

State of Alaska Department of Labor and Workforce Development	
Division: Employment and Training Services (DETS)	Policy: 07-517.2
Subject: Priority Populations – WIOA Adult Program	Pages: 3
References: Federal Regulations 20 CFR Chapter V; Workforce Innovation and Opportunity Act, Public Law 113-128; Training and Employment Guidance Letter (TEGL) 19-16; TEGL 10-09	Effective: 2/3/2016 Revised: 10/10/2025
Approved:  _____ Paloma Harbour, Director, DETS <u>10/10/2025</u> Date	

1. Parties Affected

This policy applies to Division of Employment and Training Services (DETS) staff administering Workforce Innovation and Opportunity Act (WIOA) Title I Adult funds.

2. Background

[Section 134\(c\)\(3\)\(E\) of WIOA](#) establishes a priority requirement with respect to funds allocated to a local area for adult employment and training activities. Under this section, DETS staff when using WIOA Adult funds to provide individualized career services, as described in Section 4 of [TEGL 19-16](#), training services, or both, as described in Section 7 of the TEGL, must give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. [WIOA sec. 3\(36\)](#) defines "low-income individual" and [WIOA sec. 3\(5\)](#) defines "basic skills deficient" (see Appendix IV for full definition). The USDOL Employment and Training Administration (ETA) notes in [TEGL 19-16](#) that individuals who are English language learners meet the criteria for "basic skills deficient" and must be included in the priority populations for the WIOA Title I Adult program. Under WIOA, priority must be implemented regardless of the amount of funds available to provide services in the local area. States are required to develop policies and procedures for applying this priority, including monitoring local areas' compliance with this priority.

3. Policy

DETS staff administering WIOA Title I Adult funds **must** give priority to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient when providing individualized career services and training services. ETA notes in [TEGL 19-16](#) that individuals who

are English language learners, as defined in [WIOA Sec. 203\(7\)](#), meet the criteria for "basic skills deficient" and **must** be included in the priority populations for the WIOA Title I Adult program.

The characteristics and statistics of participants served are to be examined annually to compare the percentage of priority populations served to the total population served. The results will inform outreach, partnering, and awareness strategies for program enrollment.

Veterans and eligible spouses receive priority of service for all DETS job training programs, including WIOA programs, for which they meet the eligibility criteria. However, as described in [TEGL 10-09](#), when programs are statutorily required to provide priority for a particular group of individuals, such as the priority for WIOA Adult funds, priority must be provided in the following order:

- First, to veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient;
- Second, to individuals who are not veterans or eligible spouses who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient;
- Third, to veterans and eligible spouses who are not recipients of public assistance, low-income individuals, or basic skills deficient;
- Last, to other persons who are not veterans and eligible spouses, recipients of public assistance, low-income individuals, or basic skills deficient, but do meet Adult program eligibility requirements.

As stated in TEGL 19-16, WIOA focuses on serving individuals with barriers to employment. It is the intent of DETS to implement this policy to recognize the statutorily defined priority populations required by WIOA; this does not, however, preclude providing individualized career and training services to non-priority populations after priority populations have been served.

4. Definitions

- a) **Adult**, [WIOA sec. 3\(2\)](#), is an individual who is 18 years of age or older.
- b) **Basic skills deficient**, [WIOA sec. 3\(5\)\(B\)](#), is an individual 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.
 - i. English language learners meet the criteria for "basic skills deficient" and **must** be included in the priority of service for the WIOA title I Adult program.
- c) **English language learner**, [WIOA Sec. 203\(7\)](#), is an individual who has limited ability in reading, writing, speaking, or comprehending the English language, and
 - i. whose native language is a language other than English; or
 - ii. who lives in a family or community environment where a language other than English is the dominant language
- d) **Low-income individual**, [WIOA sec. 3\(36\)](#), means an individual who

- i. receives, or in the past 6 months has received, or is a member of a family that receives, or in the past 6 months has received, cash payments under a Federal, State, or local income-based public assistance program;
 - ii. for the six month period prior to application for the program has an income, or is a member of a family that has a total family income that, in relation to family size, does not exceed the higher of the Federal Poverty Line for an equivalent period or 70 percent of the [Lower Living Standard Income Level](#) (LLSIL) for an equivalent period;
 - iii. is a homeless individual;
 - iv. is a foster child;
 - v. receives, or is eligible to receive a free or reduced price lunch; or
 - vi. is an individual with a disability whose own income meets the requirements of this clause, but who is a member of a family whose income does not meet such requirements.
- e) **Individual with a Barrier to Employment**, [WIOA sec. 3\(24\)](#), means a member of one or more of the following populations: displaced homemaker; low-income individual; Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in [WIOA sec. 166](#); individuals with disabilities; older individuals; ex-offenders; homeless individuals; youth who are or in or have aged out of the foster care system; individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers; eligible migrant and seasonal farmworkers; individuals within 2 years of exhausting lifetime eligibility under the Social Security Act; single parents; long-term unemployed and other groups the Governor determines to have barriers to employment
- f) **Veteran**, [WIOA sec. 3\(63\)](#), has the meaning given the term in [section 101 of title 38, United States Code](#) and is a person who served at least one day in the active military, naval, or air service, and was discharged or released therefrom under conditions other than dishonorable. Active service includes full-time federal service in the National Guard or a Reserve component.
- g) **Eligible Spouse**, as defined at section 2(a) of the JVA (38 U.S.C. 4215[a]), is the spouse of any of the following:
- i) any veteran who died of a service-connected disability,
 - ii) 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 90 days:
 - (1) Missing in action;
 - (2) Captured in line of duty by a hostile force; or
 - (3) Forcibly detained or interned in line of duty by a foreign government or power;
 - iii) any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
 - iv) any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member would lose their eligibility if the veteran or service member were to lose the status that is the basis for the eligibility. A spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.