

# **Youth Eligibility Handbook**

**Office of Youth Development**

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**ELIGIBILITY CRITERIA  
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)  
YOUTH FORMULA GRANT**

All participants must meet the following criteria.

**I. Age Requirement:**

Workforce Innovation and Opportunity Act participants must be between the ages of 14 and 24.

**II. Specific Criteria:**

**In-school youth:** is an individual attending school (as defined by state law) who is not younger than age 14 or older than age 21 at time of enrollment (because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program), low-income, and one or more of the following:

- Basic skills deficient;
- An English language learner;
- An offender;
- A homeless individual aged 14 to 21 who meets the criteria defined in sec. 41403(6) of Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 14 to 21 who meets the criteria defined in sec. 725((2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), or a 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 sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- An individual who is pregnant or parenting;
- An individual with a disability; or
- An individual who requires additional assistance to complete an educational program or to secure or hold employment.

**Out-of-school youth:** is an individual not attending any school (as defined by state law), age 16 through 24 at the time of enrollment (because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program), and one or more of the following:

- A school dropout;
- A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. School year calendar quarter is based on how a local school district defines its school year quarters. In cases where schools do not use quarters, local programs must use calendar year quarters;

- A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
- An offender;
- A homeless individual aged 16 to 24 who meets the criteria defined in sec. 41403(6) of Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 16 to 24 who meets the criteria defined in sec. 725((2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)) or a 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 sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- An individual who is pregnant or parenting;
- An individual with a disability; or
- A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

### **III. Use of Funds Requirements for Out-of-School Youth:**

WIOA requires that Workforce Development Area (WDAs) use at least 75 percent of their youth allocation under WIOA to provide services to out-of-school youth.

### **IV. High Poverty Area Criteria**

A youth who lives in a high poverty area is automatically considered to be a low-income individual. A high poverty area is a Census tract, a set of contiguous Census tracts, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the U.S. Census Bureau), Alaska Native Village Statistical Area or Alaska Native Regional Corporation Area, Native Hawaiian Homeland Area, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-Year data.

### **V. Residency:**

Only eligible individuals residing in the WDA may be served except that the Local WIOA Plan may provide for limited exceptions including providing services to homeless individuals who cannot prove residence within the WDA.

### **VI. Family of One:**

An individual with a disability may be considered an unrelated individual who is a family of one for the purpose of income eligibility determination under WIOA.

In determining whether an individual without a disability can be considered to be a family unit of one, eligibility specialists are to consider the following:

- An individual 14 years of age or older, not living with his/her family, and receiving less than 50 percent maintenance from the family in the 6 month period prior to program application;

- An individual 18 years of age, living with his/her family, receiving less than 50 percent maintenance from the family in the 6 month period prior to program application, and is not the principal earner nor the spouse of the principal earner.

## **VII. Five Percent Window for Non-Income Eligible ISY and OSY:**

The 5% window for non-income eligible individuals applies to in-school youth and out-of-school youth. A program must calculate the five percent based on the percent of newly enrolled youth in the local area's WIOA youth program in a given program year who would ordinarily be required to meet the low-income criteria. This would reflect the two low-income eligibility categories for OSY and ALL eligibility categories for ISY.

For example, a local area enrolled 200 youth and 100 of those youth were OSY who were not required to meet the low-income criteria, 50 were OSY who were required to meet the low-income criteria and 50 were ISY. In this example the 50 OSY required to be low-income and the 50 ISY are the only youth factored into the 5 percent low-income exception calculation. Therefore, in this example, 5 of the 100 youth who ordinarily would be required to be low-income do not have to meet the low-income criteria based on the low-income exception. This percent is calculated at the end of a program year based on new enrollees in that program year.

**Listed below are the criteria that have a low-income eligibility requirement (All ISY and two categories for OSY) in which the five percent (5%) window applies:**

### **In-School Youth:**

- I. Basic skills deficient;
- II. An English language learner;
- III. An offender;
- IV. A homeless individual, or a runaway,
- V. An individual in foster care or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance, or in an out-of-home placement;
- VI. Pregnant or parenting;
- VII. An individual with a disability; or
- VIII. An individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

### **Out-of-School Youth:**

- I. A recipient of a secondary school diploma or its recognized equivalent who is either basic skills deficient or an English Language Learner
- II. An individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

## **VIII. Additional Assistance Barrier:**

Local Workforce Development Boards must define in their Local youth Plan their definition of “an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment” for OSY. The definition is slightly different for ISY; Local Workforce Development Boards must define in their Local Youth Plan their definition of “an individual who requires additional assistance to complete an educational program or to secure or hold employment” for ISY. This definition must be reasonable, quantifiable, and based on evidence that the specific characteristic of the youth identified objectively requires additional assistance. Examples may include: Migrant youth, incarcerated parent, behavior problems at school, family literacy problems, domestic violence, substance abuse, chronic health conditions, one or more grade levels below appropriate age, refugee.

In each local area, not more than five percent of the ISY newly enrolled in a given program year may be eligible based on the “requires additional assistance to complete an educational program or secure or hold employment” criterion.

## **IX. Determination of School Status:**

Determination of whether a youth participant is an OSY or ISY is made at the time of program enrollment. Once the school status of a youth is determined, that school status remains the same throughout the youth’s participation in the WIOA youth program for purposes of reporting against the OSY expenditure requirement. For example, if a youth is determined to be an OSY at time of enrollment and subsequently re-enters high school or enrolls in postsecondary education, that youth is still considered an OSY for purposes of the OSY expenditure requirement throughout their participation in the WIOA Young Adult Program.

## **X. School Dropout:**

WIOA defers the definition of “school dropout” to state law. In Minnesota, the following are included in the definition of school dropout: 1) students with 15 consecutive days of unexcused absences (excluding school breaks and official days off of school); 2) students who are “voluntary” withdrawals from school (as described in MN Statutes 120A.22); 3) expelled students (as described in MN Statutes 121A.45). A youth’s eligibility status is determined at the time of enrollment; therefore, if a youth has not received a high school diploma, or a recognized equivalent, AND is not attending any school, he/she is considered a dropout and is an OSY. A dropout only includes an individual who is currently a secondary school dropout and does not include a youth who previously dropped out of secondary school but subsequently returned. An individual who has dropped out of postsecondary education is not a “school dropout” for purposes of youth program eligibility.

## **XI. Not Attending Any School:**

In Minnesota, **school** is defined as a “public school, or nonpublic school, church or religious organization, or home school in which a child is provided instruction in compliance with this section and section 120A.24” (MN Statutes 120A.22, subdivision 4). Under the WIOA Youth eligibility requirements, the term “school” refers to both secondary and postsecondary school. Therefore, an individual attending either secondary or postsecondary is considered ISY.

If a youth is enrolled in the WIOA youth program during the summer and is in between school years, the youth is considered an ISY if they are enrolled to continue school in the fall. If a youth is enrolled in the WIOA youth program between high school graduation and postsecondary education, the youth is considered an ISY if they are registered for postsecondary education, even if they have not yet begun postsecondary classes at the time of WIOA youth program enrollment. However, if a youth graduates high school and registers for postsecondary education, but does not ultimately follow through with attending postsecondary education, then such a youth would be considered an OSY if the eligibility determination is made after the point that the youth decided not to attend postsecondary education.

If the youth participant is enrolled in any credit-bearing postsecondary education classes, including credit-bearing community college classes and credit-bearing continuing education classes, then they are considered attending postsecondary education, and, therefore, an ISY. If the youth is only enrolled in non-credit-bearing postsecondary classes, they would not be considered attending postsecondary school and, therefore, an OSY.

For purposes of WIOA, the Department does not consider providers of adult education under title II of WIOA, federal YouthBuild programs, the Job Corps program, high school equivalency programs, or dropout re-engagement programs to be schools. Therefore, in all cases except the one provided below, WIOA youth programs may consider a youth to be an OSY for purposes of WIOA youth program eligibility if he or she attend adult education provided under title II of WIOA, federal YouthBuild, Job Corps, high school equivalency programs, or dropout re-engagement programs regardless of the funding source of those programs. Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, funded by the public K-12 school system who are classified by the school system as still enrolled in school are an exception; they are considered ISY.

An HSE program offers preparation for, and the taking of, tests which lead to a HSE degree. The “High School Equivalency: Resource Guide for the Workforce System” provides information about the options for high school equivalency and can be found at: [High School Equivalency Resource Guide](#). A dropout re-engagement program conducts active outreach to encourage out-of-school youth to return to school and assists such youth in resuming their education and/or training to become career ready. A re-engagement program or center may provide case management and other services to support youth in overcoming barriers that prevent them from returning to school or work. To learn more about dropout re-engagement centers and programs, see “Bringing Students Back to the

Center: A Resource Guide for Implementing and Enhancing Re-Engagement Centers for Out-of-School Youth” and can be found at: [Re-Engagement Center Resource Guide](#).

**XII. Basic Skills Deficient:**

The term “basic skills deficient” means, with respect to an individual—

- Have English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- Are 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.

**XIII. Selective Service Act:**

Registration is required of all males who reach 18 years of age on or after 1960. An individual who meets this description must demonstrate proof of registration prior to enrollment. See Section VI of this handbook for additional information on Selective Service Registration.

**XIV. Right to Work:**

All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolee, or other individuals authorized by the Attorney General to work in the United States.

**XV. Veterans Preference:**

In the provision of all services, eligible veterans receive preference.

**Resources:**

[DEED Youth Webpage](#)

[WIOA Young Adult Program](#)

## **ELIGIBILITY CRITERIA MINNESOTA YOUTH PROGRAM (MYP)**

All participants must meet the following criteria.

### **I. Age Requirement:**

Minnesota Youth Program participants must be between the ages of 14 and 24.

### **II. Specific Criteria:**

All must be economically disadvantaged or at-risk youth (see Section IV for Income Guideline Information). **NOTE:** Youth who are eligible to receive free and reduced school lunch are considered to be economically disadvantaged.

For purposes of determining eligibility for the Minnesota Youth Program, an at-risk youth may be classified as a family of one and deemed economically disadvantaged and children of dislocated workers who meet age requirements may be classified as a family of one.

**For purposes of determining eligibility, the following list of individuals is considered to be at-risk:**

- Pregnant/parenting youth;
- Youth with Limited English Proficiency;
- Potential or actual dropouts (dropout is an individual who is no longer attending any school and who has not received a secondary school diploma or equivalent);
- Juvenile offenders/diversion program youth;
- Youth receiving public assistance and/or group home services;
- Youth with disabilities, including learning disabilities;
- Homeless or runaway youth;
- Chemically dependent or children of drug or alcohol abusers/dependents;
- Youth with basic skills deficiency (below 8.9 grade level);
- Youth with educational attainment one or more levels below grade level appropriate to age; and,
- Foster children.

### **III. Selective Service Act:**

Registration is required of all males who reach 18 years of age on or after January 1, 1960. An individual meeting this description must demonstrate proof of selective service registration prior to enrollment. Additional information on Selective Service is in Section VI of this handbook.

#### **IV. Right to Work:**

All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individuals authorized by the Attorney General to work in the United States.

#### **V. Veterans Preference:**

In the provision of all services, eligible veterans receive preference.

#### **Resources:**

[Minnesota Youth Program](#)

## **ELIGIBILITY CRITERIA STATE YOUTHBUILD PROGRAM**

### **I. Age Requirement:**

Minnesota Youthbuild Program participants must be between the ages of 16 and 24.

### **II. Specific Criteria:**

100% of the participants served under the Minnesota Youthbuild Program must be economically disadvantaged (see Section IV for Income Guideline Information) or eligible for the high school graduation incentives program (Minnesota Statute 2011 124D.68, subdivision 2), and be part of one of the following groups:

1. Persons who are not attending any school and have not received a secondary school diploma or its equivalent; **OR**,
2. Persons currently enrolled in a traditional or alternative school setting or a GED program that, in the opinion of an official of the school, are in danger of dropping out of school.

#### **Youth at-risk for dropping out of school *may* include:**

- Teen parents (male or female ages 16-19)
- Juvenile offenders/diversion program youth
- Chemically dependent youth or children of drug or alcohol abusers/dependents
- Youth receiving public assistance and/or group home services
- Youth with disabilities
- Homeless youth

### **III. Not Attending School**

As stated in WIOA Final Rule, providers of adult education under Title II of WIOA, federal YouthBuild programs, the Job Corps program, high school equivalency programs, and dropout re-engagement programs are not considered to be schools for the purposes of determining school status. However, there is one exception. Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, funded by the public K–12 school system that are classified by the school system as still enrolled in school are considered ISY.

An HSE program offers preparation for, and the taking of, tests which lead to a HSE degree. The “High School Equivalency: Resource Guide for the Workforce System”

provides information about the options for high school equivalency and can be found at: [High School Equivalency Resource Guide](#). A dropout re-engagement program conducts active outreach to encourage out-of-school youth to return to school and assists such youth in resuming their education and/or training to become career ready. A re-engagement program or center may provide case management and other services to support youth in overcoming barriers that prevent them from returning to school or work. To learn more about dropout re-engagement centers and programs, see “Bringing Students Back to the Center: A Resource Guide for Implementing and Enhancing Re-Engagement Centers for Out-of-School Youth” and can be found at: [Re-Engagement Center Resource Guide](#).

#### **IV. Registered Apprenticeships and the ETPL**

Registered apprenticeship programs are automatically eligible for the Eligible Training Provider List (ETPL). The Department further clarifies in the Final Rule that local areas, which have the authority to set more stringent standards than the State for eligibility of training providers, may not do so for registered apprenticeship programs that are on the State ETPL. Registered apprenticeship programs may be removed from the State ETPL for enforcement reasons other than performance, such as a clear violation of WIOA. Although registered apprenticeship programs are not required to report in the same way as other ETPs, they are required to be a part of the State annual ETP performance report under WIOA.

Apprenticeship programs that are not registered are allowed to go through the eligible training provider (ETP) process if they want to be on the ETP list. Pre-apprenticeship providers that wish to provide training services to participants using WIOA title I, subtitle B funds are also subject to the eligibility procedures as outlined in the Final Rule.

The final rule highlights registered apprenticeship programs as a training service for both ITAs and as OJT. ITAs can be used to support placing participants in registered apprenticeship through:

- (1) Pre-apprenticeship training; and
- (2) Training services provided under a registered apprenticeship program up to ITA

#### **Selective Service Act:**

Registration is required of all males who reach 18 years of age on or after January 1, 1960. An individual meeting this description must demonstrate proof of selective service registration prior to enrollment. Additional information on Selective Service is in Section VI of this Handbook.

#### **V. Right to Work:**

All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individual authorized by the Attorney General to work in the United States.

**VI. Veterans Preference:**

In the provision of all services, eligible veterans receive preference.

**Resources:**

[Youthbuild Program](#)

## **ELIGIBILITY CRITERIA TANF INNOVATION PROJECT**

All participants must meet the following criteria.

### **I. Age Requirement:**

TANF Innovation Project participants must be between the ages of 14 and 24

### **II. Specific Criteria:**

- Teen parents, ages 16-24, who are receiving cash MFIP benefits; or
- Younger youth, ages 14-18, who are on the grant in MFIP households.

Note: Teen parents or younger youth who are participants in the Diversionary Work Program (DWP) are NOT eligible for the TANF innovation project.

### **III. Income Inclusions and Exclusions:**

#### **Earned Income of Minor Child/Caregiver under age 20:**

- Exclude all earned income of children under six years old.
- Exclude all earned income of a minor child over age 6 or minor caregiver who is enrolled at least full-time in school.
- Exclude all earned income of a caregiver under 20 who is at least half-time in school.

#### **Earned Income of Teen Parents aged 20-24:**

- Earned Income for teen parents aged 20 through 24 is counted.

The TANF Youth Innovation webpage now includes instructions for both Employment Service Providers and MFIP Financial Workers on how income from the 2017 TANF Youth Innovation Project may impact the MFIP grant. The instructions also include details about coding the work experience in Workforce One for teen parents age 16-24 who are receiving MFIP benefits.

The website where these instructions can be found is: <http://mn.gov/deed/programs-services/office-youth-development/special/tanf/>.

### **IV. Selective Service Act:**

Registration is required of all males who reach 18 years of age on or after January 1, 1960. An individual meeting this description must demonstrate proof of selective service registration prior to enrollment. Additional information on Selective Service is in Section VI of this Handbook.

**V. Rights to Work:**

All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individual authorized by the Attorney General to work in the United States.

**VI. Veterans Preference:**

In the provision of all services, eligible veterans receive preference.

**Resources:**

[TANF Youth Webpage](#)

### III. DEFINITIONS

- A -

<b>Alien</b>	A foreign-born person who has not qualified as a citizen of the country. Aliens may be residents or non-residents of the United States.
<b>Alternative School</b>	A specialized structured curriculum offered inside or outside of the public school system which may provide work/study high school diploma, and/or GED preparation.
<b>Applicant</b>	Applicants are those persons seeking services, who have filed a completed application and for whom a formal eligibility determination was made, where applicable.
<b>At-Risk Youth (Federal)</b>	An At-Risk Youth is an individual 14 to 24 years of age, who requires additional assistance, as defined by the WDA, to complete an educational program, or to secure and hold employment (see Eligible Youth).
<b>At-Risk Youth (State)</b>	An At-Risk Youth is an individual ages 14 through 24 who meets any <b>one</b> of the following categories of risk: <ul style="list-style-type: none"><li>A. Pregnant/parenting youth;</li><li>B. Youth with Limited English Proficiency;</li><li>C. Potential or actual dropouts (dropout is an individual who is no longer attending any school and who has not received a secondary school diploma or equivalent);</li><li>D. Juvenile offenders/diversion program youth;</li><li>E. Youth receiving public assistance and/or group home services;</li><li>F. Youth with disabilities, including learning disabilities;</li><li>G. Homeless or runaway youth;</li><li>H. Chemically dependent or children of drug or alcohol abusers/dependents;</li><li>I. Youth with basic skills deficiency (below 8.9 grade level);</li><li>J. Youth with educational attainment one or more levels below grade level appropriate to age; and,</li><li>K. Foster children.</li></ul>
<b>Attest</b>	To affirm to be true or genuine, to bear witness, to authenticate officially.

**- B -**

**Basic Skills Deficient**

The term “basic skills deficient” means an individual is:

- A. Has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- B. 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 (Section 3(5) of WIOA).

**- C -**

**Caregiver**

The term means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

**Certification**

The formal assertion in writing of some fact.

**Child Support**

The legal obligation of parents to contribute to the economic maintenance, including education, of their children, enforceable in both civil and criminal contexts.

**Citizen, U.S.**

All persons born in the United States, or whose parents are U.S. Citizens, or who have been naturalized by the U.S. Government.

**Co-enrollment**

The state of being a participant in two or more programs at the same period of time.

**Core Services**

A level of service (in addition to Intensive and Training) that includes the following services or activities:

- Staff assisted job search and placement assistance, including career counseling;
- Staff assisted job referrals such as testing and background checks;
- Staff assisted development (working with employer and jobseeker);
- Staff assisted workshops and job clubs;
- Follow-up services, including counseling regarding the workplace.

**Credential** A credential is defined as any governmental/ industrial/educational/professional recognized degree or certificate. Credentials include, but not limited to a high school diploma, GED or other recognized equivalents, post-secondary degrees and certificates, recognized skill standards and licensure or industry-recognized certificates. It includes all State Education Agency recognized credentials.

**- D -**

**Dependent** One who relies upon another for support.

**Diploma** A document bearing record of graduation from or of a degree conferred by an educational institution.

**Disability** A physical or mental impairment that substantially limits one or more of the person's major life activities. An individual who has a disability and for whom this disability constitutes a substantial barrier to employment may be considered a family of one.

**Documentation** The act or an instance of furnishing or authenticating program eligibility with documents.

**- E -**

**Economically Disadvantaged** An individual who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of:

- The official poverty level, for an equivalent period; or
- 70 percent of the lower living standard income level.

**Educational Status** Educational Status indicates the current and/or past level of formal education.

**Eligible for Unemployment Insurance** An individual who has applied for unemployment insurance and may receive benefits under state or federal unemployment insurance laws. An individual need not actually draw down benefits. Individuals who have exhausted unemployment insurance have already proven eligibility for unemployment insurance, and are included in this definition.

The intent of including unemployment insurance terminology in Dislocated Worker (DW) eligibility policy is to ensure service to those who have truly lost their job through no fault of their own, rather than those voluntarily leaving employment or those discharged from employment for cause.

An exception may be to allow DW eligibility even if the individual is not eligible for unemployment insurance, if the worker meets all other criteria in this definition **and** is not eligible for unemployment insurance due to either (a) insufficient earnings in the relevant time period **or** (b) having worked for an employer not covered by unemployment compensation law.

**Emancipated Minor**

A youth, aged 16-17, whose parents have entirely surrendered the right to the care, custody and earnings of such minor, no longer are under any duty to support or maintain such minor, and/or have made no provision for the support of such minor.

**Employer Identification Number**

A ten digit number used to identify Minnesota employers for the collection of payroll taxes.

**English Language Learner**

An individual who has limited ability in reading, writing, speaking, or comprehending the English language, and (A) whose native language is a language other than English; or (B) who lives in a family or community environment where a language other than English is the dominant language.

**Enrollment Date**

The date on which an individual began to receive program services after initial screening for eligibility and suitability. Synonymous with “enrollment” is “participation” and “registration”.

**- F -**

**Family**

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:

- A married couple and dependent children
- A parent/guardian, and dependent children
- A married couple

The phrase “living in a single residence” with other family members includes temporary, voluntary residence elsewhere (e.g. attending school or college or visiting relatives). It does not include involuntary temporary residence elsewhere (e.g. incarceration or placement as a result of a court order).

**Family of One**

The following may be considered a family of one for the purpose of determining program eligibility:

- An adult or youth with a physical, mental, learning, or emotional/behavioral disability. (This includes substance abuse. The disability must be documented if pertinent to eligibility.)
- An individual 14 years of age or older not living with his/her family and receiving less than 50 percent of his/her maintenance from the family in the six-month period previous to program application.
- An individual 18 years of age or older living with his/her family who received less than 50 percent of his/her maintenance from the family in the six-month period previous to program application and is not the principal earner nor the spouse of the principal.
- For purposes of determining eligibility for the Minnesota Youth Program (MYP), an at-risk youth may be classified as a family of one and deemed economically disadvantaged and children of dislocated workers who meet age requirements may be classified as a family of one.

**Family Income**

Family income is the income received from included sources of income of all members of the family, as defined above. Eligibility specialists are to determine self-employment income on the basis of the most recently submitted federal income tax return or on the basis of annualized proceeds posted in more up-to-date acceptable accounting records. Specialists are to annualize other income based on receipts incurred during the past 6 months.

**Family Income (continued)**

**Inclusions in Family Income:**

- Gross wages and salaries before deductions:  
The full amount, before payroll deductions, of

wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation from work performed as an employee. If a family's only source of income was from wages and salary payments, family income would be equal to gross wages and salary received.

- Income from non-farm self-employment: Net income (gross receipts minus operating expenses) from a person's own unincorporated business or other non-farm enterprise in which a person is engaged on his/her own account. If the business or enterprise has suffered a loss, this loss will be allowed to offset wage earnings. However, expenditures for business expansion or amortization of capital indebtedness cannot be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is to be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
- Income from farm self-employment: Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to offset wage earnings. Money received under the Agricultural Crop Stabilization Program is considered income.
- Interest, dividends, and other net income from real or personal property: Expenditures for amortization of capital indebtedness cannot be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized by the Internal Revenue Service. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family.
- Child Support Payments

**Family Income (continued)**

- State and Federal Unemployment Insurance Compensation
- Money received from such periodic sources as:
  - Governmental and non-governmental pensions (including military retirement pay);
  - Social Security Disability Insurance (SSDI) payments (Title II of the Social Security Act, Federal Old Age, Survivors and Disability Insurance);
  - Regular payments from Old Age, Survivors and Disability Insurance (OASI) benefits received under Section 202 of the Social Security Act;
  - Railroad retirement benefits;
  - Strike benefits from union funds;
  - Workers' compensation;
  - Regular training stipends;
  - Alimony;
  - Military family allotments or other regular support from an absent family member or someone not living in the household (*except* child support payments and military payments listed below which are both excluded from family income calculations);
  - Regular insurance or annuity payments;
  - College or university scholarships, grants (excluding Pell Grants), fellowships, and assistantships;
  - Net royalties;
  - Periodic receipts from estates or trusts; and
  - Net gambling or lottery winnings.

**Exclusions from Family Income:**

- Non-cash benefits such as:
  - Employer paid or union paid portions of fringe benefits;
  - Food or housing received in lieu of wages;
  - Medicare benefits;
  - Medicaid benefits;
  - SNAP;
  - School lunches; and
  - Housing assistance.
- Housing and Urban Development: Rental subsidies such as Section 8 programs;

**Family Income (continued)**

**Family Income (continued)**

- Scholarship Assistance: Assistance that is needs-based;
- Financial Assistance: Assistance under Title IV of the Higher Education Act (i.e. Pell Grants, Federal Supplemental Educational Opportunity Grants, Federal Work-Study programs, PLUS, Stafford and/or Perkins loans). Loans are considered to be “debt” and not “income”;
- Capital gains/losses;
- Assets drawn down as withdrawals from banks;
- Cash welfare payments: Payments received under a Federal, State, or local income-based public assistance program such as:
  - TANF/MFIP;
  - Supplemental Security Income (SSI);
  - Emergency Assistance money payments;
  - General Assistance/Work Readiness; and
  - Refugee Cash Assistance
- Cash Payments under Title V of the Older Americans Act:
  - Green Thumb;
  - Senior Aides; and
  - Older American Community Service Employment Program
- Job Corps payments;
- The sale of property, house, or an automobile;
- Tax refunds;
- One-time gifts;
- Loans;
- Lump sum inheritances;
- One-time insurance payments, or compensation for injury;
- IRA withdrawals;

**Family Income (continued)**

- Cash value of food and fuel produced and consumed on farms;
- Imputed value of rent from owner-occupied non-farm or farm housing;
- Income earned by any person while serving on active duty and income derived from certain other veterans' benefits:
  - Compensation for service connected disability;
  - Family compensation for service-connected death;
  - Vocational rehabilitation; and
  - Education Assistance.
- Payments received under the Trade Readjustment Act of 1974 as subsequently amended;
- Black Lung payments received under the Benefits Reform Act of 1977;
- Terminal leave pay; severance pay or a cash-out of unused accrued vacation time;
- Payments to volunteers under the Domestic Volunteer Act of 1973 (42 U.S.C. 5044 (g) 5058):
  - AmeriCorps;
  - Volunteers in Service to America (VISTA);
  - Retired Senior Volunteer Program;
  - Foster Grandparent Program
  - Youthful offender incarceration alternatives;
  - Senior companions
- Allowances, earnings and payments to participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));
- Allowance, earnings and payments made to individuals participating in WIOA programs or any other workforce development program for which eligibility is based upon a needs and/or income test;

- Payments or allowances made under the U.S. Department of Health and Human Services Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))
- Earned income tax credit refund payments received on or after January 1, 1991, including advanced earned income credit payments (26 U.S.C. 32 (j))
- Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Act (42 U.S.C. 10602); and
- Payments made by the State and/or local on behalf of a foster child.

**Family Size**

Family size is the maximum number of family members during the income determination period. For a separated or divorced applicant, specialists are to prorate the income depending on the length of time during the last 6 months the applicant lived with the other wage earner.

**Farm Worker**

A person who is self-employed or employed by another, on a farm or ranch which produces agricultural products with annual sales of \$1,000 or more, and who receives at least 50% of their family or individual income from agricultural production. A farm resident may reside in a town near the farm or ranch, if they work on that farm or ranch.

**Foster Child**

A youth 14-21 years of age on whose behalf state or local government payments (excluding OASPI) are made.

This may include youth who have been made a ward of the state by a court, including those in the following categories:

- Youth in State Institutions;
- Youth in Community Group Homes;

- Youth in Foster Homes;
- Parolees

**Supplemental Nutrition Assistance Program (SNAP)**

These individuals are automatically classified as “economically disadvantaged.” (*SNAP replaces the Food Stamp Program*)

**- G -**

**GED**

A General Equalizing Diploma certificate awarded by the state to persons who have passed five specific subjects.

**General Assistance**

A benefit program paid on the State or local determination of need. It serves as the state’s primary safety net for single adults and childless couples. Applicant is automatically categorized as “Economically Disadvantaged”.

**Graduate**

A person who has successfully completed a course or level of study and been awarded a credential such as a certificate, diploma, or degree, etc.

**Gross Wages**

Earnings before deductions of taxes, insurance, union dues, etc.

**Guardian**

An adult with court-ordered responsibility for another person.

**- H -**

**High-Poverty Area**

A high poverty area is a Census tract, a set of contiguous Census tracts, an American Indian Reservation, Oklahoma Tribal statistical Area (as defined by the U.S. Census bureau), Alaska Native Village Statistical Area or Alaska Native Regional Corporation Area, Native Hawaiian Homeland Area, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using the American Community Survey. A youth you lives in a high poverty area is automatically considered to be a low-income individual.

**High School**

An academic program, operated by a state-approved entity, covering relevant course work for grades 9-12 or 10-12, as decided by the state or local school district.

**High School Graduate**

An adult or youth who has received a high school diploma or GED Certificate, but who has not attended any post-secondary vocational, technical, or academic school.

**Home**

One's residence, the house or apartment in which one resides.

**Homeless Person**

An individual who:

- A. Lacks a fixed, regular, and adequate nighttime residence; this includes an individual who:
  - i. Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - ii. Is living in a motel, hotel, trailer park, or campground due to a lack of alternative adequate accommodation;
  - iii. Is living in an emergency or transitional shelter;
  - iv. . Is abandoned in a hospital; or
  - v. Is awaiting foster care placement;
- (b) Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, such as a car, park, abandoned building, bus or train station, airport, or camping ground;
- (c) 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
- (d) is under 18 years of age and absents himself or herself from home or place of legal residence without the permission of his or her family (i.e., runaway youth).

This definition does not include an individual imprisoned or detained under an Act of Congress or State Law. An individual who may be sleeping in a temporary accommodation while away from home should not, as a result of that alone, be recorded as homeless.

- L -

**Labor Force Status**

The five response choices of the applicant's labor status at *intake* are: employed, full-time; employed, part-time; not employed; previously self-employed (non-farm); or previously self-employed (farm).

The four response choices of the participant's labor status at *termination*: employed, full-time; employed, part-time; unemployed; and not in the labor force.

At intake an "employed individual" is one who, during the seven consecutive calendar days prior to application, did any work at all as paid employee, in his or her own business, profession or farm, worked 15 hours or more as an unpaid worker in an enterprise operated by a member of the family, or is one who was not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not seeking another job.

A "not employed" individual is one who does not meet the above definition of an "employed individual."

The labor status of previously self-employed is applicable only at eligibility determination and not at the time of termination from the program.

**Lacks Significant Work History**

An adult or youth who had not worked for the same employer for longer than three consecutive months in the two years prior to eligibility determination. A suggested approach for obtaining information on whether a participant lacks a significant work history is to ask the participant, "Think back over the past two years about full-time and part-time jobs you've had. Which employers did you work for during this period? How long did you work for Employer A, for Employer B, for Employer C, etc.?"

**Lawfully Admitted**

A person who has been given permission to enter the U.S. by the federal government because of their refugee or parolee status.

**Legal Alien**

A person who is a citizen of another country but who has permission from the federal government to live in the United States. Not all legal aliens are authorized to work in the U.S., thus not all legal aliens can participate in employment and training programs.

**Limited English Proficiency**

Inability of an applicant, whose native language is not English, to effectively communicate in English, resulting in a barrier to employment.

**Long Attachment to the Labor Force**

An individual who has been employed, at 20 or more hours per week, for at least six of the most recent 36 months in a single occupation. That occupation may be the applicant's *primary occupation*. The six months need not be consecutive. See the *Military Service* exception for how to treat returning reservists serving in active duty.

An employee of a temporary employment agency, in order to demonstrate a *long attachment to the labor force*, must have worked on the same assignment for the hours and duration noted above.

**Long-Term Unemployed**

Unemployed for at least 15 of the last 52 weeks, with limited opportunity in the individual's local labor market for reemployment in a similar occupation. Such an individual must still be able to demonstrate a *long attachment to the labor force*, prior to the point of unemployment. **NOTE: The 15 weeks need not be consecutive.**

**Low Income Individual**

Under WIOA, the term "low-income" means:

- An individual who 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 XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;
- Is in a family with total family income that does not exceed the higher of –
  - The poverty line; or
  - 70 percent of the lower living standard income
- Is a homeless individual (as defined in section 41403 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 725 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2))

- 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.)<sup>12</sup>
- Is a foster child on behalf of whom State or local government payments are made; or
- Is an individual with a disability whose own income meets the income requirements of “low income” but who is a member of a family whose income does not meet this requirement.

Special Rule: The term “low-income” also includes a youth living in a high poverty area (WIOA Sec. 129 (2)).

<sup>1</sup> While the free/reduced lunch low-income category primarily applies to ISY, there is one exception where it could apply to an OSY. If an OSY 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, then such an OSY would meet the low-income criteria based on his/her child’s qualification.

<sup>2</sup> Note that some school districts subsidize all student meals from the Community Eligibility Provision (CEP) Healthy, Hunger-Free Kids Act of 2010. When a school does not use individual eligibility criteria to determine who is eligible for free or reduced price lunch, whole school receipt of free or reduced price lunch cannot be used to determine WIOA low-income status for ISY. In schools where the whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on an individual student’s eligibility to receive free or reduced price lunch or on meeting one of the other low-income categories under WIOA.

**Lower Living Standard  
Income Level (LLSIL)**

The income standards established by the Director of the Office of Management and Budget to determine economically disadvantaged status. The standards are updated annually. (**See Section IV for current LLSIL information**).

**- M -**

**MFIP**

MFIP (Minnesota Family Investment Program) is a comprehensive, work-focused program that replaces

AFDC, Food Support Benefits, Family General Assistance, and Project STRIDE for families throughout Minnesota.

**Military Selective Service Act (MSSA)**

A federal law which required that all males born on or after January 1, 1960 register with the Selective Service System on their 18th birthday.

**Military Service Exception**

Military reservists returning from active duty within the last three years prior to program application. Such individuals shall not have any time spent on active duty counted against them, when calculating time parameters. For example, a reservist who spent the last four years in active duty, may look back as long as seven years (instead of the usual three years) to determine their primary occupation and long attachment to the labor force.

**Minimum Wage**

The lowest wage set by Congress or a state, whichever is higher, which an employer must pay employees. Certain occupations are except from the minimum wage laws, including farm workers on small farms, casual babysitters, and seasonal amusement ride workers.

**Most-In-Need**

Those people in a given area who, because of ethnic, educational, socio-economic, or other factors, are least able to support themselves and their families.

**- N -**

**National**

An individual who, although authorized by the federal government to work in the United States, has allegiance to another country.

**Net Wages**

Earnings received by an individual after taxes, social security and other deductions are taken out of their paychecks.

**Notice of Termination**

*A Notice of Termination* is a written notification from the employer, naming one or more individuals and indicating that employment will cease for the individual(s) at a specific future date.

**- O -**

**Offender**

An individual who is or has been subject to any stage of the criminal justice process for whom services may be

beneficial or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

**Old Age, Disability, and Survivors Insurance**

Payments made by the Social Security Administration to retirees, totally disabled adults and minor children whose retired, disabled, or deceased parents paid into Social Security; authorized by the Social Security Act, Title II, Section 202.

**Out-Of-School Youth (OSY)**

An out-of-school youth is defined as: Not attending any school (as defined under State law). WIOA Eligibility Criteria lists the requirements for eligibility as an out of school youth (See Section I).

WIOA youth programs may consider a youth to be an OSY for purposes of WIOA youth program eligibility if he or she attend adult education provided under title II of WIOA, federal YouthBuild, Job Corps, high school equivalency programs, or dropout re-engagement programs regardless of the funding source of those programs. Youth attending high school equivalency programs funded by the public K-12 school system who are classified by the school system as still enrolled in school are an exception; they are considered ISY.

**- P -**

**Participant**

For the WIOA Young Adult program, a participant is a reportable individual who has satisfied all applicable program requirements for the provision of services, including eligibility determination, an objective assessment, and development of an individual service strategy, and received 1 of the 14 WIOA Young Adult program elements identified in sec. 129(c)(2) of WIOA.

**Participant File**

A file containing the application, enrollment, status change and termination forms, documentation of eligibility, employability development plan and progress notes on a participant.

**Post-Secondary**

Education subsequent to receiving a high school diploma or general equivalency degree (GED).

**Potential Drop Out**

A potential drop out is an individual aged 14 through 21 who is enrolled in a secondary school or other educational program and who, for one or more of the

reasons listed below, is in danger of dropping out of school:

- Has poor attendance record (frequent absence, tardiness, and/or truancy); and/or
- Is at least one grade level below the performance level for students of the same age as measured in a locally-determined achievement test; and/or
- Is recognized by school personnel to be experiencing academic or personal difficulties; and/or
- Is a pregnant or parenting teen; and/or
- Has formerly dropped out and returned to high school; and/or
- Is enrolled in a public alternative school or program; and/or
- Has been assessed as chemically dependent; and/or
- Is a juvenile offender/diversion program youth; and/or
- Has experienced homelessness (as defined by the McKinney-Vento Homeless Assistance Act); and/or
- Is a youth with a disability; and/or
- Is Limited English Proficient.

**Poverty Level**

The level of income established by the Department of Health and Human Services at which a person or family is living in poverty.

**An individual who is pregnant or parenting**

An individual who is parenting can be a mother or father, custodial or non-custodial. A pregnant individual can only be the expectant mother.

**Primary Occupation**

Primary Occupation is the occupation the applicant has worked for the last 36 months. If the applicant has held more than one occupation in that time period, he/she must choose which occupation the program will establish in its records, as long as he/she can establish a *long attachment to the labor force* in that occupation. The service provider must confirm official titles of occupations using labor market information.

**Public Assistance**

Financial cash payments made by federal, state or local program to individuals who meet specific income criteria. Public assistance includes:

- Minnesota Family Investment Program (MFIP)
- General Assistance
- Refugee Assistance
- Supplemental Security Income (SSI)

- Diversionary Work Program (DWP)

**- R -**

**Rapid Response Activity**

The term “rapid response activity” means an activity provided by a State, or by an entity designed by the State, with funds provided by the State under WIOA section 134(a)(1)(A). In the case of a permanent closure or mass layoff at a plant, facility, or enterprise, or a natural disaster, that results in mass job dislocation, the activity assists dislocated workers in obtaining employment as soon as possible, with services including:

1. The establishment of onsite contact with employers and employee representatives:
  - a. Immediately after the State is notified of a current or projected permanent closure or mass layoff; or
  - b. In the case of a disaster, immediately the State is made aware of mass job dislocation if a result of such disaster.
2. The provision of information and access to available employment and training activities.
3. Assistance in establishing a labor-management committee, voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of dislocated workers and obtaining services to meet such needs;
4. The provision of emergency assistance adapted to the particular closure, layoff or disaster; and
5. The provision of assistance to the local community in developing a coordinated response and in obtaining access to State economic development assistance.

**Recently Separated Veteran**

An individual who is a veteran and was discharged or released from active duty in the Armed Forces within 48 months of date of program application.

**Refugee Assistance**

Financial assistance provided by a federal or state program to refugees. Applicant is automatically economically disadvantaged.

**Residence**

A person’s primary or permanent dwelling or home. If a person is institutionalized or incarcerated, their place of institutionalization or incarceration is their primary residence.

<b>Runaway Youth</b>	A runaway youth is an individual 21 years of age or less who has absented himself or herself from home or place of legal residence without the permission of parent(s) or legal guardian.
<b>- S -</b>	
<b>School</b>	An Elementary, Secondary, Post-Secondary institution, including Alternative School.
<b>School Dropout</b>	The term “school dropout” means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.
<b>Secondary School Diploma</b>	A high school diploma recognized by a State and that is included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA).
<b>Selective Service Registrant</b>	A person who has complied with the Military Selective Service Act and submitted a registration form to the Selective Service System.
<b>Self-Employed</b>	<p>Any professional, independent trades person, or other business person who works for him/herself. Such a person may or may not be incorporated or in a limited partnership. A family member who provides professional services in the affected business of at least 15 hours per week and receives a salary or wage from the self-employed individual may also be considered to be a self-employed individual.</p> <p><i>Self-Employed</i> individuals may include both those leaving the enterprise permanently, and those who are in a transition period as a result of a prolonged effort to save the farm or business. A <i>Self-employed</i> individual need not be physically removed from the enterprise, nor must he/she necessarily be in bankruptcy or foreclosure proceedings, in order to be considered under this definition. Family members (spouse and adult offspring) and farm or ranch hands who were active participants and derived their primary income from the enterprise may also fall under this definition.</p>
<b>Service-Connected Disabled Veteran</b>	A veteran who is entitled to compensation under laws administered by the Veterans Administration; or an

<b>Social Security Disability Insurance (SSDI)</b>	<p>individual who was discharged or released from active duty because of a service-connected disability.</p> <p>SSDI pays monthly benefits to workers who are no longer able to work due to a significant illness or impairment that is expected to last at least a year or to result in death within a year.</p>
<b>Source Documentation</b>	<p>Hard copy documentation which proves a person's program eligibility.</p>
<b>Substance Abuse</b>	<p>The use of drugs or alcohol to the extent that the substance creates a physiological disorder or condition which is the result of or contributes to emotional illness.</p>
<b>Substantial Handicap to Employment</b>	<p>A loss of occupational choices of a class or group of jobs owing to disability, i.e., significant diminishment of occupational choices.</p>
<b>Supplemental Security Income</b>	<p>An applicant is receiving benefits from a State plan approved under the Social Security Act, Title XVI indicates applicant is automatically economically disadvantaged.</p>
<b>- T -</b>	
<b>Teen Parent</b>	<p>A male or female, age 14-20, who is legal parent of a child or an unborn fetus.</p>
<b>Temporary Recalls</b>	<p>Temporary recalls are requests from an employer for their former workers, who have either received a <i>notice of termination</i> or been <i>terminated from employment</i>, to return to work for 180 days or less. In a temporary recall, the employer still clearly intends to terminate the worker.</p>
<b>Termination or Exit</b>	<p>When a participant no longer receives services (except for those specified by law to be received after termination such as follow-up services for former WIOA participants), the individual has exited or terminated from a program.</p>
<b>Termination of Employment</b>	<p><i>Termination of Employment</i> is a permanent situation in which the employer lays off or does not plan to rehire the individual. The following are not considered terminations of employment: (a) seasonal unemployment; (b) an end to an assignment through a temporary employment agency, unless the individual demonstrates the temporary employment agency's inability to make subsequent placements in a similar industry or</p>

occupation; (c) a *notice of termination* that includes a certain or tentative recall date within 180 days of the initial layoff date. Any non-seasonal layoff projected to last 180 or more days is a termination of employment.

A retirement or other voluntary separation from the labor force does not constitute a termination of employment. The intent of this definition is to include only those terminated workers who wish to return to permanent, full-time work.

**- U -**

**Under-Employed**

An individual who is working part-time but desires full-time employment, or who is working in employment not commensurate with the individual's demonstrated level of educational attainment.

**Unemployed**

An individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job shall be made in accordance with the criteria used by the Bureau of Labor Statistics (BLS) of the Department of Labor in defining individuals as unemployed.

NOTE: Unemployed should not be confused with the term "not employed". The term "unemployed" is a very precise term used by BLS (see above) while the term "not employed" is more analogous to "street talk" about one's not having a job regardless of whether the individual is "ready, willing and able to work".

**SCSEP ONLY:** The term "unemployed", is used with respect to a person or individual, means an individual who is without a job and who wants, and is available for work, including an individual who may have occasional employment that does not result in a constant source of income.

**Unlikely to Return**

An individual ***unlikely to return*** to a prior occupation or industry if job opportunities in that occupation or industry are significantly diminished for that individual. The service provider must consider any or all of the following in determining likelihood of return: (a) official assessments of market demand for the products or services in that occupation or industry; (b) local labor market conditions for that industry or occupation; (c) the evolution of skill requirements in that occupation or industry, and whether the individual's skills have kept

pace over time; (d) the impact of technology or trade on the industry or occupation; and/or (e) the impact of a *military service exception* . A service provider must use all reasonable skill assessments, labor market information, and other reliable and established information sources in generating data to support their determination.

**Unsubsidized Employment**

Employment in the private sector or public sector for which the employer does not receive a subsidy from public funds to offset all or a part of the wages and costs of employing an individual.

**- V -**

**Veteran**

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 dishonorable.

**- W -**

**Wages**

Earnings paid to an individual by an employer for services performed.

**Welfare Recipient**

An adult or youth listed on welfare grant who (or whose family) receives cash payments under MFIP, General Assistance, or the Refugee Assistance Act of 1980 at the time of eligibility determination.

**- Y -**

**Youth**

For WIOA purposes a youth is an individual between 14 and 24 years of age, inclusive.

## **IV. INCOME GUIDELINES**

## INCOME GUIDELINES

The Youth Participant Income Table provides information on the poverty level and the Lower Living Standard Income Level (LLSIL). These two standards are to be used to determine income eligibility for the WIOA Youth Program based on the size of family and geographical area.

In accordance with WIOA (and identical to previous WIA law and policy), an eligible individual shall be one “who has, or is a member of a family which has received a total family income for the program involved which, in relation to family size, was not in excess of the higher of (i) the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget, or (ii) 70 percent of the lower living standard income level...”

### Income Eligibility Table

**Last Updated: 3/17/20**

<b>Family Size</b>	<b>Poverty Level (Jan '20)<sup>1</sup></b>	<b>Mpls/St. Paul 70% MSA LLSIL (Mar '20)<sup>2</sup></b>	<b>Metro 70% LLSIL (Mar '20)<sup>3</sup></b>	<b>Non-Metro 70% LLSIL (May '19)<sup>4 &amp; 5</sup></b>
1	\$12,760	\$10,110	\$9,979	\$9,568
2	\$17,240	\$16,567	\$16,358	\$15,667
3	\$21,720	\$22,745	\$22,451	\$21,510
4	\$26,200	\$28,073	\$27,717	\$26,553
5	\$30,680	\$33,133	\$32,706	\$31,342
6	\$35,160	\$38,747	\$38,256	\$36,652
7	\$39,640	\$44,361	\$43,807	\$41,962
8	\$44,120	\$49,975	\$49,357	\$47,272
9	\$48,600	\$55,589	\$54,907	\$52,583
10	\$53,080	\$61,203	\$60,458	\$57,893
11	\$57,560	\$66,817	\$66,008	\$63,203
12	\$62,040	\$72,431	\$71,558	\$68,513
13	\$66,520	\$78,045	\$77,109	\$73,823
14	\$71,000	\$83,659	\$82,659	\$79,134

### **Youth Eligibility Handbook**

15	\$75,480	\$89,273	\$88,209	\$84,444
16	\$79,960	\$94,887	\$93,759	\$89,754
17	\$84,440	\$100,501	\$99,310	\$95,064
18	\$88,920	\$106,115	\$104,860	\$100,374
19	\$93,400	\$111,729	\$110,410	\$105,685
20	\$97,880	\$117,343	\$115,961	\$110,995

**Footnotes:**

- 1) The poverty level may be used for families residing anywhere in Minnesota.
- 2) Minneapolis/St. Paul MSA LLSIL **MUST** be used for families residing in the following Minnesota counties: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington or Wright (**unless Poverty Level is used**).
- 3) The Metro 70% LLSIL **MUST** be used for families residing in the following Minnesota counties: Benton, Clay, Olmsted, Polk, St. Louis or Stearns (**unless Poverty Level is used**).
- 4) The Non-Metro 70% LLSIL may be used for families residing in all other Minnesota counties (**unless Poverty Level is used**).

## **V. DOCUMENTATION/VERIFICATION**

## **DOCUMENTATION/VERIFICATION**

There are three general approaches to documenting eligibility: source documentation, secondary documentation, and self-certification. Each approach is described below. A WDA/program operator staff is to use each of these approaches or combinations thereof to document program eligibility subject to the limitations outlined below.

### **Source Documentation**

Source documentation consists of records, certificates, documents, identification cards, and other items which can be photocopied and included in the participants' files. Source documents include documents issued by a governmental entity, i.e. driver's license, library card, birth certificate, and private documents such as utility bills, paycheck stubs, or termination notices.

### **Secondary Documentation**

Secondary documentation may be one of two types, written or oral. Written statements from governmental, educational, judicial, human service, or other appropriate sources may be used to document eligibility. Service providers may also document eligibility through oral contact with the same resources that could provide written statements. In documenting oral contact, the following information is to be included:

- Date of contact
- Person/agency contacted including name, address, and contact phone number
- Information provided ensuring that the potential participant's name is noted
- Signature/initials of person making contact

### **Applicant and/or Staff Certified**

Frequently those most-in-need do not have source documents to establish eligibility. These applicants are often homeless, in foster care (official or unofficial) or long-term unemployed without a permanent residence.

The WDA/program operator is to always seek to obtain source or secondary documentation, if the WDA/program operator cannot, it is to use the applicant's attestation methodology. The applicant must attest, in writing, that the information on the application, income worksheet, and/or other supporting material is accurate. The format for attestation will be determined by the WDA, but must allow state monitors to ascertain that attestation has taken place. Applicant attestation **may not** be used to document Military Selective Service Act compliance, SSN, and age.

A counselor must attest to the veracity of these applicants' eligibility. The counselor should explain, in writing, why source or secondary documentation could not be obtained, and that, through information gained from the intake process, s/he is reasonably certain that the information provided through self-attestation is accurate.

In many cases, the public school system maintains most of the documentation required to determine youth eligibility. Citizenship status, age, residency, foster child/institutional status, family size, at-risk status, and barriers to employment can be obtained from the school.

State staff will monitor adherence to these requirements. Localities can choose to document additional data elements that would be useful in writing service strategies with customers. These latter pieces of documentation (if applicable) will be noted by state staff and might be cited as a Best Practice.

### **Documentation of General Eligibility Criteria**

For WIOA Young Adult Program, the following eligibility criteria must be documented through source documentation prior to enrollment:

- Name
- Age
- Military Selective Service Act Compliance;
- U.S. Citizenship/Authorization to Work Status: i.e. legal right to work in the United States.

### **Documentation of General Eligibility Criteria for WIOA Young Adult Program**

In addition to the documentation cited above, the following must be documented in the files of all WIOA Title I participants:

- Residency for WIOA Young Adult Program: Applicant is a resident of the WDA, if applying for Title I services.
- Low-Income: All ISY are required to be low-income if applying for the WIOA Young Adult program. Only OSY who are: a recipient of a secondary school diploma or its recognized equivalent who is either basic skills deficient or an English language learner OR an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment are required to be low-income.
- 5 percent Window: The 5% exception applies to the total of all youth (ISY/OSY) in a program year, who would be enrolled under the low-income criteria, but do not meet the definition of low-income. This would reflect the two low-income eligibility categories

for OSY and ALL eligibility categories for ISY. In the case of individuals enrolled on the basis of a barrier to employment, the barrier itself must be documented.

**Specific eligibility documentation for WIOA youth program**

- *In-school status:*
  - **Attending school:** Acceptable documentation includes: school ID card; transcript, report card, attendance record; other student data record; letter from school
  - **Not younger than age 14 or older than 21:** Acceptable documentation includes: “proof of age”; letter from school; letter from vocational rehabilitation (for students older than 21)
  - **A low income individual:** Acceptable documentation includes: “family of one”; “individual/family income” or “free or reduced price lunch”
  - **Basic skills deficient:** Acceptable documentation includes: results in the form of an English or math test; a generally accepted standardized test; school records; case notes.
  - **An English language learner:** Acceptable documentation includes: self-certification, letter from an ABE provider; letter from school.
  - **An offender:** Acceptable documentation includes: court documents; letter of parole; letter from probation officer; official police records; documentation of phone call with justice system; self-certification
  - **A homeless individual:** Acceptable documentation includes: “residency”.
  - **A Supported Foster Child:** (see chart)
  - **Pregnant or Parenting Youth:** Acceptable documentation includes: birth certificate of the child; baptismal record for the child; medical card; physician letter; letter from school; observation; self-certification
  - **Youth with a disability:** Acceptable documentation includes: letter from a drug or alcohol rehabilitation agency; medical records; health provider letter; school letter; vocational rehabilitation letter; rehabilitation evaluation; licensed psychologist diagnosis; sheltered workshop certification; social service records/referral written by appropriate officials; Social Security Administration disability letter; Worker’s Compensation records; case notes; Veterans Administration letter/record; observable condition; self-certification (self-certification and observable condition are only allowed when program eligibility is NOT contingent on disability status)
  - **Youth needing additional assistance:** Acceptable documentation specific to the category
  
- *Out of school status:*
  - **Not attending any school:** Acceptable documentation includes: self-certification or letter from school
  - **Not younger than 16 or older than 24:** Acceptable documentation includes: “proof of age” indicated above
  - **A school dropout:** Acceptable documentation includes: self-certification; letter from school

- **A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent school year quarter:**  
Acceptable documentation includes: self-certification; letter from school
- **An offender:** (See above)
- **A homeless individual:** (See above)
- **A Supported Foster Child** (See above)
- **Pregnant or Parenting Youth:** (See above)
- **Youth with a Disability:** (See above)
- **A low income individual:** (See above)
- **Basic Skills Deficient:** (See above)
- **An English language learner:** (See above)
- **Youth needing additional assistance:** (See above)

## Youth Eligibility Handbook

Data Element	In-School Youth	Out-of-School Youth	<i>Source Documentation Requirements</i>
Date of Birth/ Proof of Age	Yes	Yes	Acceptable documentation includes driver's license or state ID; baptismal record; governmental issued birth certificate; a copy of an age certificate issued by local school officials; DD-214 Report of Transfer or Discharge Paper; Federal, state or local identification card; passport; hospital record of birth; Social Security Administration printout; public assistance/social service records; school records; work permits; cross match with the Department of Vital Statistics; or tribal records. For state funded youth programs (Minnesota Youth Program and Youth Build), proof of age documentation may also be in the form of a completed United States Department of Justice Immigration and Naturalization Service Form I-9 (Employment Eligibility Verification). Documentation must have date of birth.
Proof of Name	Yes	Yes	The documentation may be in the form of a driver's license or state ID; a copy of a utility bill; government issued birth certificate, passport; Veteran's DD-214; health insurance card; Social Security card; school ID or school records.
Social Security	<b>Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)</b>	<b>Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)</b>	The documentation may be in the form of a Social Security card (other than a card indicating "not valid for employment"); W-2 form, IRS form letter 1722; pay stubs; Social Security benefit checks; DD-214 Report of Transfer or Discharge; Military ID; Other Federal or state ID with a Social Security number.
Residency	Yes	Yes	Documentation may be in the form of: written statement from an individual providing residence; letter from shelter; letter from social service agency; driver's license; SNAP award letter; housing authority verification; insurance policy; landlord statement and/or lease; letter from Social Security Administration; letter from school; library card, Medicare/Medicaid card; postmarked mail addressed to applicant; property tax record; public assistance records; rent receipts; school ID card; utility bill or voter registration card; self-certification
	Yes	Yes	Documentation can be in the form of an Acknowledgement letter; a Selective Service registration card; a stamped post office receipt of mailing a registration; DD-214 Report of Transfer or Discharge;

## Youth Eligibility Handbook

Data Element	In-School Youth	Out-of-School Youth	<i>Source Documentation Requirements</i>
Selective Service			<p>Selective Service Status Information Letter; Selective Service registration record (form 3A, Selective Service Verification form). If the youth has not registered for the Selective Service or is unable to locate the required documentation, a registration form may be completed and mailed by the WDA or the youth may register online (see <a href="https://www.sss.gov/Home/Registration">https://www.sss.gov/Home/Registration</a>). A screen printout from the Selective Service Verification website also constitutes valid documentation (see <a href="https://www.sss.gov/RegVer/wfverification.aspx">w.sss.gov/RegVer/wfverification.aspx</a>).</p> <p><b>NOTE: Self-Attestation is NOT Permitted</b></p>
U.S. Citizenship/ Right to Work	Yes	Yes	<p>U.S. citizenship/authorization to work must be documented and retained in the participant's file. Citizenship documentation can consist of: original or certified copies of a birth certificate issued by a state, county, municipal authority or outlying United States possession; alien registration card indicating Right to Work (USCIS forms I-151, I-155, I-94, I-197, I-179); voter registration card; public assistance or SNAP records, naturalization certification; DD-214 Report of Transfer or Discharge (if place of birth is indicated); foreign passport stamped eligible to work in US; hospital record of birth (if place of birth is indicated); Native American tribal documentation; U.S passport (expired or unexpired); or any one verification source from List A of the I-9 form OR any one verification source from List B AND any one verification source from List C of the I-9 form (see attachment A); Social Security card unless it is stamped "not valid for employment."</p>
Disability Status	Yes (Documentation is required where related to priority program eligibility.)	Yes (Documentation is required where related to priority program eligibility.)	<p>Acceptable documentation includes: letter from a drug or alcohol rehabilitation agency; medical records; health provider letter; school letter; vocational rehabilitation letter; rehabilitation evaluation; licensed psychologist diagnosis; sheltered workshop certification; social service records/referral written by appropriate officials; Social Security Administration disability letter; Worker's Compensation records; Veterans Administration letter/record; case notes; observable condition; self-certification. Self-certification and observable condition are only allowed when program eligibility is NOT contingent on disability status.</p>
Veteran Status	Yes	Yes	DD-214, cross match with Veterans data.
Individual Status/Family Size	Yes	Yes	<p>Documentation is required IF eligibility is based on family income; otherwise self-certification is acceptable if it is noted why source documentation is not available. Acceptable documentation includes: birth certificate; appropriate court decrees; landlord statements; leases; divorce decrees; marriage certificates; medical cards; recent tax returns; public assistance/social service agency records; public housing records; written statements from publicly supported 24 hour care facilities (e.g. hospitals, prisons); self-certification (if it is noted why source documentation is not available).</p>
	Yes	Yes	<p>Documentation is required IF eligibility is based on the earnings received. If an individual qualifies as a "family of one" for several reasons, only ONE reason needs to be documented. Documentation of <b>disability</b> can be found in "disability status" documentation (see above). Individuals claiming <b>financial</b></p>

## Youth Eligibility Handbook

Data Element	In-School Youth	Out-of-School Youth	<i>Source Documentation Requirements</i>
Family of One			<b>independence</b> must complete statements attesting to their financial status. If possible, such statements are to be corroborated by the heads of households in which claimant lives. Such individuals are also required to indicate their sources of income.
Individual/ Family Income	Yes	Yes	Documentation is required IF eligibility is based on the earnings received; otherwise self-certification is acceptable if it is noted why source documentation is not available. If the eligibility is based on family income, documentation is to be obtained for each family member. Acceptable documentation includes: pay stubs; alimony agreements; Veteran Administration award letters; bank statements; compensation award letters; court award letters; employer statements; farm/business financial records; housing authority verifications; pension statements; quarterly estimated tax statements; Social Security Administration benefit statements; Unemployment Insurance documents; public assistance/SNAP records; self-certification (if no other forms of documentation are available).
Temporary Assistance to Needy Families (TANF)/ Minnesota Family Investment Program (MFIP)	Yes	Yes	Cross match with MFIP public assistance records.
Public Assistance or Food Support (SNAP)	Yes (Documentation is required where related to priority service and/or program eligibility; otherwise self-certification is acceptable if it is noted why source documentation is not available)	Yes (Documentation is required where related to priority service and/or program eligibility; otherwise self-certification is acceptable if it is noted why source documentation is not available)	Acceptable documentation includes: copy of public assistance check; public assistance records/printout; cross-match with public assistance database; copy of authorization to receive SNAP benefits; SNAP receipt; letter from SNAP agency; postmarked SNAP mailer with name and address; medical card showing cash grant status; refugee assistance records or public assistance case number obtained by eligibility determination staff from a call to the public assistance office. WDAs choosing to use individual/family income as a qualifying factor do NOT need to verify receipt of public assistance/SNAP
Free or Reduced Price Lunch	Yes	Yes (in certain situations-see low-	Verification from School

## Youth Eligibility Handbook

<b>Data Element</b>	<b>In-School Youth</b>	<b>Out-of-School Youth</b>	<b>Source Documentation Requirements</b>
		income definition (page 29))	
Supported Foster Child Status	Yes	Yes	Documentation must be obtained IF it is pertinent to eligibility. A supported foster child is a child on behalf of whom state or local government payments are made. Documentation can consist of such items as: case number obtained by eligibility determination staff from a call to court; court documentation; verification of payments; or written statement from an appropriate state/local agency.
Attending School	Yes	No	Acceptable documentation includes: School ID card; transcript, report card, attendance record; other student data record; letter from school
Not Attending School	No	Yes	Self-certification or letter from school
English Language Learner	Yes	Yes	Acceptable documentation includes: self-certification, letter from an ABE provider; letter from school.
Basic skills deficiency	Yes	Yes	Results in the form of an English or math test, a generally accepted standardized test; school records; or case notes.
Homeless Individual and/or Runaway Youth	Yes	Yes	See "Residency."
Offender	Yes	Yes	Acceptable documentation includes: court documents; letter of parole; letter from probation officer; official police records; documentation of phone call with justice system; self-certification
Pregnant or Parenting Youth	Yes	Yes	Documentation consists of self-certification; birth certificate of the child; baptismal record for the child; medical card; physician letter; letter from school; observation
Youth who need Additional Assistance	Yes	Yes	Acceptable documentation specific to the category
School Dropout	Yes	Yes	Acceptable documentation includes: self-certification; letter from school

**ATTACHMENT A**

**RIGHT TO WORK LISTS OF ACCEPTABLE DOCUMENTS**

**LIST A**

**Documents that Establish Both  
Identity and Employment  
Eligibility**

**LIST B**

**Documents that Establish  
Identity**

**LIST C**

**Documents that Establish  
Employment Eligibility**

**OR**

**AND**

1. U.S. Passport or U.S. Passport Card	1. Driver's License or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) Not Valid For Employment (2) Valid For Work Only Within authorization (3) Valid For Work Only With DHS Authorization
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)	2. ID card issued by federal, state, or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address	2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa	3. School ID card with a photograph	3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
	4. Voter's registration card	
	5. U.S. Military card or draft record	
4. Employment Authorization Document that contains a photograph (Form I-766)	6. Military dependent's ID card	4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal.
	7. U.S. Coast Guard Merchant Mariner Card	
5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status:	8. Native American tribal document	5. Native American tribal document

## Youth Eligibility Handbook

<p>a. Foreign passport; and</p> <p>b. Form I-94 or Form I-94A that has the following:</p> <p>(1) The same name as the passport; and</p> <p>(2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</p>	<p>9. Driver's license issued by a Canadian government authority</p>	<p>6. U.S. Citizen ID Card (Form I-197)</p>
	<p><b>For persons under age 18 who are unable to present a document listed above:</b></p>	
<p>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating non-immigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</p>	<p>10. School record or report card</p>	<p>7. Identification Card for Use of Resident Citizen in the United States (I-179)</p>
	<p>11. Clinic, doctor, or hospital record</p>	
	<p>12. Day-care or nursery school record</p>	<p>1. Employment authorization document issued by the Department of Homeland Security</p>
<p>WDAs/Service Providers must examine the documents participants present to complete Section 2 of Form I-9. WDAs/Service Providers are not required to be document reports. They must accept documents that reasonably appear to be genuine. However, if the participant provides a document that does not appear to be genuine, the WDA/Service Provider must ask for additional documentation.</p>		
<p>This form is identical to Form I-9 (revised 09.05.2013). DEED Staff will keep this document updated to reflect any revisions in Form I-9.</p>		



## **VI. SELECTIVE SERVICE ACT REQUIREMENTS**

## **SELECTIVE SERVICE ACT REQUIREMENTS**

The purpose of this section is to reiterate State policy that prohibits the employment of, or provision of services to, an individual who has not demonstrated compliance with the registration requirements of the Military Selective Service Act.

It also establishes the procedures to be followed in determining the Selective Service status of males 26 years of age or older who are otherwise WIOA eligible.

Selective Service registration is required of all males born on or after January 1, 1960 when they reach their 18th birthday. Any male meeting this description must have proof of registration prior to being enrolled in WIOA. Please refer to Attachment A: Who Must Register Chart.

The Solomon Amendment to the Military Selective Service Act extended the compliance requirement to all Federal employees

### **Participants, Age 18 Through 25**

WDA's and program operators must ensure that all applicants meet the requirement of the Military Selective Service Act before being enrolled by the WDA. Verification of registration must be maintained in the participant file. Acceptable verification includes:

- Selective Service Acknowledgement Letter
- Form DD-214 "Report of Separation"
- Screen Printout of the Selective Service Verification Letter site (see Related Link for selective service website at the end of the policy). For males who have already registered, this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and date of birth;
- Selective Service Registration Card;
- Selective Service Verification Form (Form 3A);
- Stamped Post Office Receipt of Registration;

If a male turns 18 while participating in any applicable services, registration with Selective Services must be completed no later than 30 days after becoming 18 in order to receive WIOA Title I funded services. If a man under the age of 26 refuses to register with the Selective Service, WIOA Title I funded services must be suspended until registration.

**WDA's and program operators MAY NOT accept self-certification as proof of Selective Service registration.**

**ATTACHMENT A**

**Selective Service - Who Must Register**

**NOTE:** With only a few exceptions, the registration requirement applies to all male U.S. citizens and male immigrants residing in the United States who are 18 through 25 years of age.

Category	YES	NO
All male U.S. citizens born after Dec. 31, 1959, who are 18 but not yet 26 years old, except as noted below:	X	
<b>Military Related</b>		
Members of the Armed Forces on active duty (active duty for training does not constitute "active duty" for registration purposes)		X*
Cadets and Midshipmen at Service Academies or Coast Guard Academy		X*
Cadets at the Merchant Marine Academy	X	
Students in Officer Procurement Programs at the Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University		X*
ROTC Students	X	
National Guardsmen and Reservists not on active duty / Civil Air Patrol members	X	
Delayed Entry Program enlistees	X	
Separatees from Active Military Service, separated for any reason before age 26	X*	
Men rejected for enlistment for any reason before age 26	X	
<b>Immigrants**</b>		
Lawful non-immigrants on current non-immigrant visas. A complete list of acceptable documentation for exemption may be found at <a href="https://www.sss.gov/Portals/0/PDFs/DocumentationList.pdf">https://www.sss.gov/Portals/0/PDFs/DocumentationList.pdf</a> .		X
Permanent resident immigrants (USCIS Form I-551)	X	
Seasonal agricultural workers (H-2A Visa)		X
Refugee, parolee, and asylee immigrants	X	
Undocumented immigrants	X	
Dual national U.S. citizens	X	
<b>Confined</b>		
Incarcerated, or hospitalized, or institutionalized for medical reasons		X*
<b>Handicapped physically or mentally</b>		
Able to function in public with or without assistance	X	
Continually confined to a residence, hospital, or institution		X
<b>Transgender People</b>		
U.S. citizens or immigrants who are born male and have changed their gender to female	X	
Individuals who are born female and have changed their gender to male		X

\*Must register within 30 days of release unless already age 26.

**NOTE:** To be fully exempt you must have been on active duty or confined continuously from age 18 to 26.

\*\*Residents of Puerto Rico, Guam, Virgin Islands, and Northern Mariana Islands are U.S. citizens. Citizens of American Samoa are nationals and must register when they are habitual residents in the United States or reside in the U.S. for at least one year. Habitual residence is presumed and registration is required whenever a national or a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or Palau, resides in the U.S. for more than one year in any status, except when the individual resides in the U.S. as an employee of the government of his homeland, or as a student who entered the U.S. for the purpose of full-time studies, as long as such person maintains that status.

**NOTE:** Immigrants who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after they were 26 years old, were never required to register. Also, immigrants born before 1960, who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after March 29, 1975, were never required to register.

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