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STATE INSTRUCTION NUMBER 15-17, Change 3

To: Local Workforce Area Signatory Officials
Local Workforce Area Board Chairs
Local Workforce Area Administrators

Subject: Adult Priority of Service under WIOA

Issuance Date: May 3, 2021

Effective Date: July 1, 2021

Purpose: This guidance updates the State's priority of service policy in accordance with the Workforce Innovation and Opportunity Act (WIOA) and the US Department of Labor (DOL).

References: Training and Employment Guidance Letter (TEGL) No. 7-20, Effective Implementation of Priority of Service Provisions for Most in Need Individuals in the Workforce Innovation and Opportunity Act Adult Program

Background: Under the WIOA Adult program, priority for individualized career and training services must be given to recipients of public assistance, other low-income adults, and individuals who are basic skills deficient regardless of the availability of funds. The US Department of Labor's Employment and Training Administration (ETA) envisions that giving priority of service to these individuals means ensuring that at least 75 percent of a state's participants receiving individualized career and training services in the Adult program are from at least one of these priority groups.

Policy: Adults who receive services from WIOA-funded staff beyond self-service and information must be determined eligible, enrolled in the program, and considered a participant for WIOA Title I services. Individualized career services and training services must be given on a priority basis, regardless of funding levels, to:

- **First Priority:** veterans and eligible spouses who are low-income, to include recipients of public assistance, or who are basic skills deficient;
- **Second Priority:** individuals who are low-income, to include recipients of public assistance, or basic skills deficient;
- **Third Priority:** veterans and eligible spouses who are not low-income, or are not recipients of public assistance, and are not basic skills deficient; and
- **Last:** Individuals outside of the groups given priority.

Eligible individuals who do not meet the above priorities may still be enrolled as participants in the WIOA Adult program. However, effective July 1, 2021, seventy-five percent (75%) of all enrolled adult participants must be either low-income, to include public assistance recipients, or basic skills deficient. Local Workforce Development Boards (LWDBs) are responsible for establishing local procedures to comply with this policy and for conducting outreach to these priority populations. This priority of service policy is not applicable to participants served as dislocated workers.

Low-income Individual

An individual who meets any *one* of the following criteria satisfies the low-income requirement for WIOA Adult services:

- Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through SNAP, TANF, or Supplemental Security Income (SSI), or state or local income-based public assistance;
- Receives an income or is a member of a family receiving an income that, in relation to family size, is not in excess of the most recent Family Income Guidelines issued via State Instruction;
- Is a homeless individual as defined in the McKinney-Vento Homeless Assistance Act or the Violence Against Women Act of 1994; or
- Is an individual with a disability whose own income meets the income requirement above, but who is a member of a family whose income does not meet this requirement.

Basic Skills Deficient

WIOA defines basic skills deficient as an adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the participant's family, or in society. The State further defines basic skills deficient as an individual who meets any one of the following indicators:

- Lacks a high school diploma or equivalent;
- Scores a National Reporting System (NRS) level 4 or below on the TABE 11&12;
- Scores less than 4 on any one or more of the following WIN Ready to Work assessments:
 - Applied Mathematics
 - Reading for Information
 - Locating Information; or
- Is enrolled in Title II adult education, including English as a Second Language (ESL), excluding stand-alone occupational skills training.

It is expected that basic skills deficiency will be determined using an objective, valid, and reliable assessment, such as the indicators listed above. However, when a formal evaluation is not available or practical, case manager observations, customer acknowledgement, and documented case notes are acceptable. For example, the case manager may observe that the adult is experiencing difficulty in reading or filling out an application form, or has poor English language skills and may be appropriate for ESL. However, an individual should not be

determined as basic skills deficient merely because he/she lacks soft skills or the occupational skills needed for a particular job.

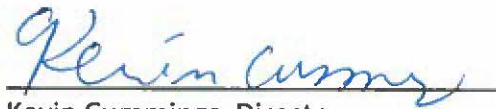
WIOA Title I funds cannot be used for assessment of basic skills deficiency prior to eligibility certification. Further, if not already a program participant, the use of funds for assessment will constitute enrollment in the program.

Documentation Requirements

It is beneficial to capture all applicable priority of service categories to reflect efforts in serving those most in need. In addition, such characteristics will likely have a positive impact on future performance negotiations as the statistical adjustment model is implemented. Therefore, all applicable priority of service criteria should be recorded in SC Works Online Services (SCWOS). The documentation required for each criteria recorded must be maintained in the participant's case file.

Action: Please ensure that all appropriate staff receive and understand this policy.

Inquiries: Questions may be directed to PolnPro@dew.sc.gov.



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Technical Services, Policies, and Reporting