

The Seventh Planning District Consortium Workforce Development Board

Administrative Office

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Matt Wheeler, Chairman | Candle Sattler, Director of Workforce Development

Seventh Planning District Consortium Workforce Development Board

Subject: Priority of Service for Adult Program Policy and Guidance

Effective Date: September 24, 2021

Purpose:

This Policy is to provide guidance regarding the Seventh Planning District Consortium Workforce Development Board (Local Workforce Development Area 70) Priority of Service for WIOA Title I Adult Programs. With respect to funds allocated to a local area for adult employment and training activities, priority shall be given to recipients of public assistance and other low-income individuals, and individuals who are basic skills deficient for receipt of WIOA career and training services. Local WDBs may establish additional priority groups for priority of service.

WIOA provides for a workforce system that is universally accessible and customer centered, and for training that is job-driven. Per the Workforce Innovation and Opportunity Act; Final Rule, effective October 18, 2016, the priority requirements described in this policy do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA adult funded career and training services.

Therefore, LWDA 70 stipulates that WIOA Program staff will also serve other eligible individuals who are not recipients of public assistance, other low-income individuals, or basic skills deficient individuals after first serving those who meet the established priority selection criteria.

References:

- H.R.803 - Workforce Innovation and Opportunity Act Sections 3 and 134
- 20 CFR WIOA Final Rules Part 680
- Training and Employment Guidance Letter (TEGL) 19-16
- Training and Employment Guidance Letter (TEGL) 17-05, Change 2
- Louisiana Workforce Commission (LWC) Adult and Dislocated Worker Eligibility Policy (OWD 2-24.2)

Background:

WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

To ensure access to services and successful employment and education outcomes are universal, certain populations are mandated by law to be prioritized into WIOA. As such, the WIOA Adult program requires priority of service be provided to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for Individualized Career services and Training services. Veterans and eligible spouses continue to receive priority of service for all DOL funded programs amongst all participants.

American Job Center Locations



cdconline.org

☐ **Bienville Parish**
2434 Manning St.
Ringgold, LA 71068
(318) 894-9173

☐ **Bossier Parish**
4000 Viking Dr., Suite B-1
Bossier City, LA 71111
(318) 741-7363

☐ **Caddo Parish**
125 E. Louisiana Ave.
Vivian, LA 71082
(318) 676-5721

☐ **DeSoto/Red River Parish**
142 Lake Rd.
Mansfield, LA 71052
(318) 871-2391

☐ **Lincoln Parish**
307 N. Homer St., Suite 307
Ruston, LA 71270
(318) 251-5023

☐ **Matchitoches Parish**
303 Bienville St.
Natchitoches, LA 71457
(318) 357-2414

☐ **Sabine Parish**
1125 W. Mississippi Ave., Suite A
Many, LA 71449
(318) 256-2698

☐ **Webster/Claiborne Parish**
902 Lee St.
Minden, LA 71055
(318) 371-3024



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EQUAL OPPORTUNITY EMPLOYER/PROGRAM AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES.

Policy:

WIOA section 134(c)(3)(E) mandates a priority of service to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of individualized career services and training services provided using Adult funds. Basic career services are not subject to the priority of service requirement.

The statutory priority of service for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient applies to the WIOA Adult program ONLY. Priority of service status as a public assistance recipient, other low-income individual, or basic skills deficient individual is established at the time of eligibility determination for the WIOA Adult program and does not change during the period of participation.

Furthermore, LWDA 70 requires that 51 percent or more of the participants served with WIOA Adult funds must be either recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

PRIORITY OF SERVICE

Priority of service is given to veterans and their eligible spouses provided they meet both WIOA Adult program eligibility and the WIOA Adult program statutory priority of service for public assistance recipients, other low-income individuals and individuals who are basic skills deficient.

For WIOA Adult services, the program's eligibility and priority of service determination must be made first, and then veteran's priority applied. As such, priority for the WIOA Adult program shall be provided in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
2. Individuals receiving public assistance, other low-income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Individuals with family income no more than 200% of the HHS Poverty Level consistent with the Louisiana Workforce Commission's definition of economic self-sufficiency (OWD 2-24.2) and for whom it is determined that the individual is in need of and can benefit from services. Long-term unemployed individuals with a barrier to employment may be enrolled under this priority. Employed individuals enrolled under this priority must have a barrier to self-sufficient employment.

Related Definitions

The definitions listed below are for the purposes of implementing adult priority of service

1. **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 Title 38 United States Code (USC) 101(2).

Active Service - includes full-time federal service in the National Guard, Coast Guard, or a Reserve component. This definition does not include full-time duty performed strictly for training purposes (i.e., that which often is referred to as "weekend" or "annual" training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than federal authorities (state mobilizations usually occur in response to events such as natural disasters).

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; or
 - 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 U.S. Department of Veterans Affairs; or
 - d) Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories 2 or 3 above) would lose his or her 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 veteran or service member.
2. **BASIC SKILLS DEFICIENT** - An individual that 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.

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

- a) Lacks a high school diploma or high school equivalency and is not enrolled in postsecondary education.
- b) Enrolled in a Title II Adult Education/Literacy program.
- c) English, reading, writing, or computing skills at an 8.9 or below grade level.
- d) Determined to be Limited English Skills proficient through staff-documented observations.

LWDB 70 requires LWDA 70 AJC Staff to assess the basic skills of all participants prior to enrollment into the WIOA Adult program. This assessment will allow for identification of basic skills deficient adults, who shall receive priority of service.

Basic Skills Testing

LWDA 70 AJC Staff are required to administer basic skills tests to all WIOA Adult program participants prior to program enrollment when basic skills deficient was established at eligibility by meeting the criteria above. The results of the assessment shall also be used as a guideline for the provision of WIOA program services, aimed at attainment of unsubsidized employment and achievement of program goal(s), as well as identification of individuals who are basic skills deficient.

Comprehensive Adult Student Assessment System (CASAS), Wonderlic General Assessment of Instructional Needs (GAIN), and Test of Adult Basic Education (TABE) are generally accepted standardized tests to gauge basic literacy skills. However, LWDA 70 AJC Staff may elect to use any of the standardized tests approved by the Department of Education. Any testing results at or below 8th grade level are considered basic skills deficient, unless the individual's score is above that required by the training provider. Note, raw test scores must be converted to a grade level when documented in the case

file and reported accurately within HiRE.

Administering basic skills tests will result in LWDA 70 AJC Staff entering the 102 activity code in HiRE. When testing results are below the 8.9 minimum requirement AND below the training provider requirement, LWDA 70 AJC Staff will continue to conduct the Objective Assessment and IEP. The IEP must contain goals and objectives to overcome the basic skills deficiency barrier, as well as the referral to Title II Adult Education Services, future occupational training goals, and employment goals. LWDA 70 AJC Staff must enter the 200 activity code upon the referral. The 214 activity code will be entered upon the start of Title II Adult Education and remain open throughout the education program. LWDA 70 AJC Staff will provide case management throughout Adult Education, occupational training, and employment.

Partner Assessments

If a participant was assessed prior to WIOA enrollment by a partner program, agency, or entity, those assessments may be used in lieu of basic skills testing. It is the LWDA 70 AJC's Staff responsibility to ensure it is an approved assessment and the results are still valid. As such, assessments by partners conducted more than 6 months prior to enrollment are not permitted.

However, partner assessments conducted within 12 months prior to enrollment may be allowed by written permission from LWDA 70 Administrative Office if the individual has not undergone any educational classes, training courses or other activities that would affect the validity of the assessment results used for the WIOA program. AJC staff can submit a request for a waiver of the 6-month assessment requirement with supporting documents to the WIOA Program Manager (or designee). After submitting a waiver request, AJC staff responsible for completing assessments may be asked for additional information related to a participant's educational background or previous vocational training activities.

Note, documentation used for partner assessments must indicate the partner who provided the testing, participant name, type of test taken, date test was taken along with the raw test score and appropriate grade level, and documentation must be signed and dated by partner staff.

Other Criteria to Make a Basic Skills Determination

Individuals determined to fit within the categories listed below are also considered basic skills deficient:

- Individuals that lack a high school diploma or high school equivalency and are not enrolled in secondary education;
- Individuals enrolled in a Title II Adult Education/Literacy program;
- Individuals determined to be Limited English Language proficient through staff-documented observations, such as detailed case notes, or verified self-attestation.

These individuals are not required to take a basic skills test but may be tested at the discretion of LWDA 70 AJC staff as providing a basic skills test may allow for tracking of participant progress throughout the program and facilitate establishment of a measurable skills gain via pre and post testing.

Individuals determined to fit within the category below are not considered basic skills deficient:

- Individuals holding a 4-year degree or higher from a U.S. accredited university

(Basic Skills test not required. Note, these individuals may still be tested at the discretion of AJC staff; copy of the degree must be on file.)

AJC staff must appropriately document use of any of the above criteria to make a basic skills determination for an individual. Criteria used must be clearly identified, verifiable and participant file must contain case notes, and support documentation where available, that include auditable information which would allow an auditor/monitor to later retrieve and verify information.

3. **LOW INCOME INDIVIDUAL** - An individual that meets one of the four criteria:
- a) Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the supplemental nutrition assistance program (SNAP/Food Stamps), temporary assistance for needy families' program (TANF), supplemental security income program (SSI), or state or local income-based public assistance.
 - b) In a family with total family income that does not exceed the higher of the poverty line or 70 percent of the LLSIL.
 - c) A homeless individual.
 - d) Public Assistance Recipient - An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test described below.

Homeless Individual

Is an individual who lacks a fixed, regular, and adequate nighttime residence; as well an individual who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, an institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings

Public Assistance Recipient

A public assistance recipient is an individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

DOCUMENTATION

AJCs may use the following sources of documentation to verify whether an adult participant qualifies for priority of service under WIOA.

| Priority of Service Criteria | Acceptable Documentation (Only the documentation sources listed below may be used.) |
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| 1. Recipient of Public Assistance | <ul style="list-style-type: none"> • Cross-match with public assistance database • Copy of authorization to receive cash public assistance • Copy of public assistance check • Medical card showing cash grant status • Public assistance records • Refugee assistance records |

| | |
|---|--|
| 2. Low Income | <ul style="list-style-type: none"> • Alimony agreement • Award letter from veteran's administration • Bank statements • Compensation award letter • Court award letter • Pension statement • Employer statement/contact • Family or business financial records • Housing authority verification • Pay stubs • Public assistance records • Quarterly estimated tax for self-employed persons • Social Security benefits • Unemployment Insurance documents • Self-Attestation* |
| 3. Basic Skills Deficient | <ul style="list-style-type: none"> • School Records • Results of academic assessment • Case notes* • Self-Attestation* |
| *Case Notes and Self Attestation must be in compliance with LWDB 70 Guidance. | |

This policy is subject to change at any time, at the discretion of the Seventh Planning District Consortium Workforce Development Board, based on appropriate factors which the Board believes warrant adjustments to this document, or conflict with local, state, or Federal regulations, laws or policies.

Passed and approved on this 24 Day of September 2021.



 The Seventh Planning District Consortium Workforce Development Board
 Title: Matt Wheeler, Chairperson

9-24-2021
 Date