

**ACTION BULLETIN**

**TO:** Alameda County Workforce Development Board’s (ACWDB) Workforce Innovation and Opportunity Act (WIOA) Adult Career Service Providers (CSP)

**DATE:** June 13, 2023

**SUBJECT:** WIOA ADULT PROGRAM PRIORITY OF SERVICE

**PURPOSE OF REVISION:**

The purpose of this revision is to:

- Expand the categories of priority populations as approved by the ACWDB at their May 11, 2023 meeting
- define the new priority population category
- provide examples of documentation used to verify eligibility for this new category; and,
- provide updated intake forms relevant to the expansion of the new priority population category

Revised items will be reflected in **bold** text below.

**CITATIONS AND REFERENCES:**

- Workforce Innovation and Opportunity Act (WIOA) of 2014; Section 134(c)(3)(E)
- WIOA (Public Law 113-128) Sections 3 and 134
- Training and Employment Notice 42-15: “Final Rules and Information Collections for WIOA and Additional DOL Administered Programs (June 30, 2016)
- Workforce Services Directive (WSD)15-14: Priority of Services (January 22, 2016)
- Training and Employment Guidance Letter (TEGL) 19-16 Guidance on Services Provided through the Adult and Dislocated Worker Programs (March 1, 2017)
- Workforce Services Directive (WSD) 08-10, Subject: “Final Rule on Priority of Service for Veterans and Eligible Spouses” (June 29, 2009)
- Training and Employment Notice (TEN) 15-10; Protocol for Implementing Priority of Service for Veterans and Eligible Spouses

**BACKGROUND:**

Under the Workforce Investment Act (WIA) priority populations were identified as:

- Individuals and families who were recipients of cash public assistance or otherwise met the standard for “low-income”; and,
- Military veterans.

Additionally, WIA mandated that priority be given to these populations only when there was a determination made that WIA funds or program services were limited.

Under the WIOA, Priority Population categories were expanded – and Local Boards were granted the flexibility to establish additional categories. Further, WIOA requires that these populations be continuously prioritized, regardless of the availability of funds and/or services.

**ACWDB’s WIOA Adult Priority Populations:**

P R I O R I T Y		Identified by:
#	Population	
1	Veterans & eligible spouses who are also recipients of cash public assistance or are otherwise low-income	WIOA
1.1	Veterans or eligible spouses of veterans	WIOA
2	Low-Income or Basic Skills Deficient	WIOA
3	Individuals with Disabilities or Basic Skills Deficient	ACWDB
4	Re-Entry Population	ACWDB
5	Long-Term Unemployed (27+ weeks)	ACWDB
6	Older Individuals (55+)	ACWDB
7	Single Parents	ACWDB
8	Department of Child Support Services Involved	ACWDB
9	Refugees/Asylees	ACWDB
10	First Generation College Students	ACWDB
11	LGBTQ+	ACWDB
12	Women	ACWDB
<b>13</b>	<b>Recipients of Section 8 Housing Choice Vouchers</b>	<b>ACWDB</b>
14	All other applicants who do not meet any of the priority populations referenced above	N/A

**DEFINITIONS:**

**1. Veterans and Eligible Spouses:**

A. Veterans:

A person who has served at least one day in the active military, naval, or air service, and who was discharged or released from service under any condition other than a condition classified as dishonorable.

B. Eligible Spouses (legal marriage at time of application is required):

An individual whose spouse is/was:

- I. Any veteran who died of a service-connected disability
- II. Any member of the Armed Forces serving on active duty and is/was:
  - 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 government or power.

- III. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veteran Affairs; or
- IV. Any veteran who died while a disability was in existence.

**2. Low-Income Families/Individuals or Basic Skills Deficient:**

- A. On the date of application, the applicant is an eligible family member on an active grant (or on a grant that has been active within the last six months) for:
  - I. Temporary Aid for Needy Families (TANF)/CalWORKs
  - II. General Assistance (GA)
  - III. Food Stamps/CalFresh
  - IV. Supplemental Security Income (SSI)
  
- B. On the date of application, the applicant is homeless:
  - I. Lacks a fixed, regular, adequate nighttime residence which includes individuals who:
    - a) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
    - b) are living in a motel, hotel, trailer park, or campground due to a lack of alternative adequate accommodations
    - c) are living in an emergency or transitional shelter
    - d) are abandoned in a hospital; or
    - e) awaiting foster care placement
  - II. Has a primary nighttime residence that is a public or private place not designed for or regularly used as regular sleeping accommodations for human beings such as in a/an:
 

a) car or vehicle	d) bus/train station or
b) park or outdoor recreational facility	airport
c) abandoned building	e) camping ground
  - III. Is a migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent's or parent's spouse's seasonal employment in agriculture, dairy, or fishing work or
  - IV. Is under 18 years of age and absents himself/herself from home or place of legal residence without permission of his or her family (i.e., runaway youth)
  
- C. On the date of application, the applicant has been diagnosed with a disability, and his/her own gross earned income falls below the Poverty Guideline or the Lower Living Standard Income Level (LLSIL) for a family of one. See definition of "Individuals with Disabilities" below.
  
- D. On the date of application, the applicant resides in a High Poverty Area. High Poverty Areas are defined as areas where the poverty rate equals or exceeds 25% as reflected in the Poverty Data Tools on the U.S. Census website: [United States Census Bureau, Geographies](#) and [United States Census Bureau Narrative Profiles](#). (See ACWDB's Information Bulletin [IB 23-01](#) Identifying High Poverty Areas for Determination of Low Income Status for WIOA Programs.)

- E. On the date of application, the applicant was determined to be Basic Skills Deficient (See the definition of Basic Skills Deficient below).

**3. Individuals with Disabilities:**

On the date of application, the applicant possesses a physical or mental impairment that substantially limits one or more major life activities, such as:

- I. Caring for oneself
- II. Performing manual tasks
- III. Seeing, hearing, speaking, breathing
- IV. Eating, sleeping, walking, standing, lifting, bending
- V. Learning, reading, concentrating, thinking
- VI. Communicating
- VII. Working
- VIII. Immune system functionality, normal cell growth
- IX. Digestive, bowel, bladder, brain, respiratory, circulatory, endocrine, and
- X. Reproductive functions
- XI. 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.

Or the individual is considered “Basic Skills Deficient”, which is defined as:

- A. An individual who does not possess a high school diploma or its equivalent; and the individual is not presently enrolled in post-secondary education; or
- B. An individual enrolled in a Title II Adult Literacy/Education program; or
- C. An individual whose test results reflect that they perform below the 9<sup>th</sup> grade level in reading, English, writing or computing based on a standardized test that was administered within one year of the date of application; or
- D. An individual who is an English language learner (ELL) as defined below:
  - a. An individual who has limited ability to read, write, speak, or comprehend the English language, and
    - i. Whose native language is a language other than English; or
    - ii. Who lives in a family or community environment where a language other than English is the predominant language.

**4. Re-Entry Population:**

An adult (18 or older) who:

- I. Is or has been subject to any stage of the criminal justice process, and for whom services under this act may be beneficial; or,
- II. Requires assistance in overcoming collateral consequences, real, perceived, and artificial barriers to employment resulting from a record of arrest or conviction.

**5. Long-Term Unemployed Individuals:**

An individual who was previously employed full-time and who has been unemployed for a minimum of twenty-seven (27) consecutive weeks.

**6. Older Individuals:**

An individual who is at least fifty-five (55) years of age.

**7. Single Parents:**

An unmarried individual who has at least one child (age 18 or younger) residing in their home.

Both a custodial parent (has the child/children for more than half of the time), and a parent granted visitation (has the child/children for less than half of the time) would qualify as Single Parents.

**8. Individuals Involved with the Department of Child Support Services (DCSS):**

An individual who has been involved with the DCSS and has been court-ordered through the DCSS, to meet certain requirements and mandates.

**9. Refugees/Asylees:**

A. Refugee: An individual, outside their country of nationality, who is unable or unwilling to return to their country of nationality because of war, natural disaster or persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

B. Asylee: An individual who meets the definition of Refugee and is already present in the United States or is seeking admission at a port of entry; or who is seeking or has been granted political asylum.

C. NOTE: Refugees and asylees must be able to document their employment authorization status to legally accept employment in the United States.

**10. First Generation College Students:**

An individual who is or has been enrolled in any college within the last semester or quarter and who grew up in a home where:

A. Both parents did not attend a four-year college; or

B. One parent has achieved no higher than an AA degree – and the other parent has no college degree; or

C. One or both parents attempted some college but did not finish or attain any level of degree.

## 11. LGBTQ+:

An individual who identifies in one of the following categories:

- A. Lesbian
- B. Gay
- C. Bisexual
- D. Transgender
- E. Queer or Questioning
- F. The “+” presents other categories including, but not limited to:
  - I. Pansexual
  - II. Two-spirit
  - III. Asexual
  - IV. Androgyne
  - V. Bigender
  - VI. Genderfluid
  - VII. Intersexual

## 12. Women:

Individuals who identify as female as documented through legal forms of identification or through self-attestation.

## 13. Recipients of Section 8 Housing Choice Vouchers:

**Individuals who reside within a household that has been determined eligible for the Section 8 Housing Choice Voucher Program through the United States Department of Housing and Urban Development (HUD).**

## POLICY AND PROCEDURES:

As stated in WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA Adult funds, priority of service must be provided to individuals who meet at least one of the priority population criteria.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority of service does not apply to the Dislocated Worker population.

The ACWDB has established a method for ensuring that priority populations are given precedence in the provision of services under the WIOA Adult funding stream. The following procedure shall become effective beginning **July 1, 2023**.

### Policy:

The ACWDB has determined that priority populations will receive WIOA-funded services at a rate that exceeds participation of individuals who do not meet any of the priority population criteria.

At a minimum, **65%** of individuals enrolled under the WIOA Adult funding stream will meet the priority population criteria as established through this action bulletin. Conversely, a maximum of **35%** of individuals enrolled under the WIOA Adult funding stream may be enrolled as exceptions to the priority population criteria.

All individuals who apply for services under the WIOA Adult funding stream will be presented with a “Priority Population Questionnaire” to determine whether they qualify under at least one of the priority population criteria.

Applicants who apply for services under the WIOA Adult funding stream and who do NOT meet any of the priority population criteria, may only be enrolled by approval from the Workforce Services Support Team (WSST). Workforce Technicians assigned to support your organizations are part of the WSST.

Each CSP will be allotted a specific number of allowable **35%** Priority Populations Exceptions that will correspond to the WIOA Adult enrollment goals for the program year as established in CSP contracts.

Workforce Technicians will monitor enrollment of all non-priority population participants and will deny enrollment requests once the **35%** enrollment cap has been reached.

If a CSP exceeds their annual, contractual enrollment goals under the WIOA Adult funding stream, then the **35%** exception cap may be recalculated by request of the CSP site-manager. Such requests must be submitted to the attention of the assigned Workforce Technician and the CSP Liaison.

**Documentation:**

Priority population status must be verified through documentation at the time the individual submits their application for WIOA-funded services.

The ACWDB and CSP staff should use the following sources of documentation to verify whether an adult applicant qualifies for priority of service under WIOA.

<b>Documentation of Priority Population Status</b>	
<b>Category</b>	<b>Examples of Documentation</b>
Veterans	Military Identification or DD-214 Other documentation from the U.S. Military
Eligible Spouses of Veterans	Military Identification <sup>1</sup> or DD-214 <sup>1</sup> Other documentation from the U.S. Military <sup>1</sup> Proof of marital status
Cash Public Assistance Recipient	Screen Prints from the Social Services System <sup>2</sup> Social Security Documentation
Low Income	Wage Stubs/W2s/Employer Verification of Wages State Unemployment or Disability documents Other documentation of regular payments in lieu of wages Shelter Letter/Proof of Homeless Status (Self-Attestation may be used in lieu of or in conjunction with any of these documentation examples. Seek assistance from your Workforce Technician to ensure documentation is acceptable.)
Basic Skills Deficient	School Transcripts/Other School Records Test Results

	Seek assistance from your Workforce Technician to ensure documentation is acceptable.
Individuals with Disabilities	Current Letter from a Doctor or Counselor Official Partner Agency Letter
Re-Entry Population	Letters or Court Documents That identify the applicant and verify involvement with the criminal justice system regardless of conviction status.
Long-Term Unemployed	Employment History Questionnaire That demonstrates a gap in employment that meets or exceeds 27 consecutive weeks EDD/UI Records
Older Individuals	Legal Identification Providing verification of date of birth
Single Parent	Social Services System Screen Prints <sup>2</sup> WIOA Application and/or Self-Attestation/Declaration
DCSS Involvement	Letter or document from DCSS or court paperwork Self-Attestation/Declaration
Refugee/Asylee	U.S. Citizenship and Immigration Services (USCIS) Documents
First Generation College Students	College Transcripts or College Registration documents or Self-Attestation
LGBTQ+	Self-Attestation
Women	Legal Identification or Self-Attestation
<b>Section 8 Housing Choice Voucher</b>	<b>HUD Documentation or Self-Attestation</b>

<sup>1</sup>With proof of legal marriage to the Veteran

<sup>2</sup>As provided by the Workforce Technicians

### **Procedure / Customer Flow:**

Under WIOA, Local Area performance goals may be adjusted annually through the state's Statistical Adjustment Model (SAM). The SAM analyzes data relevant to the demographics of WIOA-enrolled participants and adjusts annual performance goals either up or down depending upon the number of participants served as compared to the number and severity of the barriers this population possesses.

It is the goal of the ACWDB to establish a procedure that enables the CSPs to capture, report, and document as many priority population barriers per participant as is possible without creating hardship for CSP staff or WIOA applicants.

### **Step 1 – CSP Orientation:**

All customers should receive an orientation that highlights services that are available to universal customers and introduces the customer to the CalJOBS system.



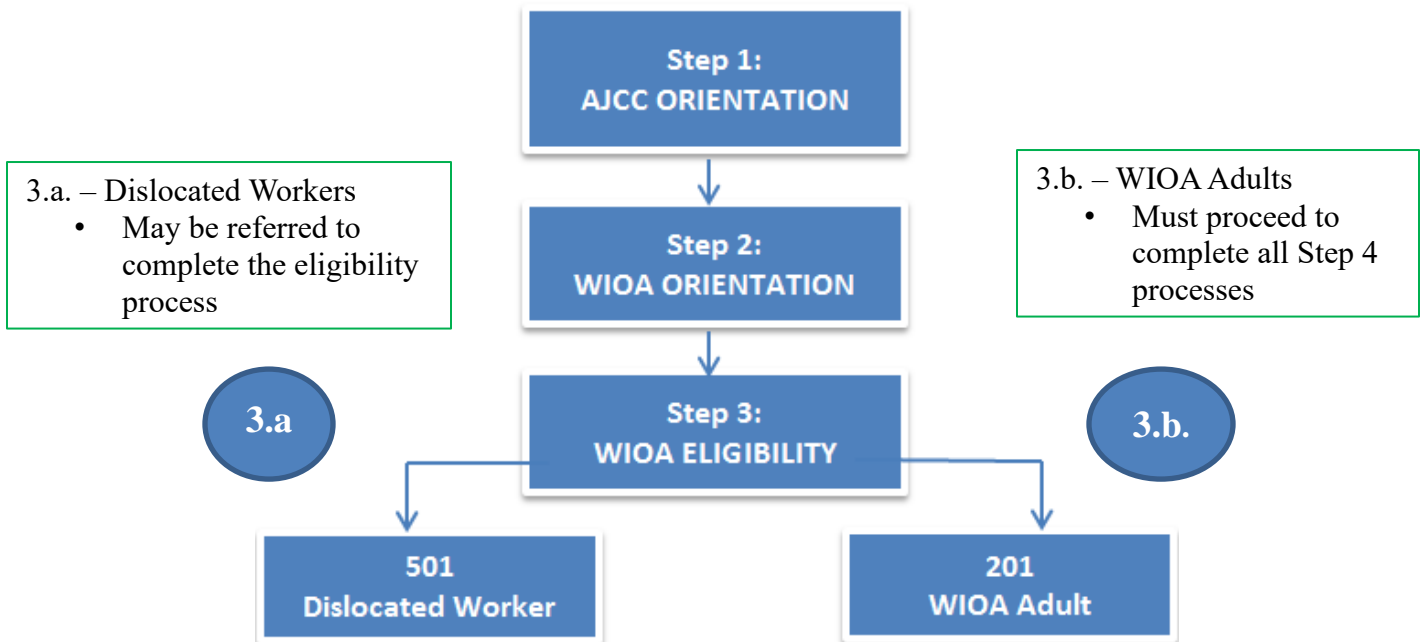
**Step 2 – WIOA Orientation:**

Customers who are interested in taking advantage of services offered through a WIOA registration should receive a WIOA orientation that highlights services offered through WIOA enrollment, WIOA eligibility requirements, and other relevant information about WIOA and partner services.

**Step 3 – WIOA Eligibility / Intake:**

Interested customers should be referred to intake where a determination should be made regarding whether an applicant would qualify as a Dislocated Workers (Step 3.a.) or WIOA Adult (Step 3.b.).

- Dislocated Workers may be referred to complete the eligibility process.
- WIOA Adults should be referred to Step 4 (below).



**Step 4. – WIOA Adult Eligibility:**

Customers who appear to qualify under the WIOA Adult (Grant 201) funding stream must be referred to begin the process to determine WIOA Priority Population eligibility. This process begins with the completion of the Priority Population Questionnaire.

**Step 4.a. – Determination of Priority Population Status:**

Determine whether the applicant meets any of the WIOA Adult Priority Population Categories in the order that they appear in this bulletin (with priority given to category #1, then #2, etc.)

**Step 4.b. – Priority Population: All Other Applicants without Priority Population Status:**

If the applicant does not meet any of the criteria to qualify as a Priority Population applicant, they must be referred to complete the Priority Populations Exception Form and submit to the attention of the assigned technician or other staff in the Workforce Services Support Team (WSST).

**CSP Staff must await written approval from the WSST prior to enrolling participants who do not qualify under any of the Priority Population categories.**

- If a CSP has reached the maximum number of non-priority population enrollments and the Workforce Technician declines the **35%** priority population exception request, the CSP must establish and maintain a waiting list.
- CSPs will be allowed to begin to pull individuals from their waiting list in the event there is a recalculation of the **35%** allowance which will be based on the CSP exceeding their WIOA Adult contractual enrollment goals – or on the beginning of a new Program Year (PY) when the **35%** allowable exceptions will be recalculated based on the new PY enrollment goal.

**ACTION:**

**The effective date of this bulletin is July 1, 2023. Please bring this Action Bulletin to the attention of all relevant staff/parties.**

*Any discrepancies that arise between this policy/procedure and any updates to federal or state provisions will default to the current minimum federal and state regulations and guidance available. As policies or regulations are updated, the most current versions of bulletins will appear on our website at [www.acwdb.org](http://www.acwdb.org).*

**INFORMATION AND INQUIRIES:**

For further information and inquiries please contact:

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MIS Administrator  
24100 Amador Street, 6<sup>th</sup> Floor  
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Desk: (510) 259-3802  
Email: [mggarcia@acgov.org](mailto:mggarcia@acgov.org)

**Attachments:**

Attachment 1 - Priority Population Questionnaire  
Attachment 2 - Priority Population Exception Request Form

# Priority Population Questionnaire – Career Service Provider



Applicant Name:	Full SSN:	Agency:
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Please check **ALL** that apply:

I am (a part of the following group or identifier):

<p><b>VETERAN OR ELIGIBLE SPOUSE OF A VETERAN</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Veteran</li> <li><input type="checkbox"/> Eligible Spouse of a Veteran</li> </ul>	<p><b>INDIVIDUALS WITH DISABILITY</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Physical or mental impairment that substantially limits one or more major life activities</li> </ul>
<p><b>LOW-INCOME</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Receiving: Cash Public Assistance (SSI/TANF/GA/CalFresh programs) – Within the last 6 months</li> <li><input type="checkbox"/> Homeless - At the date of application</li> <li><input type="checkbox"/> Income below poverty level or LLSIL - Within the last 6 months</li> </ul>	
<p><b>SPECIAL POPULATION</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Older Individuals 55+</li> <li><input type="checkbox"/> 1st Generation College Students</li> <li><input type="checkbox"/> LGBTQ+</li> <li><input type="checkbox"/> Women</li> <li><input type="checkbox"/> Single Parents (Unmarried applicants with dependent children aged 18 or younger residing in the home)</li> <li><input type="checkbox"/> Department of Child Support Services (DCSS)–Involved Individuals</li> <li><input type="checkbox"/> Refugees/Asylees</li> <li><input type="checkbox"/> Long-Term Unemployed (Individuals who were previously employed full time, and have been unemployed for a minimum of 27 consecutive weeks)</li> <li><input type="checkbox"/> Re-Entry: Subject to any stage of the criminal justice process</li> <li><input type="checkbox"/> Section 8 Housing Choice Voucher Program</li> </ul>	
<p><b>BASIC SKILLS DEFICIENT</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> No HS Diploma or Equivalent and not enrolled in Post-Secondary School</li> <li><input type="checkbox"/> Enrolled in Title II – Adult Education Literacy</li> <li><input type="checkbox"/> English Language Learner (ELL)</li> <li><input type="checkbox"/> 8.9 or lower in Reading, English, Writing and Computing</li> </ul>	

None of the above categories pertain to me

I hereby attest that the information provided above is an accurate reflection of the circumstances surrounding the job search of the customer named herein.

**Applicant:**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Priority Population Exception Request Form - CSP



### PROGRAM OPERATOR REQUEST:

I have verified that the applicant **DOES NOT**, *at the time of application*, meet the eligibility for the WIOA Adult Priority Population.

Agency Name:	Agency Code:	Date of Request:
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### REQUESTING STAFF INFORMATION:

Print Name	Signature	Phone #

### MANAGER APPROVAL

Print Name	Signature	Phone #

### APPLICANT INFORMATION:

PRINTED Last Name, First Name & MI:	SSN4:
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### WDB STAFF USE ONLY:

#### ENROLLMENT VERIFICATION:

The following is a true and accurate count of the requesting program's enrollment levels (per CalJOBS), on the date of this request.

**A MINIMUM OF 65% OF YOUR WIOA ADULT ENROLLED POPULATION MUST BE INDIVIDUALS WHO MEET THE PRIORITY OF SERVICE CRITERIA.**

# of Enrollments as of _____		# of exceptions	/
<small>Date</small>			<small>Requested      Allowed</small>

This request for the Priority Population Exception is hereby:  Approved  Denied\*

\*Reason for Denial:

Authorized WDB Staff Printed Name	WDB Staff Signature	Date