

ADULT PROGRAM QUESTIONS AND ANSWERS

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Adult Program Eligibility

Is a service member's spouse who is stationed outside the country eligible for services?

If the spouse meets eligibility requirements, the spouse may be enrolled in the appropriate Adult or other WIOA Title I-B programs. Any eligibility documentation and signatures may be provided electronically.

Is an individual whose permanent residence is outside the U.S., for instance across the Arizona-Mexico border, eligible to receive Adult program services?

State policy on Adult program services limits eligibility to those who are legally authorized to work in the U.S., but it does not require that those work-authorized individuals' permanent residence be within the U.S.

Are electronic signatures on Adult program forms acceptable?

Yes. In addition to wet signatures, electronic signatures and handwritten signatures on forms that are scanned or faxed are acceptable.

Do LWDA staff need to complete USCIS Form I-9 at intake to establish that an individual is authorized to work in the U.S. and may receive Title I-B services per state policy?

State policy does not require the completion of Form I-9 to establish that an applicant for Adult or other Title I-B services is work-authorized. Per the USCIS Handbook for Employers, *employers* must complete Form I-9 when they hire any person to perform labor or services in the U.S. for wages or remuneration. Service providers, however, may refer to the lists of acceptable documents on Form I-9 to verify that an applicant for Title I-B services is work-authorized.

Priority of Service

What documents may be used to verify covered person status for the purpose of priority of service for veterans and eligible spouses? Is an Arizona driver's license an acceptable document?

Attachment II of TEGL 23-19 identifies acceptable source documentation that verifies covered person status (that is, veteran or eligible spouse):

- DD-214;
- Cross-match with Department of Defense records;
- Cross-match with Veterans Service database; or
- A letter from the Veterans' Administration.

An Arizona driver's license may not be used for this purpose. However, Attachment II of TEGL 23-19 also notes that for the Adult program, covered person status is to be validated for participants receiving *individualized career or training services*.

What types of income are counted to determine low-income status for Adult program priority of service?

Gross wages or salaries, earnings from self-employment, unemployment compensation, child support payments, alimony, and others are counted as income for the purpose of determining low-income status. DES will provide further guidance on what types of income are included in, and those that are excluded from, income calculation.

Please note that a low-income individual is also defined as someone who receives or is a member of a family that receives, or in the past six months has received, SNAP benefits, TANF, SSI, etc. Therefore, individuals who receive these and other state or local income-based public assistance are eligible for low-income statutory priority, without any income calculation.

References: WIOA section 3(36) and TEGL 19-16

Is income from employment while incarcerated counted when determining low-income status?

Yes. Income earned while incarcerated is included in income calculations.

Is an adult who receives Supplemental Nutrition Assistance Program (SNAP) benefits or "food stamps," but is also living with parents or other family members, considered a family of one for the purpose of determining low-income status?

An individual who receives SNAP benefits, or in the past six months has received such benefits, meets the definition of a low-income individual per WIOA section 3(36). Income calculation and verification for the adult or other family members in the

household will not be necessary to determine low-income status and establish priority for Adult program individualized career services or training services.

Please refer to WIOA section 3(36) or TEGL 19-16 for the full definition of low-income individual.

Is self-attestation with an income worksheet allowed to be used to determine and verify low-income status for the purpose of establishing statutory priority?

Self-attestation with an income worksheet may be used to determine and verify low-income status for the purpose of establishing statutory priority for Adult individualized career and training services. However, to help ensure the accuracy of income information, staff should make every effort to obtain other source documentation, outlined in Attachment II of TEGL 23-19.

Does an individual's documented disability allow for the exclusion of other family members' income, making the individual a "family size of one" on the poverty guideline or lower living standard income level (LLSIL) table?

Yes. Per WIOA section 3(36), an individual is low-income if he/she has a disability and his/her *own income* does not exceed the higher of the poverty line or 70% of the LLSIL, even if the family's income exceeds those levels. In addition, if the individual receives, or in the past 6 months has received assistance through SNAP, TANF, SSI, or state or local income-based public assistance, he/she is considered a low-income individual.

If an individual has disclosed his/her disability, what are acceptable documents that verify disability status?

Per attachment II of TEGL 23-19, the following are acceptable source documentation:

- Self-attestation
- School 504 records provided by student
- Assessment test results

Is an individual who is basic-skills deficient but is not low income entitled to priority in the receipt of individualized career services or training services?

Yes, individuals who are basic-skills deficient, recipients of public assistance, and other low-income individuals are given priority for Adult program individualized career and

training services. An individual may belong to any one or all the “groups” to receive statutory priority.

Must LWDA staff administer Tests of Adult Basic Education (TABE) to all individuals who apply for Adult program services to determine basic-skills deficiency?

State policy does not require TABE testing to establish whether an individual is basic-skills deficient. However, staff may administer the test if deemed appropriate and necessary. Staff may also use the following to establish an applicant’s basic-skills deficiency: applicable records from an education institution, such as transcripts, academic assessments, or other school documentation; other assessment test results; and case manager statement documented in case notes.

Training Services

Is a participant in a registered apprenticeship program (RAP) required to apply for Pell Grant?

To be eligible for WIOA training funds, a participant must (i) try to obtain grant assistance from non-WIOA sources, such as Pell Grant; (ii) select a training program from the Eligible Training Provider List (ETPL); and (iii) meet other eligibility requirements outlined in the State policy.

Thus, a Pell Grant application is required if:

- Other non-WIOA grant sources are neither available nor applicable;
- The participant is seeking WIOA training funds for a RAP in the ETPL; and
- The related instruction component of the RAP is provided through an educational institution (e.g., a community college; vocational school).

A participant may enroll in WIOA-funded training while the Pell Grant application is pending. Once Pell Grant has been awarded, State policy on training services requires that training providers reimburse ARIZONA@WORK the WIOA funds used to pay for the training.

References: State policy on training services and 20 CFR § 680.230

Is an individual allowed to receive adult basic education using Adult program funds?

Title I funds may be used to directly support adult education and literacy activities *if* they are provided in combination with one or more of the following training services:

- Occupational skills training, including training for nontraditional employment;
- On-the-job training
- Incumbent worker training
- Programs that combine workplace training and related instruction (may include cooperative education programs);
- Training programs operated by the private sector;
- Skill upgrading and retraining; or
- Entrepreneurial training.

Local area staff may also refer participants to Title II partners for adult education and literacy activities.

Transitional Jobs

How are “chronically unemployed” and “inconsistent work history” defined in relation to the provision of transitional jobs?

Per 20 CFR § 680.190, local workforce development boards define “chronically unemployed” and “inconsistent work history,” in relation to the provision of transitional jobs.

A transitional job is a time-limited work experience, that is wage-paid and subsidized; in the public, private, or non-profit sectors; and is provided to an individual with barrier(s) to employment who is chronically unemployed or has inconsistent work history. It is designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop skills that lead to unsubsidized employment.

Supportive Services & Incentives

Can legal aid be paid as a supportive service, for instance, on behalf of a participant seeking legal assistance against an employer who allegedly did not pay for hours worked?

Fiscal guidance from DES indicates that legal aid services are allowable as supportive services but also notes that supportive services may only be provided when they are necessary to enable individuals to participate in career services or training activities (20 CFR § 680.910).

Please note that participants with unpaid wage claims may be referred to the Industrial Commission of Arizona for further information or assistance.

Is an Adult participant who receives only basic career services eligible to receive supportive services, such as transportation assistance?

Yes, Adult participants who receive basic career services, individualized career services, or training services may receive supportive services if the following are true:

- They are unable to obtain supportive services from other programs that provide such services.
- They need supportive services to participate in career or training services.

Are supportive services allowable while providing follow-up services to a participant after employment?

An Adult program participant who is receiving follow-up services only may not receive supportive services from the program. TEGL 19-16 and State policy clarify that supportive services may be made available to an Adult or Dislocated Worker participant if supportive services are necessary to enable the individual to participate in training services or career services, *excluding* follow-up services.

State policy, however, further clarifies that follow-up services may include referrals to supportive services available in the participant's community.

How do LWDA staff obtain permission to provide incentives to Adult participants?

Local area staff must send the Incentive Approval Request form (WIOA-1084A) to the DERS Finance and Budget unit WIOAFiscalReports@azdes.gov for approval.

Performance Indicators: Measurable Skill Gains (MSG) and Credential Attainment Rate

If a participant is enrolled in more than one Title I-B program, must MSG be “set” for each program?

Yes, if the participant is in an education or training program that leads to a recognized postsecondary credential or employment, an MSG must be “set” in the Arizona Job Connection (AJC) system for each program in which the participant is enrolled.

Please note, however, that “education or training programs that lead to a recognized postsecondary credential or employment” include on-the-job training (OJT) and customized training for Adult and Dislocated Worker programs, but not for the Youth program.

Is an Adult participant in an on-the-job training (OJT) counted in the MSG performance indicator?

Adult participants in OJT are included in the MSG performance indicator denominator, and an MSG must be “set” in the Arizona Job Connection (AJC) system for those participants.

Per TEGL 10-16, Change 1, the MSG performance indicator is the percentage of participants, who during a program year, are:

- In an education or training program that leads to a recognized postsecondary credential or employment; and
- Who are achieving documented academic, technical, occupational, or other forms of progress towards such credential or employment.

An Adult participant in OJT has achieved an MSG if the employer or training provider provides a report showing the participant’s satisfactory progress towards an established training milestone. Examples of this report include the following:

- A progress report from an employer showing that a participant has successfully completed a component of the OJT:
 - E.g., the participant completed the machine-operator training as part of his OJT at a manufacturer; or
- A report showing the completion of OJT.

When measuring credential attainment rate, what training programs are considered valid? Is a forklift operator training a valid training program?

Credential attainment is measured for participants in an education or training program that leads to a *recognized postsecondary credential* or a secondary school diploma (or its equivalent). An individual in a forklift operator training is included in the credential attainment rate measure if the training leads to a recognized postsecondary credential.

TEGL 10-16, Change 1, defines a recognized postsecondary credential as a credential consisting of the following:

- An industry-recognized certificate or certification;
- A certificate of completion of an apprenticeship;
- A license recognized by the state (Arizona) or federal government; or
- An associate or baccalaureate degree.

A recognized postsecondary credential is awarded in recognition of an individual's attainment of measurable technical or industry/occupational skills necessary to obtain employment or advance within an industry/occupation.

For additional information and resources, please refer to TEGL 10-16, Change 1, and ETA's [Postsecondary Credential Attainment Decision Tree](#).

Performance Indicator: Employment Rate

If an individual was employed at the time of program registration and is still in the same position at the time of program exit, will this employment be included in the performance indicator?

The participant will be included in the numerator of the performance indicator if found to be employed in the 2nd quarter after exit and/or in the 4th quarter after exit, even when the employment is the same one at the time of program registration.

Attachment II of TEGL 23-19 has a list of appropriate source documentation to support employment status, which includes UI wage data match, paycheck stubs, etc.

For self-employed participants, what are acceptable source documentation to support employment status?

Attachment II of TEGL 23-19 has a list of appropriate source documentation to support employment status, including a self-employment or sales commission worksheet signed and attested to by the program participant.

Case Transfer

What steps must be taken when a participant requests transfer from one local workforce development area (LWDA) to another LWDA?

When a participant requests transfer from one local workforce development area (LWDA) to another, the following steps must be taken:

1. The transferring LWDA must review the case prior to initiating the transfer and ensure that the request is not due to a grievance that had not been addressed or insufficient services to the participant.
2. The transferring LWDA will communicate the request to the receiving LWDA.
3. The receiving LWDA must review the case and notify the transferring LWDA of its agreement to the transfer.
 - a. If the receiving LWDA declines the transfer, it must justify its decision for doing so.
4. The transferring LWDA will send a reassignment request to the DES Workforce Administration IT at ea- wioa@azdes.gov , with participant and receiving LWDA information.