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Board Policy Issuance

POLICY NUMBER:
CEUS03-201605-03

Policy Name: Priority of Service for Veterans, Qualified Spouses & Foster Youth	**Description:** Guidelines for administering Priority of Service to Veterans, Qualified Spouses and Foster Youth
Date of Approval: May 25, 2021	**Revision History:** 3rd Revision
Effective Date: May 25, 2021	**Scheduled for Review:** May 25, 2025
Policy Topic: Universal Services	**Administering Department:** Operations

DEFINITIONS:
Current Foster Youth: youth, age fourteen (14) or older, receiving substitute care services under the managing conservatorship of the Texas Department of Family and Protective Services (DFPS), including youth residing in private foster homes, group homes, residential treatment centers, juvenile correctional institutions, and relative care.

Eligible Foster Youth: a current or former foster youth.

Eligible Individual: a veteran, federal qualified spouse, or state qualified spouse.

Federal Qualified Spouse: the spouse of any veteran who meets one or more of the following service statuses:

- a veteran who died of a service-connected disability;
- member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories for a total of more than ninety (90) days:
    - missing in action;
    - captured in line of duty by a hostile force;
    - forcibly detained or interned in the line of duty by a foreign government or power;
- a veteran who has a total disability resulting from a service-connected disability, as evaluated by the U.S. Department of Veterans Affairs; or
- a veteran who died while suffering from a total disability which resulted from a service-connected disability, as evaluated by the U.S. Department of Veteran Affairs

Former Foster Youth: a youth up to 23 years of age, who formerly was under the managing conservatorship of DFPS, until:

- a court transferred the conservatorship;
- being legally emancipated (i.e., the youth's minority status removed by a court); or
- the youth attained (eighteen) 18 years of age.

Noneligible Individual: an individual who does not meet the definition of veteran, federal qualified spouse, or state qualified spouse.

Point of Entry: reception through a Workforce Solutions Office, as part of an application process for a specific program, or through any other method by which eligible individuals express an interest in receiving services, either in person or online.

Priority of Service: the right of eligible individuals to take precedence over noneligible individuals in obtaining workforce services.

State Qualified Spouse: a spouse who meets the definition of federally qualified spouse; or a spouse of any member of the Armed Forces who died while serving in active military, naval, or air service.

Taking precedence:

- eligible individuals receive access to workforce services before noneligible individuals; or
- if workforce services are limited, eligible individuals receive access to workforce services instead of noneligible individuals.

Transitioning Service Member: an individual in active duty status, including separation leave, who is within 24 months of retirement or twelve (12) months of separation.

- a transitioning service member is still considered employed by the military and is therefore not a veteran; and
- a transitioning service member on terminal leave with a DD 214 (Certificate of Release or Discharge from Active Duty) who indicates a discharge status other than “dishonorable” is considered a veteran and is eligible for priority of service.

Veteran (federal/state qualified): a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable as specified at 38 U.S.C. 101(2). Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes only. (Note: This definition does not apply to eligibility for services provided by Disabled Veterans’ Outreach Program [DVOP] or Local Veterans’ Employment Representatives [LVER] staff.)

POLICY STATEMENT:

Workforce Solutions for North Central Texas (WSNCT) affords priority of services to veterans, qualified spouses, and foster youth. Requirements for priority of service apply to all workforce service programs funded in whole or part by the U.S. Department of Labor Employment and Training Administration or state funds. Workforce services must be prioritized and targeted to youth transitioning out of the foster care system and for former foster youth. Eligible foster youth and former foster youth receive priority over all other equally qualified individuals, except veterans and qualified spouses. However, noneligible individuals who are currently receiving workforce services cannot be displaced to provide priority of service to eligible individuals or eligible foster youth.

Priority of service applies to veterans and federal qualified spouses for federally funded programs and veterans and state qualified spouses for state-funded programs. WSNCT Centers must allow individuals to self-identify as veterans and foster youth at the point of entry via the Greeter system sign-in. Workforce Center staff must ensure eligible individuals are:

- informed of entitlement to priority of service and the full array of employment, training, and placement services available under priority of service; and
- any applicable eligibility requirements for those programs and services.

Eligible individuals receiving priority of service must sign a Self-Attestation Form to certify meeting the definition of veteran, federal qualified spouse, or state qualified spouse. The Self-Attestation

Form is not required when a DD 214 “Certificate of Release or Discharge from Active Duty” is on file in the Workforce Solutions Office by either the veteran presenting a DD 214 upon arrival or indicating veteran status in WorkInTexas.com.

The spouse of a living veteran or service member will lose his or her eligibility if the veteran or service member loses the status that is the basis for eligibility, or divorces the living veteran or service member.

Workforce Center staff must inform individuals of penalties associated with claiming eligible veteran status and/or fraudulent, fictitious, or revoked military records. Texas Penal Code 32.54(c), makes falsely using or claiming to hold a military record for the purpose of receiving priority of service a Class B misdemeanor. Additionally, Texas Labor Code Chapter 105 addresses the termination of employment for falsification of military records in obtaining employment or employment benefits.

Workforce Center staff at all service delivery points must maintain and post for public access, to the extent possible, written copies of the priority of service policy and procedures.

Eligible individuals participating in state or federally funded initiatives that require documentation beyond self-attestation must provide one of the following:

<u>Veteran & Transitioning Service Members</u>

- DD 214, Member 4, or Member 6
- DD 215 (Correction to DD 214), possibly associated with the DD 214
- Army Enlisted Records or Officer Records Brief
- Air Force Military Personal Flight Record
- Navy and Marine Corps Electronic Service Records
- State of Service Letter stating service dates and character of service
- Memorandum for Record from the Unit Commander stating service dates and character of service (Unit Commander may be from the lowest organizational unit)
- National Guard Bureau-22 Form
- Military orders detailing the service member’s termination of service or change of duty station
    - Expiration of Term of Service
    - End of Active Service
    - Retirement Orders
- U.S. Department of Veteran Affairs Service Verification Letter
- Texas Department of Public Safety–issued licenses with “veteran” annotated
    - driver license
    - concealed handgun license
- Retired military identification card

<u>Federal Qualified Spouse and State Qualified Spouse</u>

- Marriage license;
- Military orders, with dependents listed, such as Permanent Change of Station orders; or
- Military dependent identification card (current); or
- Documentation of a veteran’s status via:
    - U.S. Department of Veteran Affairs Verification Letter;
    - U.S. Department of Defense Letter; or
    - Obituary

ACTIONS REQUIRED:
Workforce Center Subrecipient must establish internal procedures in compliance with this policy.

RELATED POLICIES/RESOURCES:
Texas Workforce Commission WD Letter 01-21: “Applying Priority of Service and Identifying and

Documenting Veterans and Transitioning Service Members."
Texas Workforce Commission WD Letter 43-11, Change 2: "Priority of Service to Eligible Foster Youth."

INQUIRIES:
Please contact policy@dfwjobs.com

Approved by	**Reviewed by**
Roger Harris	Debra Kosarek
Board Chair	Senior Program Manager, Compliance and Continuous Improvement
Workforce Solutions for North Central Texas	