

**SUMMARY OF THE JUNE 17, 2015 WEBINAR/TELECONFERENCE
AND REVIEW SHEET COMMENTS**

DRAFT DCEO POLICIES:

4.1 – GENERAL ELIGIBILITY REQUIREMENTS

4.2 – ADULT ELIGIBILITY

4.3 – DISLOCATED WORKER ELIGIBILITY

4.4 – YOUTH ELIGIBILITY

The following summarizes comments and questions discussed during the June 17, 2015 webinar/teleconference regarding draft DCEO policies for General Eligibility, Adult Eligibility, Dislocated Worker Eligibility and Youth Eligibility. This summary does not constitute DCEO policy. **DCEO will have considered the comments and discussion from this webinar prior to the issuance of the formal policy that is forthcoming.** IWDS entry procedures, IWDS systems functionality related to eligibility and the WIOA application will be addressed under separate communications.

POLICY 4.1 – GENERAL ELIGIBILITY REQUIREMENTS

1. Draft DCEO policy reflects, per WIOA, that self-services or informational activities can be provided without an eligibility determination. Self-services or informational activities are comparable to universal services under WIA. Self-services and informational activities include but are not limited to access to the Resource Room, online materials, reference documentation, workshops, job fairs, and employer trainings. For ease of reference, a glossary section of the online policy manual will include self-services and informational activities.
2. Draft DCEO policy reflects that all individuals receiving career services beyond self-services or informational activities must be registered and determined eligible. Registration is the process of collecting information to make an eligibility determination in IWDS. Once an individual is registered, the individual is termed a participant.
3. Draft DCEO policy reflects 20 CFR 678.430 and [TEGL 3-15](#), which identify three types of career services: basic career services, individualized career services and follow-up services.

Basic career services must be made available to all individuals seeking services in the one-stop delivery system and, at a minimum, must include:

- a. Eligibility determination;
- b. Outreach, intake, orientation to information and services available;
- c. Initial assessment of skill levels, aptitudes, abilities and supportive service needs;
- d. Labor exchange services, including job search and placement assistance and, when needed, career counseling;
- e. Referrals to and coordination of activities with other program and services;
- f. Provision of workforce and labor market employment statistics information;
- g. Performance and cost information on eligible training providers and programs;
- h. Local performance accountability measures;

- i. Availability of supportive services or assistance and referrals;
- j. Information about and assistance in filing UI claims; and
- k. Eligibility assistance for financial aid for training and education not provided under WIOA.

There are gray areas between self-service and career services that involve staff assistance. If staff provides individual-specific information, that goes beyond self-service. Self-services such as accessing public websites and phone numbers differs from the “meaningful assistance” required by WIOA for providing customers with assistance in filing a claim if they request it or are identified as needing the service due to barriers such as limited English proficiency or disabilities, as described in 20 CFR 678.430(a)(10). Also, see TEGL 3-15 for additional explanation provided by Wagner-Peyser staff.

Individualized career services must be made available *if* determined to be appropriate for an individual to obtain or retain employment. The following services must be available in all one-stop centers:

- a. Comprehensive and specialized assessments of skill level and service needs;
- b. Development of an IEP;
- c. Group and/or individual counseling and mentoring;
- d. Career planning (e.g., case management);
- e. Short-term pre-vocational services;
- f. Internships and work experiences linked to careers;
- g. Workforce preparation activities;
- h. Financial literacy services;
- i. Out-of-area job search and relocation assistance; and
- j. English language acquisition and integrated education and training programs.

Follow-up services must be provided as appropriate for up to 12 months after the first day of unsubsidized employment. Follow-up services **do not extend the date of exit in performance reporting**.

4. Employment Opportunity data mentioned in draft Policy 4.1 – General Eligibility refers to collecting personal information (i.e., profile data) about the individuals interested in being considered for Title I services.
5. WIOA envisions a more coordinated intake process among partner programs than under WIA. Partner referrals and accepting information from partner programs will become more important in eligibility determinations. Data sharing and the protection of personal information will continue to be a focus under WIOA, and additional guidance is expected regarding protecting participants’ privacy.

POLICY 4.2 – ADULT ELIGIBILITY

1. While WIOA does not require a sequence of service, participants are unlikely to be enrolled in training without receiving career services first. The individual employment plan (IEP) and related assessments guide the training determination and selection of a provider and program.

2. WIOA allows other entities to conduct assessments of participants and refer them to local areas for services. Local areas may need more experience with such training referrals before feeling comfortable enough to accept an assessment or IEP from another entity that indicates the participants' training suitability. Regardless of whether the local area performed the assessment, the local area would be responsible for the performance of the individual.
3. WIOA envisions coordinated service delivery with minimal duplication among partners. Partner programs should strive to build upon the services offered by other partner programs. An interagency work group is representing all required partners to heighten awareness and expectations of service coordination. A service matrix was developed to document the programs and activities of each required partner. The matrix will inform the core program partners on the best way to integrate services within each local area/region.
4. A list of acceptable documentation to support the eligibility determination has been drafted to accompany the eligibility policies. Once finalized, local area input will be requested.

POLICY 4.3 – DISLOCATED WORKER ELIGIBILITY

1. Under I.B.1.c., existing WIA policy language is needed to help clarify the circumstances in which a person is unlikely to return to the industry or occupation (e.g., low growth / declining industry, long-term unemployed). The examples should provide guidance without being too restrictive (e.g., including but not limited to).
2. To provide career services, supportive services and training services to dislocated workers, the general announcement from employers must specify that the closure will occur within 180 days. These services cannot be provided to dislocated workers more than 180 days from their date of separation.
3. The policy will allow local flexibility in terms of the official notice of layoff that can be accepted. Monitors will need be aware of the flexibility within state policy.
4. A new Demand Occupation and Training List for the 10 current Economic Development Regions will be released around October 1, 2015. If you are aware of changes in your market that impact this list, use the Demand Occupation request form within the current policy to submit changes to DCEO.

POLICY 4.4 – YOUTH ELIGIBILITY

1. Depending on the barrier used, income may be a factor in determining out-of-school youth eligibility. If you use "requires additional assistance," the individual must be low-income. If the individual is a high school graduate and basic skills deficient, the student must also be low-income. Other barriers do not require income eligibility.

2. Youth living in a high poverty area are automatically considered low-income. The DCEO Office of Employment and Training (OET) will define parameters of a high poverty area and update IWDS accordingly.
3. WIOA uses a model similar to the regressive model WIA used. It might be advantageous from a performance perspective for career planners to identify *all* applicable barriers, including those that assess income eligibility.
4. OET is considering what is required for a youth to be “subject to juvenile or adult justice system” and whether the participants must be convicted or whether a misdemeanor charge classifies the youth under this category.

ALL ELIGIBILITY POLICIES

1. Priority of service is addressed in [TEGL 03-15](#). Per the TEGL, priority requirements apply to funds allocated to local areas for adult employment and training activities, including individualized career services (not basic career services and follow-up services).
 - a. WIOA statutorily requires priority of service be provided to groups of individuals in the following order:
 - 1) First, to veterans and eligible spouses who are also included in the groups given statutory priority for WIOA adult formula funds. (Priority under adult employment and training activities must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.)
 - 2) Second, to non-covered persons (individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIA adult formula funds.
 - 3) Third, to veterans and eligible spouses who are not included in WIOA’s priority groups.
 - 4) Last, to non-covered persons out the groups given priority under WIOA.
 - b. Under WIOA, priority must be provided regardless of the level of funds.
2. DCEO will assemble a group to discuss streamlining the WIOA application process and related IWDS entries. Efforts are being made to ensure IWDS will be able to support WIOA eligibility determinations as of 7/1/15. Areas for ongoing discussion will include:
 - a. Updating participant barriers after intake;
 - b. Fixing errors in participant application entries. Determining the types of application changes that could be made at the local level versus through a modification form submitted to DCEO;
 - c. Best practices among other states (e.g., Washington State’s use of self-attestation); and
 - d. Documenting disability

3. DOL is expected to provide more guidance about WIOA eligibility. Local areas are encouraged to utilize case notes to strengthen documentation during the WIA / WIOA transition.