30 days of release unless already age 26

**NOTE: To be fully exempt you must have been on active duty or confined continuously from age 18 to 25**

\*\* Residents of Puerto Rico, Guam, Virgin Islands, and Northern Mariana Islands are U.S. citizens. Citizens of American Samoa are nationals and must register when they are habitual residents in the United States. Habitual residence is presumed whenever a national or a citizen of the Republic of the Marshall Islands or the Federated States of Micronesia resides in the United States for more than one year in any status, except as a student or employee of the government of his homeland.

**NOTE:** Immigrants who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after they were 26 years old, were never required to register. Also, immigrants born before 1960, who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after March 29, 1975, were never required to register.

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### DEFINITIONS FOR ELIGIBILITY

- **Adult** – except in Sections 127 and 132, an adult is an individual with an age of 18 or older. [*Act 101(1) and 20 CFR 663.110*]
- **Age** – the term adult means an individual who is age 18 or older [*Act 101(1) and 20 CFR 663.110*]; for youth age is not less than 14 and not more than 21 [*Act 101(13) and 20 CFR 664.200(a)*].
- ~~**Basic Skills Deficient** – an individual who computes or solves problems, reads, writes, or speaks English at or below the 8<sup>th</sup> grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test.~~
- ~~**Behind Grade Level** – individuals with educational attainment that is one or more grade levels below the grade level appropriate to the age of the individual. [*Act 129(C)(5)*]~~

~~When determining the level of deficiency for a youth participant, it is essential to determine the grade level at which they should be functioning. In order to enter the first grade, a child must be six years old on or before September 1<sup>st</sup>.~~

- ~~**Cash Public Assistance** – an individual who is listed on the grant and/or is receiving assistance under any of the following programs at any time during participation.~~
  - ~~Temporary Assistance to Needy Families (TANF)~~
  - ~~General Assistance (GA) (State/local government)~~
  - ~~Refugee Cash Assistance (RCA)~~
  - ~~Supplemental Security Income (SSI SSA Title XVI)~~

~~Public assistance recipients may also include participants, who were referred by the TANF agency, participated in the TANF assessment program as a requirement prior to opening a TANF grant, and who received support services from the TANF agency.~~

~~[*Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1, Attachment E*]~~

- ~~**Citizenship/Eligible to Work** – participation in programs and activities financially assisted in whole or part under WIA shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the in the United States (applies to all programs under Title I Attorney General to work). [*Act 188(a)(5)*]~~
- **Corroborative Witness** – a person who personally knows or can identify the applicant and who is reasonably likely to be able to verify the applicant's statement on the Statement of Family Size Form. The witness signing the Statement of Family Size Form may accomplish such verification. [*See Attachment H of WIIN 3-99, Change 2*]
- ~~**Dislocated Worker** – an individual who~~



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- (A) (i) ~~has been terminated or laid off, or who has received a notice of termination or layoff from employment;~~  
(ii) (I) ~~is eligible for or has exhausted entitlement to unemployment compensation;~~
- OR**
- (II) ~~has been employed for a duration sufficient to demonstrate to the appropriate entity at a one stop center, referred to in Section 134(c), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that was not covered under a State unemployment compensation law; AND~~  
(iii) ~~is unlikely to return to a previous industry or occupation.~~
- (B) (i) ~~has been terminated or laid off, or has received a notice of termination or layoff from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;~~  
(ii) ~~is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; OR~~  
(iii) ~~for purposes of eligibility to receive services other than training services described in Section 134(d)(4), intensive services described in Section 134(d)(3), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.~~
- (C) ~~was self employed (including employment as a farmer, a rancher, or a fisherman), but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters; OR~~
- (D) ~~is a displaced homemaker.~~  
~~{Act 101(9)}~~
- ~~**Displaced Homemaker**—an individual who has been providing unpaid services to family members in the home and who~~
    - (A) ~~has been dependent on the income of another family member but is no longer supported by that income; AND~~
    - (B) ~~is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.~~~~{Act 101(10)}~~
  - ~~Documentation—to maintain physical evidence, this is obtained during the verification process, in participant files. Such evidence would be copies of documents, completed telephone/document inspection forms and signed self-certification statement.~~
  - ~~**Eligible Youth**—an individual who~~
    - (A) ~~is not less than age 14 and not more than age 21;~~
    - (B) ~~is a low income individual; and~~
    - (C) ~~is an individual who has one or more of the following barriers:~~
      - (i) ~~deficient in basic literacy skills;~~
      - (ii) ~~a school dropout;~~
      - (iii) ~~homeless, a runaway, or a foster child;~~
      - (iv) ~~pregnant or a parent;~~
      - (v) ~~an offender;~~

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~~(vi) an individual (including a youth with a disability) who requires additional assistance to complete an educational program or to secure and hold employment (see definition below). [Act 101(13)] SEE BELOW~~

~~A YOUTH WHO REQUIRES ADDITIONAL ASSISTANCE TO COMPLETE SCHOOL IS DEFINED BY THE DELAWARE WORKFORCE INVESTMENT BOARD AS:~~

- ~~• An individual whose educational level is two or more grade levels below the grade level appropriate to the age of the individual~~
- ~~• An individual identified as at risk in TEGL 03-04 & TEGL 28-05 not specifically identified in Section 101 (13) (c) including youth at risk of dropping out, dropouts, aging out of foster care, court involved youth, children of incarcerated parents, migrants, Indian and Native American youth and youth with disabilities.~~
- **Emancipated Youth** – a youth who at time of eligibility determination was 19 or older and who was 19 or older on the previous January 1, except full time students.  
At time of eligibility determination was 18 or older and who was 18 or older on the previous January 1, except full time students, that on their tax return for the most recent year, claimed themselves.  
Other youth may be determined to be emancipated due to their family status, personal income and housing arrangements etc. (This is subject to a “reasonable person” test, requires documentation, and is solely the responsibility of the contractor (See definition of family for additional information)).
- **Employed at Registration** – an employed individual is currently working as a paid employee or who works in his or her own businesses or profession or on his or her own farm, or works 15 hours or more per week as an unpaid worker on a farm or in an enterprise operated by a member of the family, or is one who is not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time-off, and whether or not seeking another job.  
*[Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1, Attachment E]*
- **Family** – two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:
  - (A) a husband, wife, and dependent children.
  - (B) a parent or guardian and dependent children.
  - (C) a husband and wife.

*[Act 101(15)]*

**A dependent child is defined as a child:**

**Under age 19 at the end of the previous calendar year; or  
Under age 24 at the end of the previous calendar year and was a student.**

**A dependent child was a student if he or she:**

**Was enrolled as a full-time student at a school during any 5 months of the previous calendar year or took a full-time, on-farm training course during any 5 months of the previous calendar year. The course had to be given by a school or a state, county or local government agency. A school includes technical, trade and**

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mechanical schools. It does not include on-the-job training courses or correspondence schools.

Also, regardless of residence and/or citizenship, anyone claimed as a dependent on another person's Federal Income Tax return for the previous year shall be presumed to be part of the person's family for the current year. To negate this assumption, the person who was claimed as a dependent for income tax purposes would be required to provide information that demonstrates the individual is no longer financially dependent.

In applying the definition of family, runaway youth, emancipated youth, and court adjudicated youth separated from the family through involuntary temporary residence elsewhere (e.g., institutionalized, incarcerated, or placed as a result of a court order) shall not be classified as dependent children.

**Individual with a disability and own income at or below the Poverty Line or 70% of the Lower Living Standard Income Level.**

[20 CFR 663.640 – Adult; 20 CFR 664.250 – Youth]

- ~~**Family Income** for the purpose of determining WIA income eligibility. List the total income received by you and members of your family from (1) gross wages and salaries (before deductions); (2) net self employment income (gross receipts minus operating expenses); and (3) other money income from sources such as net rents, social security, pensions, alimony, government and armed forces retirement payments, insurance policy annuities, and other sources of periodic income.~~

### **Inclusions for Family Income**

- ~~Money wages and salaries before any deductions;~~
- ~~WIA OJT wage payments to participants;~~
- ~~Disaster Relief Employment Wages;~~
- ~~Net receipts from non farm self employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expense);~~
- ~~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);~~
- ~~Regular payments from social security, railroad retirement, strike benefits from union funds, worker's compensation (public/private), and training stipends;~~
- ~~Alimony;~~
- ~~Military family allotments or other regular support from an absent family member or someone not living in the household;~~
- ~~Pensions whether private government employee (including military retirement pay);~~
- ~~Regular insurance or annuity payments;~~
- ~~College or university grants, fellowships and assistantships;~~
- ~~Dividends, interest, net rental income, net royalties, periodic receipts from estates or trust;~~
- ~~Net gambling or lottery winnings;~~
- ~~Net self employment income (gross receipts minus operating expenses);~~

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- ~~Social Security Disability Income (exclusive of SSD).~~

### **Exclusions for Family Income**

- ~~Unemployment compensation; [Act 101(25)(B)]~~
- ~~Child support payments; [Act 101(25)(B)]~~
- ~~Cash welfare payments (including TANF, SSI, RCA, GA); [Act 101(25)(B)]~~
- ~~Old Age and Survivors Insurance (OASI) benefits received under Section 202 of the Social Security Act (42 U.S.C. 402); [Act 101(25)(B)]~~
- ~~Foster care payments; [Act 101(25)(B)]~~
- ~~Needs based scholarship assistance;~~
- ~~Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants and~~
- ~~Federal Work Study, PLUS, Stafford and Perkins loans like any other kind of loan are debt and not income;~~
- ~~Income 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 assistance;~~
- ~~Tax refunds, gifts, loans, lump sum inheritances, one time insurance payments, or compensation for injury;~~
- ~~Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;~~
- ~~IRA withdrawals;~~
- ~~Capital gains;~~
- ~~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;~~
- ~~WIA payments to participants (except OJT wages) shall not be considered as income for the purposes of determining eligibility.~~

**NOTE:** ~~When a federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIA eligibility determination.~~

- **Follow-up Services (Adult and Dislocated Worker)** – follow-up services, including counseling regarding the workplace, for participants in workforce investment activities authorized under subtitle (B) of Title I of WIA who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate. [20 CFR 662.240(b)(11)]
- **Follow-up Services (Youth)** – follow-up services for youth may include:
  - (1) leadership development and supportive service activities listed in 20 CFR 664.420 and 20 CFR 664.440;
  - (2) regular contact with a youth participant's employer, including assistance in addressing work-related problems that arise;
  - (3) assistance in securing better paying jobs, career development and further education;

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- (4) work-related peer support groups;
- (5) adult mentoring; and
- (6) tracking the progress of youth in employment after training.

All youth participants must receive some form of follow-up services for a minimum duration of 12 months. Follow-up services may be provided beyond 12 months at the State or Local Board's discretion. The types of services provided and the duration of services must be determined based on the needs of the individual. The scope of these follow-up services may be less intensive for youth who have only participated in summer youth employment opportunities. [20 CFR 664.450]

- ~~**Food Stamps**—is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977. [Act 101(25)(C)]~~
- ~~**Foster Child**—a foster child is an individual on behalf of whom state or local government payments are made. [Act 101(25)(E)]~~
- ~~**Homeless**—an individual who lacks a fixed regular, adequate night time residence; and any individual who has a primary night time residence that is:
 
  - (a) a publicly or privately operated shelter for temporary accommodation;
  - (b) an institution providing temporary residence for individuals intended to be institutionalized; or
  - (c) a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.~~

The term homeless does not include a person imprisoned or detained pursuant to an Act of Congress or State law. [Section 103(a) and Section 103(e) of the Stewart B. McKinney Act]

- ~~**Individual with a Disability**—means an individual with any disability (as defined in Section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)). [Act 101(17)]~~  
~~Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.~~
  - (1) (i) ~~The phrase *physical or mental impairment* means:~~
    - (A) ~~any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.~~
    - (B) ~~any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.~~
  - (ii) ~~The phrase *physical or mental impairment* includes, but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and~~

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- alcoholism. The phrase “physical or mental impairment” does not include homosexuality or bisexuality.
- (2) The phrase *major life activities* means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- (3) The phrase *has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- (4) The phrase *is regarded as having an impairment* means:
- (i) has a physical or mental impairment that does not substantially limit major life activities but that is treated by the recipient as being such a limitation;
  - (ii) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
  - (iii) has none of the impairments defined in paragraph (1) of this definition but is treated by the recipient as having such an impairment.
- [20 CFR 37.4]

**The following questions and answers are in regard to disabled individuals and can be found in 20 CFR 663.640 (Adult) and 20 CFR 664.250 (Youth) of the Final Rules.**

20 CFR-663.640 May an individual with a disability whose family does not meet income eligibility criteria under the Act be eligible for priority as a low income adult?

**Yes. Even if the family of an individual with a disability does not meet the income eligibility criteria, the individual with a disability is to be considered a low income individual if the individual’s own income:**

- (a) meets the income criteria established in WIA section 101(25)(B); or
- (b) meets the income eligibility criteria for cash payments under any Federal, State or local public assistance program. (WIA section 101(25)(F))

20 CFR-664.250 May a disabled youth whose family does not meet income eligibility criteria under the Act be eligible for youth services?

**Yes. Even if the family of a disabled youth does not meet the income eligibility criteria, the disabled youth may be considered a low income individual if the youth’s own income:**

- (a) meets the income criteria established in WIA section 101(25)(B); or
- (b) meets the income eligibility criteria for cash payments under any Federal, State or local public assistance program. (WIA section 101(25)(F))

- **Individual Service Strategy (ISS)** – the individual employment plan is an ongoing strategy jointly developed by the participant and the case manager that identifies the participant’s employment goals, the appropriate achievement objectives, and the appropriate combination of services for the participant to achieve the employment goals. [20 CFR 663.245]
- **Individual Who Requires Additional Assistance** — A YOUTH WHO REQUIRES ADDITIONAL ASSISTANCE TO COMPLETE SCHOOL IS DEFINED BY THE DELAWARE WORKFORCE INVESTMENT BOARD AS:

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- ~~An individual whose educational level is two or more grade levels below the grade level appropriate to the age of the individual OR~~
- ~~An individual identified as at risk in TEGL 03-04 & TEGL 28-05 not specifically identified in Section 101 (13) (c) including youth at risk of dropping out, dropouts, aging out of foster care, court involved youth, children of incarcerated parents, migrants, Indian and Native American youth and youth with disabilities.~~
- **Literacy** – an individual’s ability to read, write, and speak in English, and to compute and solve problems at levels of proficiency necessary to function on the job, in the family of the individual, and in society. [*Act 203(12); 20 CFR 660.300*]
- **Local Board** – a local workforce investment board established under WIA section 117 to set a policy for the local workforce investment system. [*20 CFR 660.300*]
- ~~**Lower Living Standard Income Level (LLSIL)** – the income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of the U.S. Department of Labor based on the most recent lower living family budget issued by the Secretary. [*See Attachment E of WIIN 3-99, Change 2*]~~
- ~~**Low-income Individual** – an individual who~~
  - (A) ~~receives, or is a member of a family that receives, cash payments under a Federal, State, or local income based public assistance program;~~
  - (B) ~~received an income, or is a member of a family that received a total family income, for the six month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old age and survivors insurance benefits received under Section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of~~
    - (i) ~~the Poverty Line for an equivalent period; or~~
    - (ii) ~~70 percent of the Lower Living Standard Income Level (LLSIL) for an equivalent period;~~
  - (C) ~~is a member of a household that receives (or has been determined within the six month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);~~
  - (D) ~~qualifies as a homeless individual, as defined in subsections (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);~~
  - (E) ~~is a foster child on behalf of whom State or local government payments are made; or~~
  - (F) ~~in cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.~~  
[*Act 101(25)*]
- **Not Employed at Registration** – an individual who does not meet the definition of employed or who, although employed, has received notice of termination of employment. [*Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1, Attachment E*]

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- **Offender** – an individual
  - (A) who is or has been subject to any stage of the criminal justice process for whom services under WIA may be beneficial; or
  - (B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
 [*Act 101(27)*]
  
- ~~**Out of School Youth** – an eligible youth, at the time of registration, who is a school dropout or who has received a secondary school diploma or its equivalent but is basic skills deficient, unemployed, or underemployed. [*Act 101(33)*]~~
  
- **Participant** – an individual who has registered under 20 CFR 663.105 or 20 CFR 664.215 and has been determined to be eligible to participate in and who is receiving services (except for follow-up services) under a program authorized by WIA Title I. Participation commences on the first day, following determination of eligibility, on which the individual begins receiving other core, intensive, training or other services provided under WIA Title I. [*Act 101(34); 20 CFR 660.300*]
  
- ~~**Pregnant or Parenting Youth** – an individual who is under 22 years of age and who is pregnant, or a youth (male or female) who is providing custodial care for one or more dependents under age 18. [*Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1, Attachment E*]~~
  
- ~~**Poverty Guidelines** – are issued by the Department of Health and Human Services and are used for administrative purposes – for instance, for determining whether a person or family is financially eligible for assistance or services under a particular Federal program. [*Federal Register, Volume 78, Number 16, January 24, 2013, pp. 5182 – 5183; See Attachment E of WIIN 3-99, Change 2*]~~
  
- ~~**Poverty Line** – the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with Section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved. [*Act 101(36)*]~~
  
- ~~**Priority Policy (for intensive and training services)** – if funds are limited, priority shall be given to recipients of public assistance and other low income individuals for intensive and training services. [*20 CFR 663.600 and Act 134(d)(4)(E)*]~~  
~~**Funds allocated for dislocated workers, blue collar, or skills grant are not subject to this requirement.**~~
  
- ~~**Public Assistance** – Federal, State, or local government cash payments for which eligibility is determined by a needs or income test. [*Act 101(37)*]~~
  
- ~~**Public Assistance Recipient** – a participant who is listed on the grant and/or is receiving assistance under any of the following programs at any time during participation.~~
  - ~~**Temporary Assistance to Needy Families (TANF)**~~
  - ~~**General Assistance (GA) (State/local government)**~~



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- ~~Refugee Cash Assistance (RCA)~~
- ~~Supplemental Security Income (SSI-SSA Title XVI)~~

~~Public assistance recipients may also include participants who were referred by the TANF agency, participated in the TANF assessment program as a requirement prior to opening a TANF grant, and who received support services from the TANF agency.~~

~~[Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1, Attachment E]~~

- **Register** – the process for collecting information to determine an individual’s eligibility for services under WIA Title I. Individuals may be registered in a variety of ways as described in 20 CFR 663.105 and 20 CFR 664.215. [20 CFR 660.300]
- Registration (Adults and Dislocated Workers)
  - (a) Registration is the process for collecting information to support a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview, or an individual’s application.
  - (b) Adults and dislocated workers who receive services funded under Title I other than self-service or informational activities must be registered and determined eligible.
  - (c) EO data must be collected on every individual who is interested in being considered for WIA Title I financially assisted aid, benefits, services, or training by a recipient, and who has signified that interest by submitting personal information in response to a request from the recipient. [20 CFR 663.105]

- ~~Registration (Youth)~~

~~(a) All youth participants must be registered.~~

~~(b) Registration is the process of collecting information to support a determination of eligibility.~~

~~(c) EO data must be collected on individuals during the registration process.~~

~~[20 CFR 664.215]~~

- ~~Runaway Youth~~ – a youth (14–18) who absents himself or herself from home or place of legal residence without the permission of parents or legal guardian.
- ~~School Dropout~~ – an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. [Act 101(39)]
- **Selective Service Registrant** – the Secretary shall ensure that each individual participating in any program established under WIA, or receiving any assistance or benefit under WIA, has not violated Section 3 of the Military Selective Service Act (MSSA) (50 U.S.C. App. 453) by not presenting or submitting to registration as required pursuant to such section. The Director of the Selective Service System shall cooperate with the Secretary in carrying out this section.

**NOTE: Males born on or after January 1, 1960 must register with the selective service system within 30 days after their 18<sup>th</sup> birthday or at least before they reach the age of 26. [Act 189(h)]**

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Procedures outlined in TEGL No. 11-11, Change 2 dated May 16, 2012 must be followed. [*See Attachment C of WIIN 3-99, Change 2*]

- ~~**Self-Certification**—an individual’s signed attestation that the information he/she submits to demonstrate eligibility for a program under Title I of WIA is true and accurate. [*20 CFR 660.300*]~~
- ~~**Self-Sufficiency**—local boards must set the 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 the lower living standard income level, as defined in WIA Section 101(24). Self-sufficiency for a dislocated worker may be defined in a relation to a percentage of the layoff wage. The special needs of individuals with disabilities or other barriers to employment should be taken into account when setting criteria to determine self-sufficiency. Self-sufficiency may be defined differently for an adult and a dislocated worker. The self-sufficiency definition can be found in your Local Plan. [*20 CFR 663.230*]~~
- **Supportive Services** – services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under this title, consistent with the provisions of this title. [*Act 101(46); Also see Youth Supportive Services*]
- **Underemployed** – occurs when 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.  
[*Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1*]
- **Verification** – to confirm eligibility requirements through examination of official documents (e.g., birth certificates, public assistance records, or speaking with official representatives of cognizant agencies).
- ~~**Youth Leadership Development Opportunities**—leadership development opportunities are opportunities that encourage responsibility, employability, and other positive social behaviors such as:~~
  - ~~(a) exposure to postsecondary educational opportunities;~~
  - ~~(b) community and service learning projects;~~
  - ~~(c) peer centered activities, including peer mentoring and tutoring;~~
  - ~~(d) organizational and team work training, including team leadership training;~~
  - ~~(e) training in decision making, including determining priorities; and~~
  - ~~(f) citizenship training, including life skills training such as parenting, work behavior training, and budgeting of resources.~~

[*20 CFR 664.420*]
- ~~**Youth Supportive Services**—supportive services for youth, as defined in WIA section 101(46), may include the following:~~
  - ~~(a) linkages to community services;~~
  - ~~(b) assistance with transportation;~~
  - ~~(c) assistance with child care and dependent care;~~

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- ~~(d) assistance with housing;~~
  - ~~(e) referrals to medical services; and~~
  - ~~(f) assistance with uniforms or other appropriate work attire and work related tools, including such items as eyeglasses and protective eye gear.~~
- ~~[20 CFR 664.440; Also see Supportive Services]~~

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Below is a list of acceptable documentation.

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION
<p style="text-align: center;"><b>SOCIAL SECURITY NUMBER</b></p> <p><b>Assignment of pseudo Social Security Number is forbidden by IRS regulations.</b></p> <p><b>NOTE:</b> An unsigned social security card is valid, and a child's social security card is valid if signed by a parent. When the child reaches working age (14 or 15), the parent can apply for another card, which can then be signed by the child.</p>	<p><b>DD-214, Report of Transfer or Discharge (if Social Security Number is listed)</b></p> <p>Employment Records            IRS Form Letter 1722            Letter from Social Service Agency            Drivers License (if Social Security Number is listed)            Pay Stub (Must have all 9 digits listed)            Social Security Benefit Documents            Social Security Card/Notice of Social Security Number Assignment            W-2 Form            U. C. Records (if Name and Social Security Number is shown)            Self-Certification Form            Telephone Verification            Signed Documentation from School Officials            Other (obtain contract manager's approval prior)</p>
<p style="text-align: center;"><b>CITIZENSHIP OR ELIGIBLE TO WORK</b></p> <p>State/Federal records of printout of a parent can be used as proof of citizenship of dependent children.</p> <p><b>If, on the verification source, the place of birth is not in the United States, additional verification may be needed.</b></p> <p>* From List B of the I-9 Form the Voter Registration Form cannot be used.</p> <p><b>NOTE: For individuals that applied for a Social Security Card after 1972 the Social Security Card only is acceptable</b></p>	<p><b>Alien Registration Card Indicating Right to Work (INS Form I-151, I-551, I-94, I-688A I-197, I-179)</b></p> <p>Baptismal Certificate (if Place of Birth is shown)            Birth Certificate            DD-214, Report of Transfer or Discharge (if Place of Birth is shown)            Food Stamp Record            Foreign Passport Stamped Eligible to Work            Hospital Record of Birth (if Place of Birth is shown)            Hand Gun Permit            Naturalization Certification            Public Assistance Records            U. S. Passport            Social Security Card</p>

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<p><b>documentation of citizenship / alien status.</b></p> <p><i>The Social Security Administration on 11-18-03 provided this information.</i></p>	<p>Native American Tribal Document          One verification source from List A of the I-9 Form OR one verification source from List B AND one verification source from List C of the I-9 Form*          Signed Documentation from School Officials          Telephone Verification          Other (obtain contract manager's approval prior)</p>
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ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION
<b>AGE/BIRTHDATE</b>	<p>Baptismal Record (if Date of Birth is shown)            Birth Certificate            DD-214, Report of Transfer or Discharge Paper            Driver's License            Federal, State or Local Government Identification Card  <b>Hospital Record of Birth (if Full Name is shown)</b>            Passport            Public Assistance/Social Service Records            School Records/Identification Card            Work Permit            Self-Certification Form            Telephone Verification            Other (obtain contract manager's approval prior)</p>
<b>SELECTIVE SERVICE REGISTRANT</b>	<p>Selective Service Advisory Opinion Letter            Selective Service Registration Record (Form 3A)            DD-214, Report of Transfer or Discharge            Stamped Post Office Receipt of Registration</p>

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**Residency**

Internet Verification/Registration ([www.sss.gov](http://www.sss.gov))  
Selective Service Telephone Verification (847) 688-6888  
Other (obtain contract manager's approval prior)

Driver's License or State ID  
Utility Bill  
Lease or Landlord Statement  
Rent Receipt  
Voter Registration Card  
Letter from a State Social Service Agency  
Letter from a School / School District  
Other (obtain contract manager's approval prior)

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### Self-Certification Requirements

After review of the eligibility criteria, along with possible ways to verify the criteria, it was found that much of the verification was readily available through a number of agencies or sources. In some cases, definitive verification is required: for example, eligibility to work (I-9 requirements under IRCA) and Selective Service Registration or exemption for males.

WIIN 3-99, Change 2 allows for the use of Self-Certification to verify those items that in some cases are not verifiable or may cause undue hardship for individuals to obtain. A Self-Certification may be used after all practicable attempts to secure verification have failed.

In order to utilize the Self-Certification as verification, the Self-Certification Form, or facsimile, must be utilized.

Use of the Self-Certification Form is as follows:

If an applicant states that he/she cannot provide evidence that no income was received during the past six months, and that he/she was unemployed for that period, **the blank spaces following the words “I certify, under penalty of law, that the following information is true”** must be completed. For example:

**“Have received no income from any source during the past six months, I have been unemployed during that time, and have been supported by donations/contributions from relatives and friends.”**

*NOTE: When using the “Self-Certification” form, the “Counselor’s Signature/Date” found in the “Certification” block must be completed. The “Reviewer’s Signature/Date” is to be completed by the Case Manager/Contract Intake Staff Supervisor.*

# Self Certification Form

## IDENTIFYING INFORMATION

Applicant's Name \_\_\_\_\_  
Last First MI  
Address \_\_\_\_\_  
Social Security Number \_\_\_\_\_ Application Date: \_\_\_\_\_

I HEREBY CERTIFY UNDER PENALTY OF LAW, THAT THE FOLLOWING INFORMATION IS TRUE.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I ATTEST THAT THE INFORMATION STATED ABOVE IS TRUE AND ACCURATE, AND UNDERSTAND THAT THE ABOVE INFORMATION, IF MISREPRESENTED, OR INCOMPLETE, MAY BE GROUNDS FOR IMMEDIATE TERMINATION AND/OR PENALTIES AS SPECIFIED BY LAW.

\_\_\_\_\_  
APPLICANT'S SIGNATURE and DATE

\_\_\_\_\_  
APPLICANT'S PHONE NUMBER

\_\_\_\_\_  
APPLICANT'S ADDRESS

\_\_\_\_\_  
SIGNATURE OF PARENT OR GUARDIAN (as needed)

**The above Self-Certification is being utilized for verification of the following eligibility criteria:**

\_\_\_\_\_

## CERTIFICATION

I certify that the individual whose signature appears above provided the information recorded on this form.

Counselor's Signature/Date: \_\_\_\_\_

Reviewer's Signature/Date: \_\_\_\_\_  
\_\_\_\_\_