

WIOA Title I Section 134(c) (3) (E) requires that priority of service be given to "recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of career services...and training services." As indicated in the Notice of Proposed Rule Making (NPRM) Preamble, "WIOA builds on the priority given under WIA to providing training services to low-income individuals receiving public assistance." Further, unlike WIA where priority was required only when funds were limited, "priority must be given regardless of funding levels" in WIOA. As described in the Act, WIOA is meant to increase need, "particularly those with barriers to employment. "

Section 194(1) requires that services be provided to those who can benefit from "and who are most in need of such opportunities." The addition of Temporary Assistance for Needy Families (TANF) as a mandatory partner and the inclusion of Adult Education as a core partner in the one-stop delivery system highlight federal intent to bring the populations served by those programs into the opportunities provided by WIOA.

"Priority of service" status is established at the time of eligibility determination for WIOA Title I Adult registrants and does not change during the period of participation. Priority does *not* apply to the dislocated worker population. For purposes of this policy guidance, Priority of Service applies to Adults. Youth priority of service will be addressed separately,

Proposed rule 680.650 re-affirms that veterans continue to receive priority of service in ALL DOL-funded training programs but that a "veteran must still meet each program's eligibility criteria." Thus for WIOA Title I Adult services, the program's eligibility and priority considerations must be made first, and then veteran's priority applied.

Local areas must give priority of service to participants that fall into one of the below priority categories (Proposed § 679.560(b)(21)):

- Recipients of public assistance
- Other low-income individuals. The term "low income individuals" is defined in WIOA Law—Definitions; Section 3(36) means an individual who:
  - Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), TANF, Supplemental Security Income (SSI) under Title XVI of the Social Security Act, or state or local income-based public assistance program; **or**
  - 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 current U.S. DOL 70 percent Lower Living Standard Income Level and U.S. Department of Health and Human Services Poverty Guidelines **or**
  - Is a homeless individual, **or**
  - Is an individual with a disability whose own income meets the income requirements above, but who is a member of a family whose income does not meet this requirement.

- Individuals who are basic skills deficient. The term "basic skills deficient" is defined in Section 3(5) to mean 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. Iowa Workforce Development(IWD) is providing guidance for making this determination by defining it as an individual who meets any one of the following:
  - Lacks a high school diploma or equivalency and is not enrolled in secondary education; **or**
  - Scores below 9.0 grade level (8.9 or below) on the TABE; CASAS or other allowable assessments as per National Reporting System (NRS) developed by the U.S. Department of Education's Division of Adult Education and Literacy **or**
  - Is enrolled in Title II adult education (including enrolled for ESL); **or**
  - Has poor English language skills (and would be appropriate for ESL even if the individual isn't enrolled at the time of WIOA entry into participation.

The career planner makes observations of deficient functioning and records those observations as justification in the data management system or as a case note.

- Individuals (non-covered persons) who do not meet the above priorities may be enrolled on a case by case basis with documented managerial approval. The WIOA eligible adult must meet one or more of the following categories of an individual with a barrier to employment:
  - Displaced homemakers;
  - Individuals with disabilities;
  - Older individuals;
  - Ex-offenders;
  - Eligible migrant and seasonal farm workers;
  - Single parents (including single pregnant women)