

## Definitions of Program Terms

The list of definitions provides a description of many of the terms used during the delivery of programs under the Workforce Innovation and Opportunity Act (WIOA). While the list is not all-inclusive, it does provide a quick reference for program requirements established by Federal, State, and local rule.

### 1. access

Access to each partner program and its services means:

- having a program staff member physically present at the one-stop center;
- having a staff member from a different partner program physically present at the one-stop center appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; or
- making available a direct linkage through technology to program staff who can provide meaningful information or services.

### 1. active duty

The term active duty means full-time duty in the active military service of the United States. The term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned.

The term does not include full-time National Guard duty.

### 2. Administrative entity

The entity designated to provide administrative support to the Workforce Development Board and the Chief Elected Officials Board.

### 3. adult

An individual 18 years of age or older.

### 4. affiliate site (affiliate one-stop center)

An *affiliate site* (affiliate one-stop center) is a site that makes available to job seekers and employers one or more of a one-stop partner's programs, services, and activities.

### 5. age of compulsory school attendance

An individual who is within the age of compulsory school attendance is an individual who is subject to compulsory school attendance according to state law. In Nebraska, individuals ages six

through 17 are required to attend school, with three exceptions:

- the individual has obtained a high school diploma;
- the individual has completed a program of instruction offered by an unaccredited school that is approved by the Nebraska State Board of Education; or
- has reached 16 years of age and has been legally withdrawn from school.

#### **6. attachment to the workforce**

The phrase attachment to the workforce means having been employed at least 20 or more hours per week for at least six of the most recent 36 months in a single occupation. The six months need not be consecutive. An employee of a temporary employment agency, in order to demonstrate attachment to the workforce, must have worked on the same assignment for the same number of weekly hours and duration noted above.

#### **7. attending postsecondary school**

Attending postsecondary school means enrollment in credit-bearing postsecondary education classes, including credit-bearing:

- community college classes; and
- continuing education classes.

If an individual is enrolled in non-credit-bearing postsecondary classes only, then the individual is not considered to be attending postsecondary school.

If an individual is enrolled in the youth program between high school graduation and postsecondary education, the individual is considered an ISY if they are registered for postsecondary education, even if they have not yet begun classes at the time of Youth program enrollment.

#### **8. attending school (secondary school)**

The phrase attending school is defined by state law. Nebraska State Law defines attending school as enrollment in and regular attendance at a school approved by the Nebraska State Board of Education, including:

- accredited public and private schools;
- accredited denominational and parochial schools;
- schools that elect not to meet accreditation requirements, including home schools; and
- high school equivalency programs, including an alternative school, class, or education program established in accordance with Neb. Rev. Stat. § 79-266 for the benefit of expelled students.

If an individual is enrolled in the Youth program during the summer and is in between secondary school years, the individual is considered an ISY if they are enrolled to continue school in the fall.

#### **9. basic skills deficient**

An individual who is basic skills deficient is:

- a youth who has English reading or writing skills or computing skills at or below the 8<sup>th</sup> grade level based on a generally accepted standardized test; or
- a youth or 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 individual's family, or in society.

Criteria used to determine whether a youth or adult is basic skills deficient includes the following:

- English, reading, writing, or computing skills at or below the 8<sup>th</sup> grade level based on a generally accepted standardized test; or
- Determined to have limited English skills based off staff documented observations or a generally accepted ESL test.

Reasonable accommodations in the assessment process will be provided to individuals with disabilities, if necessary.

**Note:** Basic skills testing instruments utilized to measure skills level and educational gains under WIOA must be deemed suitable by the National Reporting System for Adult Education (NRS).

Approved English reading or writing skills or computing skills tests include:

- Comprehensive Adult Student Assessment System (CASAS) reading GOALS Series. Forms 901, 902, 903, 904, 905, 906, 907, and 908 are approved for use on paper and through a computer-based format. (Approved for ABE through 2/5/2025)
- Tests of Adult Basic Education (TABE 11/12). Forms 11 and 12 are approved for use on paper and through a computer-based format. (Approved for ABE through 9/7/2024)

Approved ESL tests (Approved through 2/2/2021) include:

- Basic English Skills Test (BEST) Literacy. Forms B, C, and D are approved for use on paper.
- Basic English Skills Test (BEST) Plus 2.0. Forms D, E, and F are approved for use on paper and through the computer-adaptive delivery format.
- Comprehensive Adult Student Assessment Systems (CASAS) Life and Work Listening Assessments (LW Listening). Forms 981L, 982L, 983L, 984L, 985L, and 986L are approved for use on paper and through the computer-based delivery format.
- Comprehensive Adult Student Assessment Systems (CASAS) Reading Assessments (Life and Work, Life Skills, Reading for Citizenship, Reading for Language Arts—Secondary Level). Forms 27, 28, 81, 82, 81X, 82X, 83, 84, 85, 86, 185, 186, 187, 188, 310, 311, 513, 514, 951, 952, 951X, and 952X of this test are approved for use on paper and through the computer-based delivery format.
- Tests of Adult Basic Education Complete Language Assessment System-English (TABE/CLAS-E). Forms A and B are approved for use on paper.

## **10. Case management**

A client-centered approach in the delivery of services designed to prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce activities and supportive services and to provide job and career counseling during program participation and after job placement.

### **11. call or order to active duty**

The phrase call or order to active duty refers to the call or order or retention on active duty for members of the uniformed services under 10 USC §§ 688, 12301(a), 12302, 12304, 12304a, 12305, or 12406 or 10 USC Subtitle A Part I Chapter 15, or any other provision of law during a war or during a national emergency declared by the United States President or Congress.

### **12. common exit**

*Common exit* means a participant is exited only when all of the *exit* criteria described in the definition of *exit* (section (b) below) are met for each program in which the participant is enrolled.

**Example:** Participant Joe is a worker covered by a Trade Certification and is co-enrolled in the Dislocated Worker and Wagner-Peyser programs. Joe's last date of service under Wagner-Peyser is August 1st. Joe's last date of service under the Dislocated Worker program is September 15th. Joe's last date of service under the TAA program is October 1st. Joe receives no additional services from the TAA, Dislocated Worker, and Wagner-Peyser programs. Joe's common exit date is October 1st.

### **13. community-based organization**

*Community-based organization* means a private nonprofit organization (which may include a faith-based organization) that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce development.

### **14. comprehensive one-stop center (comprehensive American Job Center or AJC)**

A *comprehensive one-stop center* (comprehensive American Job Center or AJC) is a physical location where job seekers and employers can access the programs, services, and activities of all required one-stop partners.

### **15. deployment**

A member of the US Armed Forces is considered to be deployed on any day on which, pursuant to orders, the member is performing service in a training exercise or operation at a location or under circumstances that make it impossible or infeasible for the member to spend off-duty time in the housing in which the member resides when on duty at the member's permanent duty station or homeport. If the individual is member of a reserve component of the US Armed Forces and is performing active service pursuant to orders that do not establish a permanent change of station, the housing referred to above is any housing (including the member's residence) that the member usually occupies for use during off-duty time when on duty at the member's permanent duty station or homeport. The Secretary of Defense may prescribe an alternative definition of deployment other than that described above.

A member of the US Armed Forces is not deployed when the member is:

- performing service as a student or trainee at a school (including Government school); performing administrative, guard, or detail duties in garrison at the member's permanent duty station; or

- unavailable solely because of a hospitalization of the member at the member's permanent duty station or homeport or in the immediate vicinity of the member's permanent residence; or
- unavailable solely because of a disciplinary action taken against the member.

#### **16. direct linkage**

*Direct linkage* means providing a direct connection at the comprehensive one-stop center to a required one-stop partner staff member who can provide program information or services to the customer, within a reasonable period of time and by phone or through real-time web-based communications. Simply providing a phone number or a web address for services or information or pamphlets or materials is not direct linkage.

#### **17. disabled Veteran**

- a Veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary; or
- a person who was discharged or released from active duty because of a service-connected disability.

#### **18. dropout**

A *school dropout* is an individual who:

- is no longer attending any school; and
- has not received a secondary school diploma or a recognized equivalent.

Dropout refers only to an individual who is currently a secondary school dropout, which does not include a youth who previously dropped out of secondary school but subsequently returned. For example, a youth who dropped out of high school in 2015 and returned to high school in 2016 prior to enrollment in the youth program is not a dropout. An individual who has dropped out of postsecondary education is not a dropout for purposes of youth program eligibility.

#### **19. eligible employed worker**

An *eligible employed worker* means an individual that meets the eligibility criteria for enrollment in one or more Title I programs (youth, adult, or dislocated worker).

#### **20. eligible spouse of a Veteran**

*Eligible spouse of a Veteran* means the spouse of any of the following:

- any Veteran who died of a service-connected disability;
- any 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 and has been so listed for a total of more than ninety (90) days:
  - missing in action;
  - captured in the line of duty by a hostile force; or
  - forcibly detained or interned in the line of duty by a foreign government or power;
- any Veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- any Veteran who died while a disability was in existence.

**NOTE:** A spouse whose eligibility is derived from a living Veteran or service member would lose his or her eligibility if the Veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a Veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living Veteran or service member, that spouse's eligibility would be lost upon divorce from the Veteran or service member.

### **21. eligible Veteran**

*Eligible Veteran* means a person who:

- served on active duty for a period of more than one-hundred eighty (180) days and was discharged or released therefrom with other than a dishonorable discharge;
- was discharged or released from active duty because of a service-connected disability;
- as a member of a reserve component under an order to active duty served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge; or
- was discharged or released from active duty by reason of a sole survivorship discharge

### **22. English language learner**

*English language learner* means an individual who has limited ability in reading, writing, speaking, or comprehending the English language and:

- whose native language is a language other than English; or
- who lives in a family or community environment where a language other than English is the dominant language.

### **23. exit (program exit)**

*Exit* (or *program exit*) is the last date of service.

The last day of service cannot be determined until at least ninety (90) days have elapsed since the participant last received services.

Services do not include self-service, information-only services or activities, or follow-up services. This also requires that there are no plans to provide the participant with future services.

This criteria for determining program exit applies to the:

- Adult, Dislocated Worker, and Youth programs (WIOA Title IB);
- Wagner-Peyser Employment Service programs (WIOA Title III);
- Jobs for Veterans State Grant (JVSG) program; and
- Trade Adjustment Assistance (TAA) program.

### **24. family**

Two or more person 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 or guardian and dependent children; or
- A married couple.

### **25. general announcement**

The term *general announcement* means an announcement to the public by the employer or employer's representative. The general announcement does not need to be in written form, but it must be made to the public, not just the employees of the employer.

### **26. general economic conditions**

The term *general economic conditions* is defined as one or more of the following:

- A business lost due to the closure or substantial layoff of a primary supplier or primary customer affecting the self-employed individual's products or services;
- A business lost because the product/occupation has little demand within the community or has been declining;
- A business lost because of increased non-labor production costs which are out of the control of management (i.e., energy costs); or
- A business lost because of natural disasters as defined by State or Federal declaration.

### **27. high-poverty area**

A high-poverty area, as it relates to youth eligibility is a Census tract, a set of contiguous Census tracts, a county, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the US 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 of Labor in guidance, that has a poverty rate of at least 25 percent as set every five years using American Community Survey 5-year data.

### **28. homeless**

An individual is *homeless* when the individual meets one (1) or more of the criteria described below.

#### **Homeless Eligibility Criteria**

1. an individual or family with 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, including a car, park, abandoned building, bus or train station, airport, or camping ground;
2. an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
3. an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;

4. an individual or family who:
  - a. will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by:
    - i. a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;
    - ii. the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or
    - iii. credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause; and
  - b. has no subsequent residence identified; and
  - c. lacks the resources or support networks needed to obtain other permanent housing;

### **29. in-demand industry sector or occupation**

The term *in-demand industry sector or occupation* means an:

- industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or
- occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the state, regional, or local economy.

### **30. Initial assessment**

An assessment conducted to determine program eligibility, suitability, or referrals to more appropriate service providers. Must be completed before an individual can be enrolled in the WIOA program.

### **31. individual employment plan**

A service strategy for adult and dislocated workers that is developed in partnership between the Career Planner and participant. The plan identifies the employment goal(s), steps that will be taken to reach the goal(s) including an outline of the activities and/or services that will be provided.



The plan is developed utilizing the results of the objective assessment and the expressed interest and desires of the participant. The plan is a living document.

### **32. Individual service strategy**

A service strategy for youth that is developed in partnership between the Career Planner and participant. The plan identifies the employment goal(s), steps that will be taken to reach the goal(s) including an outline of the activities and/or services that will be provided.

The plan is developed utilizing the results of the objective assessment and the expressed interest and desires of the participant. The plan is a living document.

### **33. individual with a disability**

The phrase individual with a disability means an individual with a disability as defined in Section 3 of the Americans with Disabilities Act of 1990.

### **34. institution of higher education**

*Institution of higher education* means an educational institution in any state that:

- admits, as regular students, only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who have completed a secondary school education in a home school setting that is treated as a home school or private school under State law;
- is legally authorized within the state to provide a program of education beyond secondary education;
- provides an educational program for which the institution awards a bachelor's degree or provides not less than a two-year program that is acceptable for full credit toward a bachelor's degree, or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to review and approval by the Secretary of Education (Secretary);
- is a public nonprofit or other nonprofit institution; and
- is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status by such an agency or association that has been recognized by the Secretary for the granting of pre-accreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

### **35. laid off or layoff**

For determining eligibility as a dislocated worker, the term laid off or layoff means an individual's employment relationship is or will be suspended by the employer, without cause, for more than 180 calendar days.

### **36. low-income individual**

A low-income individual is an individual who meets one or more of the criteria listed below.

## **Low-income Eligibility Criteria**

1. The individual currently receives or is a member of a family currently receiving assistance through:
  - a. Supplemental Nutrition Assistance Program (SNAP);
  - b. Temporary Assistance for Needy Families Program (TANF);
  - c. Supplemental Security Income through the Social Security Administration (SSI); or
  - d. state or local income-based public assistance.
2. In the past six (6) months, the individual has received or is a member of a family that has received assistance through SNAP, the TANF program, SSI, or state or local income-based public assistance.
3. The individual is in a family whose total family income does not exceed the higher of:
  - a. the current Federally-established poverty line; or
  - b. 70 percent of the Federally-established lower living standard income level (LLSIL).
4. The individual is a homeless individual who:
  - a. lacks a fixed, regular, and adequate nighttime residence and is:
    - i. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
    - ii. living in a motel, hotel, trailer park, or campground due to the lack of adequate alternative;
    - iii. 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;
  - c. is a migratory youth who is living under circumstances described in rows 4a and 4b of this Table;
  - d. lives in cars, parks, public spaces, abandoned buildings, substandard housing, bus or training stations, or similar settings; or
  - e. is a runaway.
5. The individual receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act, unless the individual is a recipient of a secondary school diploma or its recognized equivalent.
6. The individual is a foster child on behalf of whom state or local government payments are made.
7. The individual is an individual with a disability whose income meets either:

- a. the current Federally-established poverty line; or
- b. 70 percent of the Federally-established lower living standard income level (LLSIL).

A youth who lives in a high-poverty area is automatically considered a low-income individual.

The following types of payments made or in-kind aid to individuals are not considered income when determining low-income eligibility for WIOA Title I programs:

- TANF payments;
- reduced price lunches under the Richard B. Russell National School Lunch Act;
- payments made on behalf of a foster child by state or local government payments; and
- payments made to individuals participating programs authorized under WIOA Title I.

In addition, when determining low-income eligibility for WIOA Title I programs for Veterans and eligible spouses of Veterans, payments made or in-kind aid to individuals from the following sources are not considered income:

- any amounts received as military pay or allowances by any person who served on active duty;
- any amounts received by a Veteran or eligible spouses of Veterans under the following chapters of Title 38 of the US Code:
  - Chapter 13 for service-connected deaths;
  - Chapter 30 for educational assistance;
  - Chapter 30 for peacetime disability or death compensation;
  - Chapter 30 for wartime disability or death compensation;
  - Chapter 31 for training and rehabilitation for Veterans with service-connected disabilities;
  - Chapter 32 for Post-Vietnam Era Veterans' education assistance; and
  - Chapter 35 for survivors' and dependents' educational assistance;
- any amounts received by a Veteran or eligible spouse of a Veteran under 10 USC Chapter 106 for educational assistance for members of the selected reserve; and
- any amounts received by transitioning service members.

When determining low-income status of an individual with a disability, the income of the individual's family must not be considered.

There are no other income exclusions. For the avoidance of doubt, all other types of payments made to individuals are considered income when determining low-income eligibility for WIOA Title I programs, including:

- unemployment insurance benefits;
- child support payments; and
- payments made by state-administered plans for old-age assistance.

**37. Mass (or substantial) layoff**

A layoff consisting of 50 or more individuals.

**38. meaningful assistance**

With regard to individuals seeking assistance with filing a claim for unemployment compensation, *meaningful assistance* means:

- providing assistance on-site using staff who are well-trained in unemployment compensation claims filing and the rights and responsibilities of claimants; or
- providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.

**39. notice of termination or layoff from employment**

A *notice of termination or layoff from employment* means a written notification from the employer, naming one or more individuals and indicating that employment will cease or has ceased for the individual(s) on a specific date.

**40. objective assessment**

*Objective assessment* means an assessment of the academic levels, skill levels, and service needs of a participant, which must include a review of the participant's:

- basic academic skills;
- interests;
- occupational skills;
- aptitudes;
- prior work experience;
- supportive service needs;
- employability; and
- developmental needs.

The purpose of the *objective assessment* is identification of appropriate services and career pathway(s).

**41. offender**

*Offender* means an adult or juvenile who:

- is or has been subject to any stage of the criminal justice process and for whom services under Youth, Adult, or Dislocated Worker programs may be beneficial; or
- requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

**42. older individual**

An individual age fifty-five (55) or older.

**43. on-the-job training (OJT)**

The term *on-the-job training* (OJT) means training provided by an employer to a participant who is paid while engaged in productive work in a job that:

- provides knowledge or skills essential to the full and adequate performance of the job;

- is made available through a program that provides reimbursement to the employer of up to 75 percent of the participant's wage rate for the extraordinary costs of providing the training and additional supervision related to the training; and
- is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the participant's IEP or ISS, as appropriate.

#### **44. One-stop Operator**

The one-stop operator is one or more entities designated to, at a minimum, coordinate the service delivery of required one-stop partners and service providers. The local board may establish additional roles of the one-stop operator, including, but not limited to: coordinating service providers across the one-stop delivery system, being the primary provider of services within the center, providing some of the services within the center, or coordinating service delivery in a multi-center area, which may include affiliate sites.

#### **45. participant**

In general, "participant" means a reportable individual who has received services after satisfying all applicable programmatic requirements for the provision of services, such as an eligibility determination.

For the WIOA Title I Adult and Dislocated Worker programs, a participant is a reportable individual who has received services other than the services described in 20 CFR 677.150(a)(3), or 34 CFR 463.150(a)(3), after satisfying all applicable programmatic requirements for the provision of services, such as eligibility determination.

For the WIOA Title I Youth 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 one of the 14 WIOA Youth program elements identified in sec. 129©(2) of WIOA.

Individuals who only use the self-service system or received information-only services or activities are not participants and are not included in performance measures.

#### **46. period of participation**

*A period of participation* refers to the period of time beginning when an individual becomes a participant and ending on the participant's date of exit from the program.

#### **47. pre-apprenticeship program**

*A pre-apprenticeship program* is a program designed to prepare individuals to enter and succeed in a Registered Apprenticeship program. *A pre-apprenticeship program* should include the following elements:

- training and curriculum that aligns with the skill needs of employers in the economy of the state or region involved;
- access to educational and career counseling and other supportive services, directly or indirectly;

- hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options, and understanding how the skills acquired through coursework can be applied toward a future career;
- opportunities to attain at least one industry-recognized credential; and
- a partnership with one or more Registered Apprenticeship programs that assist in placing individuals who complete the pre-apprenticeship program in a Registered Apprenticeship program.

**48. pregnant or parenting**

A *pregnant* individual is the expectant mother only.

An individual who is *parenting* is a mother or father, custodial or non-custodial.

**49. recently separated service member**

*Recently separated service member* means any Veteran within the three (3) year period beginning on the date of Veteran's discharge or release from active duty.

**50. Recipients of public assistance**

*Receives public assistance* means assistance provided through programs like:

- Temporary Assistance for Needy Families (TANF);
- Supplemental Nutrition Assistance Program (SNAP);
- Supplemental Security Income (SSI); or
- state or local income-based public assistance.

**51. recognized postsecondary credential**

The term *recognized postsecondary credential* means:

- an industry-recognized certificate or certification;
- a certificate of completion of an apprenticeship;
- a license recognized by the State of Nebraska or the Federal Government; or
- an associate or baccalaureate degree.

A recognized postsecondary credential is awarded in recognition of an individual's attainment of measurable technical or industry/ occupational skills necessary to obtain employment or advance within an industry/ occupation.

**52. Registered Apprenticeship program**

A *Registered Apprenticeship program* is an apprenticeship program that is registered with the US Department of Labor Office of Apprenticeship.

**53. reportable individual**

A *reportable individual* is an individual who has taken action that demonstrates an intent to use program services and who meets specific reporting criteria of the program, including:

- Individuals who provide identifying information;
- Individuals who only use the self-service system; or
- Individuals who only receive information-only services or activities.

#### **54. requires additional assistance**

The phrase *requires additional assistance*, is defined by the local board as meeting one or more of the following criteria:

- youth who have not completed high school or other educational programs necessary to secure and maintain entry-level employment;
- youth who are deficient in basic skills and/or pre-employment/work maturity skills, including those needing English as a second language instruction and remedial training for GED;
- youth who have been identified as a dropout risk, unlikely to graduate due to a lack of credits, and other risk factors cited by school, law enforcement, or community officials such as eligibility to receive free or reduced lunch benefits;
- youth who are defined as “neediest” – youth in foster care (especially those aging out of foster care), youth in the juvenile justice system, children of incarcerated parents, migrant youth, Native American youth, Indian youth, and youth with disabilities including learning disabilities;
- youth who reside in a defined Area of Substantial Unemployment; or
- youth who have been unable to obtain or secure employment during the last six months.

#### **55. school**

The term *school* is defined by state law. Nebraska State Law defines *school* as a school approved by the Nebraska State Board of Education, including:

- accredited public and private secondary schools;
- accredited denominational and parochial secondary schools;
- schools that elect not to meet accreditation requirements, including home schools; and
- alternative schools, classes, or education programs established in accordance with Neb. Rev. Stat. § 79-266 for the benefit of expelled students.

Nebraska State Law does not include postsecondary institutions in its definition of school. For purposes of this policy, the following providers or programs are considered schools:

- all postsecondary institutions that are accredited according to the requirements of the U.S. Department of Education;
- all private postsecondary career schools that are licensed or authorized to operate by the Nebraska Department of Education; and
- all private postsecondary career schools that are licensed or authorized to operate in other states according to the requirements of the states in which they operate.

Providers of WIOA Title IC (Job Corps), Title ID (Youth Build), and Title II (Adult Education and Family Literacy Act) programs are not considered schools for the purposes of determining school status.

**56. Secondary school diploma or recognized equivalent**

The term *secondary school diploma or recognized equivalent* is, a high school diploma that is recognized by a State and is included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). A secondary school equivalency certification signifies that a student has completed the requirements for a high school education.

**57. service-connected**

The term *service-connected* means, with respect to disability or death, that a disability was incurred or aggravated, or that death resulted from a disability incurred or aggravated, in line of duty in the active military, naval, or air service.

**58. short-term training**

Training that is six (6) months or less.

**59. significant barrier to employment**

An eligible Veteran or eligible spouse of a Veteran is determined to have a *significant barrier to employment* (SBE) if the individual attests to belonging to at least one (1) of the following categories of criteria:

- a special disabled or disabled veteran;
- homeless;
- a recently-separated service member who at any point in the previous twelve (12) months has been unemployed for twenty-seven (27) or more weeks in the previous twelve (12) months;
- an offender who is currently incarcerated or who has been released from incarceration;
- lacking a high school diploma or its equivalent; or
- low-income.

**60. special disabled Veteran**

*Special disabled Veteran* means:

- a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary for a disability rated at:
  - 30 percent or more; or
  - 10 or 20 percent in the case of a veteran who has been determined under 38 USC § 3106 to have a serious employment handicap; or
- a person who was discharged or released from active duty because of service-connected disability.

**61. specialized center**

A specialized center is a center connected to a comprehensive one-stop center and any appropriate affiliate site that meets the needs of dislocated workers, youth, employers, or key industry sectors or clusters.



### **62. temporary recall**

The term *temporary recall* refers to a request from an employer for a former worker, who has either received a notice of termination or been terminated from employment, to return to work for 180 calendar days or less. In a *temporary recall*, the employer still intends to terminate the worker.

### **63. terminated**

For determining eligibility as a dislocated worker, *terminated* employment is a permanent situation in which the employer lays off, without cause, and does not plan to rehire an individual. Any documented non-seasonal layoff projected to last one-hundred eighty (180) or more calendar days is a termination of employment.

The intent of this definition is to include only those terminated workers who intend to return to permanent, full-time work.

The following circumstances are not considered a termination of employment:

- seasonal unemployment;
- an end to an assignment through a temporary employment agency;
- a notice of termination that includes a certain or tentative recall date within one-hundred eighty (180) calendar days of the initial layoff date; or
- retirement or other voluntary separation from the workforce.

### **64. Underemployed**

The term underemployed is defined as one or more of the following:

- Individuals who are employed in a position that is inadequate with respect to their skills and training;
- Individuals employed less than full-time who are seeking full-time employment;
- Individuals who are employed who meet the definition of a low income individual;
- Individuals who are employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment.

### **65. unemployed as a result of a natural disaster**

The phrase *unemployed as a result of a natural disaster* means unemployment caused by a major adverse event(s) resulting from natural processes of the Earth or forces other than the acts of human beings, including environmental conditions, such as:

- floods;
- tornadoes;
- earthquakes; and
- other natural events beyond an individual's control.

The list provided above is not all inclusive of major adverse events that may be considered natural disasters.

**66. Unsubsidized employment**

*Unsubsidized employment* is 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.

**67. unlikely to return to a previous occupation or industry**

For determining eligibility as a dislocated worker, an individual is *unlikely to return to a previous occupation or industry* if job opportunities in the occupation or industry are significantly diminished for an individual based on one or more of the following criteria:

- official assessments of market demand for products or services in the occupation or industry;
- local labor market conditions for the industry or occupation;
- evolution of skill requirements in the occupation or industry and whether an individual's skills have kept pace over time based on a current skills assessment;
- impact of technology or trade on the industry or occupation.

A separating service member meets the standard of *unlikely to return to a previous industry or occupation*.

**68. Veteran**

*Veteran* means a person who served at least one (1) day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.

*Active service* includes full-time Federal service in the National Guard or a Reserve component. *Active service* does not include:

- full-time duty performed strictly for training purposes (i.e., "weekend" or "annual" training); or
- full-time active duty performed by National Guard personnel who are mobilized by state rather than Federal authorities.