Idaho Integrated WIOA Eligibility and Priority of Service Policy
Approved March 12, 2025

This policy highlights the eligibility criteria for the state's three Workforce Innovation and Opportunity Act (WIOA) Title I-B programs and priority of service (PoS) criteria for all of Idaho's WIOA programs.

WIOA **self-service and informational career services** are designed to be **universally** delivered in the one-stop system to any individual seeking these services. Those seeking services beyond this level must show eligibility among at least one of the WIOA Title I-B programs – Adult, Dislocated Worker, or Youth – to receive a more comprehensive level of services. Specific program eligibility requirements for Idaho's Title I-B programs are found in the state's WIOA Technical Assistance Guide (TAG). Please refer to the state's TAG for more details on determining and documenting eligibility and appropriateness for enrollment.

WIOA section 134 (c)(3)(E)
The Act's provisions require that WIOA programs provide appropriate PoS for covered persons (veterans and eligible spouses), and participants within Title I-B programs, ensuring consistency in providing appropriate PoS for veterans across all of these programs and leading to effective referrals and co-enrollment where appropriate. The state's PoS policies reinforce WIOA's intent for state and local workforce development systems to serve those most in need of employment and training services. Idaho has undertaken an effort to ensure its residents most in need are prioritized when Title I-B service providers must prioritize program enrollment. To assist these providers and interested parties the state has delineated the PoS for each WIOA Title I-B program it administers and provides the definitions relevant to the various program priorities listed in Attachment A.

Title I-B Youth Eligibility Criteria and Service Priority Groups

Reference: WIOA Sec. 129, 20 CFR §681.210, 681.220, 681.300, 681.410, 681.590

History: Idaho Youth Service Priorities Policy – approved 10-13-2021
Idaho Integrated WIOA Priority of Service Policy – Approved 03-15-2023
Idaho Integrated WIOA Priority of Service Policy – Approved 06-05-2024

Youth Program Eligibility

Out-of-School Youth (OSY) are:

- Not attending any school, including secondary or post-secondary institutions.
  The state of Idaho does not regulate or monitor homeschooled youth. If the parent uses an approved school curriculum, follows the local school district's rules, etc., the youth should be considered an in-school youth. Conversely, if they say, "we are home-schooling" but can't provide a direct connection to the school district's policy,

procedure, curriculum, etc., they should be identified as out-of-school.

- Ages 16-24 - Age eligibility is established at enrollment. A youth who turns 25 after enrollment may continue to receive youth services until WIOA activities and follow-up are complete.

  PARENTAL/GUARDIAN CONSENT - Release of Information
  A parent/guardian signature is required on the Release of Information for applicants under 18 to provide services. However, the requirement can be waived if an exception is deemed appropriate for applicants who cannot produce the parent/guardian signature.

- And is one or more of the following:
  - A school dropout on date of enrollment
  - A youth within the age of compulsory attendance but has not attended for at least the most recent complete school year calendar quarter
  - A youth recipient of a secondary school diploma or its recognized equivalent who is low-income and is basic skills deficient or an English language learner.
  - A justice-involved youth
  - A homeless youth
  - A youth who is a runaway
  - A youth in foster care or has aged out of foster care
  - A youth who is pregnant or parenting
  - A youth with a disability
  - A low-income youth who requires additional assistance to enter or complete an educational program or to secure or hold employment, as defined below:
    - A) Has been treated by a professional for mental health issues, including traumatic events, depression, or substance abuse related problems; OR
    - B) Has been or is a victim of abuse or resides in an abusive environment as documented by a licensed professional; OR
    - C) Has been unemployed for at least three of the last six months (not necessarily consecutive); OR
    - D) Has a family history of chronic unemployment (during the two years prior to application, family members were unemployed longer than employed); OR
    - E) Has limited English proficiency or is culturally displaced, i.e., refugees.

In-School Youth (ISY) are:

- Attending school. Defined by State law, this includes secondary school, post-secondary school, and may include homeschool.
- Age 16-21 years old (A youth with disabilities who is in an individualized education program at the age of 22 may be enrolled as an In-School youth [TEGL 21-16]).

  PARENTAL/GUARDIAN CONSENT - Release of Information
  A parent/guardian signature is required on the Release of Information for applicants under 18 to provide services. However, the requirement can be

waived if an exception is deemed appropriate for applicants who cannot produce the parent/guardian signature.

- Low-income individual.
- Meets one or more of the following barriers:
  - Basic skills deficient.
  - An English language learner.
  - An offender.
  - A homeless individual or runaway.
  - An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under Section 477 of the Social Security Act, or in an out-of-home placement.
    - ***Kinship Care*** - Is defined as the full-time protecting and nurturing of children by grandparents, aunts, uncles, godparents, older siblings, non-related extended family members, and anyone to whom children and parents ascribe a family relationship. Within this definition there are two populations of kinship families: (a) informal, where children live with grandparents or other relatives and are not in the custody of a public child welfare agency; and (b) formal, where children are placed in the care of a relative or non-related extended family member and are in the custody of a public child welfare agency. *(Child Welfare League of America)*
    - ***Foster care*** is defined as a situation where a minor child has been taken into state custody and placed with a state-licensed adult who cares for the child in place of their parent or guardian. Children often enter the foster care system as a result of an unsafe or unstable home environment. Other times, parents become unable to care for their children for reasons such as illness, death, or incarceration. Foster children might live in a group home, ward, or in a private home with a foster family. Some foster children reach the age of majority and "age out" of the foster care system before a permanent family placement is established. *(Cornell Law School WEX Definitions Team)*
  - Pregnant or parenting (custodial and non-custodial parent including non-custodial fathers).
  - An individual with a disability.
  - An individual who requires additional assistance to complete an educational program or secure and hold employment, as defined below:
    A) Has been treated by a professional for mental health issues including traumatic events, depression, or substance abuse related problems; OR
    B) Has been or is a victim of abuse, or resides in an abusive environment as documented by a licensed professional; OR
    C) Has been unemployed for at least three of the last six months (not necessarily consecutive); OR

D) Has a family history of chronic unemployment (during the two years prior to application, family members were unemployed longer than employed); OR
E) Has limited English proficiency or is culturally displaced, i.e., refugees.

Five Percent Low-Income Eligibility Exception:

WIOA allows a low-income exception where up to five percent (5%) of WIOA youth may be participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth except the low-income criteria. Refer to Attachment A to this policy and the state's WIOA Technical Assistance Guide (TAG) for low-income criteria for WIOA Title I youth programs.

A youth participant's eligibility is determined at intake; therefore, the youth remains eligible for youth services until exited. For example, an individual who is an ISY between the ages of 16-21 at the time of enrollment and is now beyond the age of 21 is still considered an ISY until exited.

Youth Priority Groups

Service to OSYs

The Idaho Workforce Development Council mandates that at least 75 percent of the state's Youth program funds are directed toward serving OSY. All program and special project expenditures will adhere to the 75 percent minimum program expenditures attributed to OSY unless the state receives a waiver of this requirement from USDOL.

The following OSY groups shall receive priority of service:

- Low-income youth involved with the justice system;
- Low-income youth in or exiting foster/kinship care;
- Low-income youth who are pregnant and/or parenting; and
- Low-income out-of-school youth with disabilities.

Establishing these WIOA OSY service priorities does not mean the program will serve these population groups exclusively. However, Idaho's youth program will emphasize the enrollment of these four demographic groups and prioritize these groups when funding levels or enrollment availability are reduced.

Service to ISYs

The Council will allow service delivery areas (SDAs) to expend up to 25 percent of their total youth program funding toward serving ISY. Any specific focus, requirement, or special initiatives to serve one or more of the priority groups listed below will be developed annually,

before the start of each program year, and included in the service provider's contract.

The following ISY groups shall receive priority of service:

- Low-income youth involved with the justice system;
- Low-income youth in or exiting foster/kinship care;
- Low-income youth who are pregnant and/or parenting; and
- Low-income youth with disabilities.

Establishing these WIOA ISY service priorities does not mean the program will serve these population groups exclusively. However, Idaho's ISY program will emphasize the enrollment of these demographic groups and prioritize these groups.

Work-based Learning Expenditure Priority

WIOA Youth programs must expend not less than 20 percent of their allocated funds towards providing WIOA youth with paid and unpaid work-based learning opportunities, including job shadowing, work experiences, pre-apprenticeships, internships, and on-the-job training activities. Expenditures applied towards this requirement include direct participant services and the staff costs associated with providing these services.

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Title I-B Adult Eligibility Criteria and Service Priority Groups

Reference: WIOA 134(c)(3)(E); WIOA Final Rules20 CFR 680.600, 680.110, 680.120, 680.600, 680.610, 680.650; USDOL Training and Employment Guidance Letters No. 4-15, 16-16, 19-16, 7-20, 10-23; 38 USC 41; 20 CFR 1001.100; PL 107-288.

History: WDC-4-20-2016- WIOA#2; WDC Policy 7-14-2016; ID 2024-27 WIOA Combined State Plan; Idaho Integrated WIOA Priority of Service Policy – Approved 03-15-2023

Adult Eligibility

Services to determine eligibility for participation in the WIOA Title I-B Programs are provided to individuals registered in the state's WIOA Title I-B management information system (MIS) *IdahoWorks*. The minimum eligibility requirements to receive additional career services are listed below:

- Idaho workforce participants with priority given to Idaho residents;
- Must be legally authorized to work in the United States to participate in Occupational Skills Training, Job Placement, Work-Based Learning and receive Supportive Services that represent a direct financial benefit;
- Age 18 or older; and
- Selective Service registration if required by law for the individual.

WIOA **individualized career services** [WIOA 134 (c)(2)(A)(xii)] are provided to eligible individuals as appropriate for an individual to obtain or retain employment.

WIOA **training services** are provided to eligible individuals following an interview, evaluation, or assessment and career planning if WIOA staff determines them to be appropriate because the individual:

- Is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services or individualized career services alone;
- Needs training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment;
- Has the skills and qualifications to participate in the selected program of training services successfully; and
- Is unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as state-funded training funds.

Low Income Status:

Idaho uses the 70% Lower-Level Standard Income Level (LLSIL) issued annually by the U.S. Department of Labor (USDOL), along with the Poverty Guidelines provided by U.S. Health and Human Services (HHS), to determine low-income status under WIOA §(3)(35)(ii). These guidelines are posted on the Administrative Entity's website as a WIOA Information Bulletin, and are taken directly from USDOL's website listing the LLSILs.

Please refer to the state's WIOA Technical Assistance Guide (TAG) for more details on determining and documenting eligibility and appropriateness for enrollment.

Adult and Veteran Priority

WIOA directs states to establish a statutory priority policy for individuals in the WIOA Adult program receiving individualized career and training services. This includes prioritization of the state's eligible veterans and eligible spouses of veterans over other eligible participants. This provision applies to all Department of Labor funded programs and many of its one-stop partners. Below is Idaho's Adult Priority of Service policy developed based on WIOA's statutory requirements.

Priority to Receive Service for Individualized Career Services and Training Services

1. Veterans and eligible spouses who are recipients of public assistance, low income or basic skills deficient.
2. Other individuals who are recipients of public assistance, low income or basic skills deficient. ***NOTE****: At least seventy-five percent (75%) of Adult program enrollments* ***must be*** *comprised of a combination from these groups.*
3. Veterans and eligible spouses who are **NOT** recipients of public assistance, low income or basic skills deficient.
4. Other individuals who are not recipients of public assistance, low income, or basic

skills deficient, but have a potential barrier to employment as defined by WIOA:

a. Displaced Homemakers
b. English Language Learners, Low Levels of Literacy, Cultural Barriers
c. Exhausting TANF within 2 years
d. Ex-offenders
e. Homeless individuals/runaway youth
f. Long-term unemployed
g. Migrant and Seasonal Farmworkers
h. Persons with Disabilities (including youth)
i. Single Parents (Including single pregnant women)
j. Youth in foster care or aged out of system
k. Individuals within an under-represented demographic, such as sex, race, or ethnicity (Native Americans/Indians, Alaska Natives, Native Hawaiians, African-Americans, Latino/Hispanic, etc.),
m. Older individuals (age 55 and older).

5. Other individuals within these recognized groups:
   a. Individuals referred by other one-stop partner programs.
   b. Individuals residing in rural counties.
6. Any other eligible individual determined to be appropriate for services or training to obtain or retain employment.

Monitoring:

Quarterly reports have been developed to monitor the prioritization of the Adult Program recipients, as shown in the table below.

Ex. Idaho WIOA Adult Program July 1, 20XX – December 31, 20XX

	Adult Program Eligible Applicants		**Adult Program Participants**		**Adult Program Recipients of Training or other Individualized Career Service**	
	Number	*Percent*	*Number*	*Percent*	*Number*	*Percent*
Total						
Low-Income						
Public Assistance recipients						
Basic Skills Deficient						

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Title I-B Dislocated Worker Eligibility Criteria and Service Priority Groups

Reference: WIOA 134(c)(3)(E); WIOA Final Rules20 CFR 680.600, 680.610; USDOL Training and Employment Guidance Letters No. 4-15, 16-16, 19-16 and 7-20; 38 USC 41; 20 CFR 1001.100; PL 107-288.

History: WDC 4-20-2016- WIOA#2; ID 2024-27 WIOA Combined State Plan; Idaho Integrated WIOA Priority of Service Policy – Approved 03-15-2023

Dislocated Worker Timeline/Eligibility Groups

A. Three years will be established as the timeframe from which the layoff, termination, or ending of self-employment occurred for dislocated worker eligibility purposes.

B. *Unlikely to Return*

Four weeks of unemployed time shall substantiate the participant's "unlikely to return" status to the previous industry or occupation. The four weeks of unemployed time can be waived if the case manager can verify/document that the registrant is unlikely to return to a previous industry or occupation.

C. *Duration Sufficient to Demonstrate Attachment to the Workforce*

Applicants must provide evidence that they have been employed fulltime (30 hours or more per week) in the same or similar occupation for at least one year out of the last three years immediately before program enrollment, or they must otherwise demonstrate that they have had a substantial attachment to the same or similar occupation for at least one year. The term "substantial" is based on calculating the fulltime equivalency of work history. "Fulltime" is defined as 30 hours per week at a minimum, which calculates to 1,560 hours worked per year.

D. *Substantial Layoff*

The state will incorporate the following definition, summarized from the Worker Adjustment and Retraining Notification (WARN) Act:

> Any reduction in force which is not the result of a plant closing and which results in an employment loss at a single site of employment during any 30-day period of-
>
> - at least 500 employees (excluding employees regularly working less than 20 hours per week) or
> - b) at least 50 employees (excluding employees regularly working less than 20 hours per week) and at least 33 percent of the regular full-time workforce (excluding employees regularly working less than 20 hours per week).

E. *Terminated/Laid off*

- "Terminated/laid-off" refers only to involuntary discharge, not for cause, and precludes enrollment of individuals discharged for cause.
- Individuals may qualify as having been "laid off or terminated" when the

cognizant Unemployment Insurance (UI) entity has adjudicated a separation and determined the individual's decision to quit the job was warranted.

- In those instances where the applicant receives formal notification of monetary ineligibility for UI, the WIOA staff member may apply the rationale of "discharge not for cause" using information received from the employer regarding the individual's separation.

F. ***General Announcement***

A verifiable form of communication from the employer, authorized representative, or designee informing the public or the employees of the business closure or substantial layoff, including a planned closure date for the facility, is required.

G. ***Self-Employed***

An individual who was self-employed (including but not limited to employment as a farmer, a rancher, or a fisherman) or was a contributing family member in a self-employment endeavor but is unemployed due to a business downturn or failure which occurred as a result of general economic conditions in the community in which the individual resides or because of natural disasters.

H. ***Governor's Group***

Individuals laid off or terminated due to natural disasters or severe economic downturns, as defined and approved by the Governor or his designated representative.

I. ***Trade Adjustment Assistance (TAA) Participants***

If they choose, a worker enrolled in TAA and/or RTAA/ATAA may be eligible for enrollment in the WIOA Dislocated Worker (20 CFR 618.325(a)(1)) program, regardless of when the qualifying layoff event occurred. The exception to enrollment with the WIOA DW program is if the TAA/RTAA/ATAA participant does not meet general Dislocated Worker eligibility criteria (outlined in the WIOA TAG), such as lacking Selective Service registration. All other individuals must follow the state WIOA Dislocated Worker eligibility requirements.

Dislocated Worker Priority of Service

WIOA statutory priority only applies to adult funds in the provision of individualized career and training services. Funds allocated for dislocated workers are not subject to this requirement.

Attachment A – Workforce Innovation and Opportunity Act definitions

Definitions from 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 is unable to computer 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.

(36) **Low-Income Individual** -

(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 or the supplemental security income program established under the Social Security Act, or State or local income-based public assistance.

(ii) Is in a family with a 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;

Note-*Idaho uses the 70% Lower Level Standard Income Level (LLSIL) issued annually by USDOL, along with the Poverty guidelines provided by US Health and Human Services (HHS) to determine eligibility for low income WIOA participants under WIOA §(3)(35)(ii). Annually, these guidelines are posted on the Administrative Entity's website as a WIOA Information Bulletin and may be found accordingly. See (B) below.*

(iii) Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994), or a homeless child or youth (as defined by the McKinney-Vento Homeless Assistance Act;

(iv) Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

Note-*While the free/reduced lunch low-income category primarily applies to ISY, OSY may also qualify as low income if the youth is a parent living in the same household as a child who receives or is eligible to receive free or reduced price lunch based on their income level.*

(v) Is a foster child on behalf of whom State or local government payments are made; or

(vi) Is an individual with a disability whose 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" (adjusted for regional, metropolitan, urban, and rural differences and family size) is determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

(50) **Public Assistance** – The term "public assistance" means Federal, State, or local government cash payments for which eligibility is determined by needs or income test.