

Preliminary Policy on Co-Enrollment

Reference:

Workforce Innovation and Opportunity Act (WIOA) Sections 3, 108, 129, 134, 188, and 189. Preliminary Policies on Eligibility for Youth Programs, Eligibility for Adult Programs, and Eligibility for Dislocated Worker Programs.

Action:

This policy is effective immediately.

Background:

Under WIOA, the ages for eligibility for youth and adult workforce development activities overlap. Eligible youth ages range from 14 to 21 if in-school youth and from 16 to 24 for out-of-school youth. Eligible adult ages are 18 and older. The eligibility requirements for Dislocated Worker programs do not contain any age limitations. Thus, individuals may qualify for both Adult/Dislocated Worker and Youth programs under WIOA. The purpose of this policy is to clarify the method of co-enrollment and explain the funding process for an individual involved in both programs.

Policy:

Eligibility

Eligible individuals ages 18 to 24 [at registration] may participate in both Adult/Dislocated Worker and Youth programs concurrently. Such individuals must meet the eligibility criteria applicable to the services received. For example, an individual may qualify to receive both youth services and adult career services, but fail to meet the eligibility requirements for receipt of adult training services. Local areas may determine the appropriate level and balance of services under the Youth, Adult, Dislocated Worker programs, or through other services.

For additional information on eligibility requirements, refer to the following policies:

[Eligibility for Youth Programs](#)

[Eligibility for Adult Programs](#)

[Eligibility for Dislocated Worker Programs](#)

Funding

Local program operators must identify and track the funding streams which pay the costs of the services provided to individuals who are participating in the Youth and Adult/Dislocated Worker programs concurrently. This is necessary to ensure that program funds are spent on services allowed under the specific provisions. For example, funds for Adult programs must only be spent on services allowed by WIOA Section 134 and not on services only allowed by section 129 for Youth programs, such as dropout recovery services.¹ Furthermore, tracking the funds

¹ WIOA section 129(c)(2)(B)

will allow the local areas to determine whether they satisfy the spending requirements mandated by WIOA.²

Nonduplication

When a participant is enrolled in multiple programs, local boards must ensure that services are not duplicated for an individual. Local areas must include in their local plans a description of how the local board will coordinate education and workforce development activities carried out in the local area with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services.³

Nondiscrimination

WIOA section 188 provides that no individual may be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.⁴

Participation in programs and activities must also be available to citizens of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States. Individuals with employment authorization may access any WIOA services for which they otherwise would qualify.⁵

Verification of Lawful Presence

Each agency responsible for determining eligibility for WIOA benefits in Nebraska is required to:

1. Have each applicant for WIOA services attest that he or she is a U.S. citizen or a qualified alien. This must be done using the format prescribed by the Nebraska Department of Administrative Services (DAS).
 - If in the above Step 1, the applicant indicates he or she is an alien, then complete Step 2 as follows:
2. Verify his or her lawful presence in the United States using the SAVE (Systematic Alien Verification for Entitlements) Program operated by the U.S. Department of Homeland Security.

Enforcement of Military Selective Service Act

Local programs shall ensure that each individual participating in any program established under Title I of WIOA or receiving any assistance or benefit under such title, has not violated Section 3 of the Military Selective Services Act (50 U.S.C. App. 453) by not presenting and submitting to registration as required pursuant to such section.⁶

Disclaimer

This policy is based on NDOL's initial reading of the statute without any interpretive guidance from USDOL. This policy may be subject to change as additional federal regulations and TEGs are

² For example, the requirement that 75% of youth funds are spent on out-of-school youth.

³ WIOA section 108(b)(10)

⁴ WIOA section 188(a)(2)

⁵ WIOA section 188(a)(5)

⁶ WIOA section 189(h)

released that are contrary to or otherwise different from NDOL's interpretation of WIOA. This policy is not intended to be permanent and should be viewed as a placeholder until final federal regulations and guidelines are established.