



# **CENTRAL OKLAHOMA**

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## **WORKFORCE INNOVATION BOARD**

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## **Individual Eligibility for WIOA Adult Program Services**

*Pursuant to TEGE 19-16*

**Approved and Published: February 2023**

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**PURPOSE: To establish local guidelines for validating an individual's status as an adult eligible to receive WIOA services, consistent with federal guidance and state policy.**

*The Central Oklahoma Workforce Innovation Board (COWIB) is the policy and guidance board for the Workforce Oklahoma system in Central Oklahoma. We are business leaders with a goal to establish a highly skilled, productive workforce in our 9-county area.*

*The Central Oklahoma Workforce Innovation Board (COWIB) complies with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, the basis of citizenship status or participation in a WIOA Title-1 financially assisted program or activity.*

*COWIB is an Equal Opportunity Employer/ Program. Auxiliary aids and services are available upon request to individuals with disabilities. This was financed in whole or in part by fund from the US Dept. of Labor as administered by the Oklahoma Office of Workforce Development.*

<http://www.cowib.org/>



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# COWIB Individual Eligibility for Adult Program Services

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## Purpose

To provide local policy and guidance to aid in the determination of applicant eligibility for WIOA Title I Adult programs and resources. It is the intention of COWIB that this document conforms to the pertinent legislation, regulation, state issued policies, and the Board's intent to provide access to appropriate programs and services. Review of this policy and subsequent revisions may be necessitated as a result of changes or additions to current Federal or State guidance.

## Authority

The authority for this policy is derived from the following:

- WIOA §134
- 20 C.F.R. §678
- 20 C.F.R. §680
- TEGL 19-16
- TEGL 10-09
- OWDI 15-2017
- OWDI 19-2017, Change 1
- OWDI 21-2017, Change 1
- OWDI 07-2022, Change 1

## Adult Eligibility and Program Enrollment

As written in OWDI 19-2017, Change 1, the enrollment process begins when an individual self-registers in the virtual case management system. Once the self-registration has been completed, the demographic information entered will generate a potential eligibility determination. To receive WIOA Title I Adult services, individuals must meet the following eligibility criteria:

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### 18 years of age or older

Proof of birth date and age is required for all applicants for eligibility determination and identification. Age is determined at eligibility based on the age the applicant will be on the first date of enrollment.

Data Element	Definitions and Requirements	Acceptable Source Document
Age/Date of Birth (WIOA)	WIOA Adult and Dislocated Worker (DLW) applicants must be 18 or older at the time of program enrollment.	<p><b>MATCH</b></p> <p><b><u>Basic Demographic Characteristics &amp; Basic Career Service Requirement</u></b></p> <p>Participant self-attestation</p> <p><b>AND</b></p> <p>Detailed Client Note which includes uniquely identifiable information verified from a source document from the list below.</p> <p><b><u>Individual Career Service &amp; Training Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Baptismal Record</li> <li>• Birth Certificate</li> <li>• DD-214 (Report of Transfer or Discharge Paper)</li> <li>• Driver’s License</li> <li>• Federal, State, or Local Government ID Card</li> <li>• Hospital Record of Birth</li> <li>• Passport</li> <li>• Public Assistance/ Social Service Records</li> <li>• School Records or School ID (with date of birth)</li> <li>• Work Permit</li> <li>• Cross-match with Department of Vital Statistics</li> <li>• Tribal Records</li> <li>• Court Records</li> </ul>

### Authorized to work in the U.S.

Participation in programs and activities assisted in whole or in part under WIOA shall be open to citizens and nationals of the United States, lawfully admitted refugees and parolees, and other individuals authorized to work in the United States. All persons applying for WIOA eligibility must prove that they have the right to work in the United States.

Data Element	Definitions and Requirements	Acceptable Source Document
Eligible to	The participant must be	<b>MATCH</b>

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Work in the United States	<p>eligible to work in the United States at the time of program enrollment.</p> <p>Youth ages 16 and older must be eligible to work in the United States at the time of participation</p>	<p><b><u>Basic Demographic Characteristic &amp; Basic Career Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Participant self-attestation</li> </ul> <p><b><u>Individual Career Service &amp; Training Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Verification Documents from List A of Attachment 1</li> <li>• Verification Documents from List B &amp; C of Attachment 1</li> </ul>
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### Registered with Selective Service (if applicable)

Selective Service System <https://www.sss.gov/Home/Verification> Section 189(h) of WIOA requires that all male persons receiving any assistance or benefits under this title follow Selective Service Registration requirements, under the Military Selective Service Act (MSSA), if otherwise eligible.

Data Element	Definitions and Requirements	Acceptable Source Document
Selective Service Registration	<p>All males who are at least 18 years of age and born after December 31, 1959, and who are not in the armed service on active duty, must be register with the Selective Service (SS).</p> <p>Males who cannot provide proof of SS Registration must be referred to the SS for registration.</p>	<p><b>MATCH</b></p> <p><b><u>Basic Demographic Characteristics &amp; Basic Career Service Requirement</u></b></p> <p>Participant self-attestation</p> <p><b>AND</b></p> <p>Detailed Client Note verifying a source document from the list below.</p> <p><b><u>Individual Career Service &amp; Training Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Selective Service Registration Card</li> <li>• Selective Service Status Information Letter</li> <li>• Selective Service Registration (Form 3A)</li> <li>• Selective Service Verification Form</li> <li>• Stamped Post Office Receipt of Registration</li> <li>• US Selective Service Verification (Internet)</li> </ul> <p><a href="http://WWW.SSS.GOV">WWW.SSS.GOV</a></p> <p>The following documents may be used only if the participant is past the age of 26 and has not registered with the Selective Service.</p> <ul style="list-style-type: none"> <li>• DD-214</li> <li>• Current Military ID</li> </ul>

### Required Forms/Releases

#### Participant Equal Opportunity Statement

An Equal Opportunity Statement must be provided for each participant. The Career Navigator must review the EO Statement with the participant and provide a printed copy for signature. The form must be signed by the participant and the Career Navigator prior to upload.

#### Client Release

A Client Release is required for each participant. The participant may virtually sign the Online Client Release, or provide an actual signature on the printable Client Release.

#### Priority of Service Determination

In accordance with WIOA §134(c)(3)(E), with respect to funds allocated to a local area for adult employment and training activities, priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career services and training services. 20 C.F.R. §680.600(c) through .660 clarifies that:

*The priority established does not necessarily mean that these services only may be provided to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. The Local WDB and the Governor may establish a process that also gives priority to other individuals eligible to receive such services, provided that it is consistent with priority of services for veterans and the priority provisions of WIOA §134(c)(3)(E).*

OWDI 19-2017, Change 1 states that, “Local areas must establish written policies and procedures to ensure priority for the populations described in the paragraph above, for participants served in the WIOA Adult program.” The COWIB has published a separate Priority of Service policy; however, the applicable portions in their basic form are contained below.

Based upon statutory requirement and state guidance, COWIB has established priority categories for Adult funds. Priority must be provided 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 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 provided with WIOA Adult formula funds for individualized career services and training services.
2. Second, to non-covered persons (i.e., individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA Adult formula funds.
3. Third, to veterans and eligible spouses who are not included in WIOA’s priority groups.
4. Fourth, to priority populations established by the LWDB (for example, for non-covered persons who are not included in groups given priority for WIOA Adult formula funds, such as persons living within a designated Promise Zone).

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5. Last, to non-covered persons outside the groups given priority under WIOA.

### Veterans and Adult Priority

Veterans and eligible spouses continue to receive priority of service for all DOL-funded employment training programs, which include WIOA programs. A veteran must, however, meet each program's eligibility criteria to receive services under the respective employment and training program. For income-based eligibility determinations and for determining priority of service, military pay or allowances paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs are not to be considered as income, in accordance with 38 U.S.C. 4213 and 20 CFR § 683.230.

To further clarify, VA benefits for education and training services do not constitute "other grant assistance" under WIOA's eligibility requirements. Therefore, eligibility for VA benefits for education or training services do not preclude a veteran or the veteran's eligible spouse from receiving WIOA funded services, including training funds. Similarly, WIOA program operators may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training.

Refer to OWDI 21-2017, Change 1, or current guidance for documentation requirements.

### Low-Income Individual (as defined in WIOA Section 3(36))

- (A) In General. –The term "low-income individual" means an individual who—
- (i) Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance.
  - (ii) Is in a family with total family income that does not exceed the higher of—
    - (I) The poverty line; or
    - (II) 70 percent of the lower living standard income level;
  - (iii) Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 425(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
  - (iv) Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
  - (v) Is a foster child on behalf of whom State or local government payments are made; or

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(vi) Is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(B) Lower Living Standard Income Level. – The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary. (For questions regarding LLSIL, please reference the [COWIB Self-Sufficiency Policy](#).)

Under WIOA, there is no exclusion of payments for unemployment compensation, child support payments, and old-age survivors’ insurance benefits from the income calculations for determining if an individual is low-income. These exclusions, which were previously provided under WIA sec. 101(25), no longer apply.

Refer to OWDI 21-2017, Change 1, or current guidance for documentation requirements.

### Basic Skills Deficient (as defined in WIOA 3(5))

Basic Skills Deficient. –The term “basic skills deficient” means, with respect to an individual—

- (A) Who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- (B) Who is a youth or adult, that the individual 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.

In accordance with OWDI 19-2017, Change 1, English language learners meet the criteria for “basic skills deficient” and must be included in the priority populations for the title I Adult program.

### Priority Populations under WIOA

Across all titles, WIOA focuses on serving individuals with barriers to employment and seeks to ensure access to quality services for these populations. Priority and special populations for the Adult program are addressed at 20 C.F.R. §680.600 through .660.

The term “individual with a barrier to employment” means a member of one or more of the following populations:

- Low-income individuals;
- Veterans and Eligible Spouses;
- Indians, Alaska Natives, and Native Hawaiians; as such terms are defined in WIOA section 166
- Individuals with disabilities, including youth who are individuals with disabilities (as defined in sec. 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102) and individuals who are in receipt of Social Security Disability Insurance);



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- Older individuals (age 55 and older);
- Ex-offenders;
- Displaced homemakers;
- Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
- Youth who are in or have aged out of the foster care system;
- Individuals who are:
  - English language learners (WIOA sec. 203(7));
  - Individuals who have low levels of literacy (for example, an individual who is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, or in the individual's family, or in society); and
  - Individuals facing substantial cultural barriers;
- Eligible migrant and seasonal farmworkers (as defined in WIOA 167(i)(1-3));
- Individuals within two years of exhausting lifetime TANF;
- Single parents (including single pregnant women); and

Long-term unemployed individuals (unemployed for 27 or more consecutive weeks). Each priority or special population to which an individual belongs must be listed in the IEP to help ensure the provision of any services for the individual to obtain or retain employment.

### Employment Status Clarification

According to TEGL 19-16 §11, In addition to providing career and training services to individuals who are unemployed, a significant number of job seekers are underemployed. Examples of underemployed individuals that the policies may include are:

- Individuals employed less than full-time who are seeking full-time employment;
- Individuals who are employed in a position that is inadequate with respect to their skills and training;
- Individuals who are employed who meet the definition of a low-income individual in WIOA sec 3(36); and
- Individuals who are employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment.

Individuals who are underemployed and meet the definition of a low-income individual may receive career and training services under the Adult program on a priority basis per TEGL 19-16 §10. Individuals who meet the definition of an individual with a barrier to employment who are underemployed may also be served in the Adult program; however, unless they are a recipient of public assistance, a low-income individual, or are basic skills deficient, they are not eligible for service on a priority basis. (Assignment to Priority 4.)

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The participant's employment status at program enrollment should be recorded as a Program Note in the virtual case management system, including:

- Details pertaining to the participant's current or most recent employment, including the name of the employer and employment end date, if appropriate.

### **Equal Opportunity and Nondiscrimination Statement**

All Recipients, and Sub-recipients / Sub-grantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

### **Addenda / Revisions**

The COWIB Chief Executive Officer is authorized to issue additional instructions, guidance, approvals, and/or forms to further implement the requirements of policy, without making substantive change to the policy, except in situations when a new or updated state and federal guidance is issued.

The following WIOA Title I Source Documentation and Data Validation tables are an excerpt from OWDI 21-2017, Change 1.

Data Element	Definitions and Requirements	Acceptable Source Document
<p><b>Family Size</b></p>	<p>For documentation and income verification a “family” is defined as 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:</p> <ul style="list-style-type: none"> <li>• A married couple and dependent children;</li> <li>• A parent or guardian and dependent children; or</li> <li>• A married couple</li> </ul> <p>An individual with a disability may be treated as a family of one for income eligibility determination purposes.</p>	<p><b>MATCH</b></p> <p><b><u>Basic Demographic Characteristics Requirement</u></b></p> <p>Participant self-attestation</p>
<p><b>School Status at Program Entry (WIOA)</b></p>	<p>School Status at Program Entry is:</p> <ul style="list-style-type: none"> <li>• <b>In-School, Secondary School or Less:</b> an individual who has not received a secondary school diploma or its recognized equivalent and is attending any primary or secondary school (including elementary, intermediate, junior high school, whether full or part-time), or is between school terms and intends to return to school.</li> <li>• <b>In-School, Alternative School:</b> an individual who has not received a secondary school diploma or its recognized equivalent and is attending an alternative high school or an alternative course of study approved by the local educational agency whether full or part-time, or is between school terms and is enrolled to return to school.</li> <li>• <b>In-School, Postsecondary School:</b> an individual who has received a secondary school diploma or its recognized equivalent and is attending a postsecondary school or program (whether full or part-time), or is between school terms and is enrolled to return to school.</li> <li>• <b>Not Attending School or Secondary School Dropout:</b> an individual who is not within the age of compulsory school attendance; and is no longer attending any school and has not received a secondary school diploma or its recognized equivalent.</li> <li>• <b>Not attending school; Secondary School Graduate or has a Recognized Equivalent:</b> an individual who is not attending any school and has either graduated from secondary school</li> </ul>	<p><b>SUPPORTING</b></p> <p><b><u>Basic Demographic Characteristic</u></b></p> <ul style="list-style-type: none"> <li>• Participant self-attestation</li> </ul> <p><b><u>Career Service &amp; Training Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Secondary School Diploma or Recognized equivalent</li> <li>• Attendance Record</li> <li>• Transcripts</li> <li>• School Documentation</li> <li>• Dropout letter</li> <li>• School Dropout Status Form – Attachment H</li> <li>• Participant self-attestation</li> </ul>

	<p>or has attained a secondary school equivalency.</p> <ul style="list-style-type: none"> <li>• <b>Not attending School:</b> Within Age of Compulsory School Attendance: an individual who is within the age of compulsory school attendance, but is not attending school and has not received a secondary school diploma or its recognized equivalent.</li> </ul>	
<p><b>Highest Educational Level Completed at Program Entry (WIOA)</b></p>	<p>Define the highest educational level completed by the individual at program entry:</p> <ol style="list-style-type: none"> <li>Record the number of last school grade completed 1-12</li> <li>High School Graduate</li> <li>High School Certificate of Attendance/Completion: A participant with a disability receives a certificate as a result of successfully completing and Individualized Education Program (IEP)</li> <li>Attained Certificate of Equivalency for a HS Diploma</li> <li>1 Yr. College/FT Technical or Vocational School</li> <li>2 Yr. College/FT Technical or Vocational School</li> <li>Vocational/Technical Degree</li> <li>Associate’s Degree</li> <li>Bachelor’s Degree or Equivalent</li> <li>Professional Degree</li> <li>Education beyond the Bachelor’s Degree</li> <li>Master’s Degree</li> <li>Doctoral Degree</li> <li>Occupational Skills License or Certification</li> </ol>	<p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <p>Participant self-attestation</p>

## Priority Population Source Documentation

Data Element	Definitions and Requirements	Acceptable Source Document
<b>Veteran Status</b>	An individual who served on active duty in the armed forces and who was discharged or released from such service under conditions other than dishonorable.	<p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <p>Participant self-attestation</p> <p><b><u>Career Service &amp; Training Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• DD-214</li> <li>• Letter from the Veterans Administration</li> <li>• Cross-Match with Veterans Data</li> </ul> <p>*If a source document is not available at the time a service is provided a case note must be entered indicating that program service was provided in keeping with the Veterans Priority of Service Policy and that the documentation will be obtained when the veteran returns for additional services.</p>
<b>Date of Actual Military Separation</b>	The date on which the participant separated from active duty with the U.S. armed forces.	<p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <p>Participant self-attestation</p>
<b>Transitioning Service Member</b>	An individual who is on active military duty status (including separation leave) with the U.S. armed forces and within 24 months of retirement or 12 months of separation from the armed forces.	<p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <p>Participant self-attestation</p>
<b>Campaign Veteran</b>	<p>An individual is an eligible veteran who served on active duty in the U.S. armed forces during a war or in a campaign or expedition for which a campaign badge or expeditionary medal has been authorized as identified and listed by the Office of Personnel Management (OPM).</p> <p>A current listing of the campaigns can be found at OPM's website <a href="http://www.opm.gov/policy-data-oversight/veterans-services/vet-guide">http://www.opm.gov/policy-data-oversight/veterans-services/vet-guide</a></p>	<p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <p>Participant self-attestation</p>
<b>Homeless Veteran</b>	An individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than	<p><b><u>Basic Demographic Characteristic Requirement</u></b></p>

	<p>dishonorable, and who lacks a fixed, regular, and adequate night time residence. This definition includes any individual who has a primary night time residence that is a publicly or privately-operated shelter for temporary accommodation; an institution providing temporary residence for participants intended to be institutionalized; or a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.</p> <p>*This definition does not include a participant imprisoned or detained under an Act of Congress or State law. A participant who may be sleeping in a temporary accommodation while away from home should not, as a result of that alone, be recorded as homeless.</p>	<p>Participant self-attestation</p>
<p><b>Homeless Veterans' Reintegration Program Participant</b></p>	<p>An individual who is a veteran who is enrolled in the Homeless Veterans' Reintegration Program (HVRP), Incarcerated Veterans Transition Program (IVTP), or Homeless Female Veterans and Veterans with Families (HFVWF) Reintegration Program in their area.</p>	<p><b><u>Basic Demographic Characteristic Requirement</u></b> Participant self-attestation</p>
<p><b>Disabled Veteran</b></p>	<p>An individual who is a veteran who served on active duty in the U.S. armed forces and who is entitled to compensation regardless of rating (including those rated at 0%); or who but for the receipt of military retirement pay would be entitled to compensation, under laws administered by the Department of Veterans Affairs (DVA); or was discharged or released from active duty because of a service-connected disability.</p> <p>OR</p> <p>An individual who is a veteran who served on active duty in the U.S. armed forces and who is entitled to compensation (or who, but for the receipt of military retirement pay would be entitled to compensation) under laws administered by the DVA for a disability, (i) rated at 30 percent or more or, (ii) rated at 10 or 20 percent in the case of a veteran who has been determined by DVA to have a serious employment handicap.</p>	<p><b><u>Basic Demographic Characteristic Requirement</u></b> Participant self-attestation</p>

<p><b>English Language Learner at Program Entry (WIOA)</b></p>	<p>An Individual at program entry who has limited ability in speaking, reading, writing or understanding the English language and also meets at least one of the following two conditions:</p> <ul style="list-style-type: none"> <li>a) His or her native language is a language other than English, or</li> <li>b) He or she lives in a family or community environment where a language other than English is the dominant language.</li> </ul>	<p><b>SUPPORTING</b></p> <p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Participant self-attestation</li> </ul> <p>*If the participant is an English language learner and answered <b>YES</b>: you must identify the Primary Language of the individual.</p>
<p><b>Single Parent at Program Entry (WIOA)</b></p>	<p>An individual who at program entry, is single, separated, divorced or a widowed individual who has primary responsibility for one or more dependent children under age 18 (including single pregnant women).</p>	<p><b>SUPPORTING</b></p> <p><b><u>Basic Demographic Characteristic Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Participant self-attestation</li> </ul> <p><b><u>Career Service &amp; Training Service Requirement</u></b></p> <ul style="list-style-type: none"> <li>• Detailed Program Note</li> </ul>