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Board Policy Issuance

POLICY NUMBER:
CEW06-201605-05

Policy Name: WIOA Adult-Service Priority for Individualized Career & Training Services	**Description:** Hierarchy of populations when administering WIOA Individualized Career and Training services to adults
Date of Approval: May 25, 2021	**Revision History:** 5th Revision
Effective Date: May 25, 2021	**Scheduled for Review:** May 25, 2025
Policy Topic: WIOA	**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 eligible 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.

Priority for Workforce Innovation and Opportunity Act (WIOA) Individualized Career and Training Services must be given on a priority basis, regardless of funding levels, in the following order, to:

1. Eligible veterans and eligible spouses, who are also recipients of public assistance, low income, or basic skills deficient.
2. Non-covered persons (individuals who are not veterans or eligible spouses) who are also recipients of public assistance, low income or basic skills deficient as follows:
    a. Foster youth and former foster youth, as defined in WD Letter 43-11, Change 2, as required by Texas Family Code §264.121.
    b. Non-foster youth.
3. All other eligible veterans and eligible spouses.
4. Priority populations established by the governor as follows:
    a. All other foster youth and former foster youth, as required by Texas Labor Code §264.121.
5. Non-covered individuals outside of the groups given priority under WIOA.

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

RELATED POLICIES/RESOURCES:
Board Policy, *"Priority of Service for Veterans, Qualified Spouses and Foster Youth."*
Texas Family Code, Title 5 §264.121, "Transitional Living Services Program."
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 for Eligible Foster Youth-*Update.*"
Texas Workforce Commission, *Workforce Innovation and Opportunity Act: Guidelines for Adults, Dislocated Workers and 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	