



Issued: 01/09/2024
Revised: 12/16/2024

Local Policy 2024-06, Change 1 Local Workforce Development Area 2 (LWDA2) WIOA Title I Adult Priority of Service

Purpose: To provide guidance on the WIOA Title I Adult Program Priority of Service (POS) requirements for individualized career services and training services.

Recission: Local Policy 2024-06 Workforce Innovation and Opportunity Act (WIOA) Title I Adult Priority of Service

References:

- DWD Policy 2019-04 *Workforce Innovation and Opportunity Act (WIOA) Title I Adult Priority of Service* (All references within this policy are included by default)

Change Summary:

- The policy now emphasizes that, if a participant is a public assistance recipient, a low-income individual, or a basic skills deficient individual, then the participant must be categorized under one of those three priority populations. Even if the individual qualifies for a local priority of service group, the individual must only be categorized under the WIOA priority population for which they qualify.
- Attachment B has been updated to meet accessibility requirements.

Content:

To prioritize services for those who have the most need for and who would benefit from employment and training services, WIOA sec. 134(c)(3)(E) identifies three groups with barriers to employment and requires that priority be given to these individuals. Priority of service must be given to public assistance recipients, other low-income individuals, and individuals who are basic skills deficient (including English language learners) when providing individualized career services and training services using WIOA Title I Adult program funds. Northern Indiana Workforce Board (NIWB) requires this priority to be followed regardless of the amount of funds available for providing services.

Priority of Service Groups and Eligibility

Priority status for WIOA Title I Adult participants is determined during eligibility and enrollment. Status does not change during the period of participation. When providing individualized career and training services in the Title I Adult program, priority of service must be given to participants who receive public assistance, are low-income individuals, or are basic skills deficient. The three priority populations are described below. Acceptable documentation for verifying eligibility is provided in **Attachment A**.

Recipients of Public Assistance, defined by WIOA sec. 3(50), include individuals who receive cash payments from federal, state, or local government for which eligibility is determined by a needs or income test.

Low-Income Individuals, defined by WIOA sec. 3(36), describes individuals who meet one of the following criteria:

- Receives, or in the past six months has received, or is a member of a family that is receiving or has received in the past six months, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), or a state or local income-based public assistance program; or
- In a family with a total family income that does not exceed the higher of:
 - o The poverty line or (defined within the WIOA application)
 - o 70 percent of the Lower Living Standard Income Level (LLSIL)(defined within the WIOA application); or
- A homeless individual / homeless child / youth; or
- Receives or is eligible to receive a free or reduced-price lunch; or
- A foster child on behalf of whom state or local government payments are made; or
- An individual with a disability whose own income meets the income requirements above but is a member of a family whose total income does not meet this requirement.

Basic Skills Deficient, defined by WIOA sec. 3(5), describes an individual who meets at least one of the following criteria:

- 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. (USDOL includes English language learners in the basic skills deficient group).

TEGL 23-19, Change 2 states that basic skills deficiency data can be validated through Assessment Test Results, among other documentation. NIWB recognizes TABE, Work-Keys, and WIN assessments as a measurement of basic skills deficiency among others, as appropriate.

Eligibility Determinations for Veterans

For WIOA Adult programs, priority of service must be provided in the following order:

- First, to veterans and eligible spouses who are included in the groups given statutory priority for WIOA Adult formula funding. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient receive first priority for services with WIOA Adult formula funds for individualized career services and training services.
- Second, non-covered persons (that is, individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.
- Third, to veterans and eligible spouses who are not included in WIOA's priority groups.
- Fourth, priority populations established by the Governor and/or local WDB.
- Last, non-covered persons outside the groups given priority under WIOA.

When determining priority of service eligibility for WIOA Title I Adult employment or training programs, the following shall be disregarded in past income calculations:

- Military pay and allowances received while serving on active duty
- Compensation for service-connected disability or death or vocational rehabilitation.
- Benefits for education and training services funded by the Department of Veterans Affairs (VA).
- Compensation received by an eligible dependent or indemnity compensation for service-connected deaths.
- Educational assistance for eligible dependents and survivors of veterans under 38 U.S.C. 3500.

WIOA program operators may not require veterans or their spouses to exhaust their entitlements to VA-funded training benefits prior to allowing them to enroll in WIOA-funded training.

Priority of Service Goal and Minimum Rate

USDOL envisions that giving priority of service to public assistance recipients, low-income individuals, or basic skills deficient individuals means ensuring that **at least 75 percent** of participants receiving individualized career and training services in the Adult program are from **at least one of the three priority groups**. NIWB will continue to evaluate local level benchmarks and will provide additional guidance when available.

Additional Priority of Service Groups

NIWB may establish a process that also gives priority to other individuals eligible to receive such services, provided that it is consistent with priority of service for veterans (see 20 CFR 680.650) and the priority provisions of WIOA sec. 134 (C)(3)(E). Any additional priority groups identified by NIWB will be reflected in NIWB's local plan, and updating any applicable policies. To establish an additional priority of service group, NIWB must submit the form in **Attachment B** to policy@dwd.in.gov. A word version of this attachment is available on DWD's policy website.

Priority populations established by NIWB have a lower priority than the WIOA Adult priority of service or Veteran priority populations established in statute. If a participant is a public assistance recipient, a low-income individual, or a basic skills deficient individual, then the participant must be categorized under the applicable WIOA priority group rather than in any assigned priority group

by NIWB. The provision of services to priority populations established by NIWB will not impact the statutory priorities for the WIOA Adult or Veteran priority populations.

Locally Established POS Groups Data Entry

Once locally established priority groups have been identified, policies/processes have been developed, and the local plan updated, NIWB must ensure the locally established priority group is appropriately documented within the approved case management system. Please see DWD TA 2021-09, Change 2 *Locally Established POS Group Data Entry Instructions* for step-by-step of data entry guidance. As a reminder, participants who meet the standards on one the three priority groups (public assistance recipient, low-income individual, or basic skills deficient individual) **must be recorded as such**. Even if the participant also falls under a local priority group, the participant must only be recorded under the WIOA priority group for which they qualify.

Oversight and Monitoring

Compliance with priority of service guidance and regulations will be reviewed and assessed during routine oversight and monitoring. Analysis will include but is not limited to:

- A review of NIWBs Priority of Service Policy;
- Any related procedures, training and monitoring developed and/or conducted;
- File and/or system review of client data; and
- Interviews with staff and leadership to assess understanding and consistent correct implementation of the local policy.

Attachments

Attachment A: *Adult Priority of Service Documentation Table*

Attachment B: *Additional Local Priority of Service Population Form*

For questions, contact:

Northern Indiana Workforce Board
220 Colfax Ave., South Bend, IN. 46601
admin@niwb.org

Attachment A Adult Priority of Service Documentation Table

Local areas must 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
Public Assistance Recipient	• Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Medical Card Showing Cash Grant Status • Public Assistance Eligibility Verification • Cross Match
Low Income Status at Program Entry	• Award Letter from Veteran's Administration • Bank Statement • Pay Stubs • Compensation Award Letter • Court Award Letter • Pension Statement • Employer Statement/Contact • Family or Business Financial Records • Housing Authority Verification • Quarterly Estimated Tax for Self-Employment Persons • Social Security Benefits • UI Claim Documents • Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Public Assistance Eligibility Verification • Cross-Match with Refugee Assistance Records • Cross-Match with Public Assistance Records • Cross-Match with UI Wage Records • Self-Attestation
Basic Skills Deficient/Low Levels of Literacy at Program Entry	• Assessment Test Results • Applicable Records from Education Institutions (transcripts, academic assessments, or other school documentation) • Case Notes

Attachment B Additional Local Priority of Service Population Form

NOTE: An editable version of this form is available on the DWD policy website.

Region _____ WIOA Title I Adult Additional Priority of Service Population Form

Section 1: General Description of Local Priority of Service Population

Describe priority of service population <i>Criteria, Characteristics of group members</i> <i>Use one form per additional population</i>	
Reason for Designation <i>Describe the circumstances leading to a POS designation. How will creating a local POS population help this group?</i>	
Why are members of this Population unlikely to be Included in the WIOA priority populations? <i>Public Assistance Recipients, Low-income Individuals, and Basic Skills Deficient Individuals.</i>	
Describe the timeline for serving this population. <i>If there is not a specific timeline, please explain.</i>	

Section 2: SMART (Specific, Measurable, Achievable, Realistic, Timely) Service Goals

What is the specific Goal?	How and when will progress be measured?	Why is it achievable and realistic?	What is the timeframe to accomplish the goal?

Section 3: Connecting the Local Priority of Service Population with WorkOne Services

Outreach and Engagement Strategy	Resources Needed	Timeframe