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| **WS 17-04** |
| **October 2, 2017** |
| **Basic/Expanded Service** |
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To: Adult Education Consortium Providers

# From: Gulf Coast Workforce Board

Subject: Self-Attestation for Age-Related Eligibility

##### Purpose

To provide Adult Education and Literacy (AEL) consortium providers with information and guidance on how to accurately document age-related eligibility for AEL services. Guidance in this letter is applicable to programs funded under the Workforce Innovation and Opportunity Act (WIOA), Title II Adult Education and Family Literacy Act (AEFLA), and does not apply to the WIOA Title I Youth program.

This WS Letter:

* authorizes consortium providers to accept self-attestation to verify age-related eligibility;
* outlines the elements required to document self-attestation; and
* clarifies the federal and contractual requirements of the English as a Second Language (ESL) program that permit enrolling English-language learners who are younger than age 19.

##### Background

##### Action

AEL consortium providers must obtain a court order before enrolling an individual who is 16 years old in AEL services, as required by TEC §25.086(6), and must keep the documentation in the participant’s file. A signature or letter from the public agency that has supervision or custody of the 16-year-old individual under a court order is required to approve the use of that individual’s information and to acknowledge the validity of the information on the enrollment form.

AEL consortium providers may enroll an individual within the compulsory age of attendance in the AEL program without a parent’s permission, if the individual is 17 or 18 years of age, does not have a high school diploma or high school equivalency, and has been determined eligible by a local grantee in accordance with TEC §25.086 (a)(5) which states:

(a) A child is exempt from the requirements of compulsory school attendance if the child:

(5) is at least 17 years of age and:

(A) is attending a course of instruction to prepare for the high school equivalency examination, and:

(i) has the permission of the child’s parent or guardian to attend the course;

(ii) is required by court order to attend the course;

(iii) has established a residence separate and apart from the child’s parent, guardian, or other person having lawful control of the child; or

(iv) is homeless as defined by 42 USC §11302

AEL consortium providers must first try to obtain permission from the parent or guardian when determining eligibility for a 17- to 18-year-old participant.

AEL consortium providers must document a parent’s or guardian’s permission with a signature and keep the signed documentation in the participant’s file.

AEL consortium providers may create their own self-attestation form to determine whether an individual who is 17 or 18 years of age and who cannot obtain a parent’s or guardian’s permission meets the criteria for receiving a qualified exemption under the TEC 25.086.

AEL consortium providers must include in their self-attestation forms all required elements mentioned in this WS Letter.

AEL consortium providers may, in addition to including all required elements, add their own questions or prompts.

AEL consortium providers must keep completed and signed self-attestation forms in the participant’s file. Both the participant and AEL representative must sign and date the form. Once a participant is enrolled in the AEL program, providers must transfer information from the self-attestation form to the participant’s profile in the Texas Educating Adults Management System (TEAMS).

AEL consortium providers must include the following prompts and questions on the self-attestation form to determine whether an AEL service candidate is already attending secondary school:

* Last name
* First name
* Social Security number
* Local phone number
* Birth date (MM/DD/YYYY)
* Are you attending school?
* What is the name of your school?
* What is the last date that you attended school?
* Are you enrolled for next semester?

If a candidate’s responses indicate that the candidate is enrolled in secondary school, the candidate is not eligible for AEL services.

AEL consortium providers must include the following prompts and questions on the self-attestation form to determine whether an AEL services candidate is living with a parent:

* Do you live in a home that your parent owns or rents? (If the participant answers “Yes,” then the candidate needs the parent’s permission.)
* Where do you usually sleep at night (street address, apartment number, city, ZIP code)?
* How long have you been at that address?
* Do you pay or receive bills in your name?
* What bills do you pay or receive?
* To what address are the bills delivered?
* What is your parent’s or guardian’s address, if it is different from the address where you sleep at night?
* When was the last time you slept at your parent’s or guardian’s address?

If AEL consortium providers determine that a candidate has an established residence separate and apart from the candidate’s parent, guardian, or ward (that is, an individual other than the parent or guardian who has lawful control over the candidate), then the grantees can enroll the candidate in AEL services with or without the parent’s or guardian’s permission.

AEL consortium providers must include following prompts and questions on the self-attestation form to determine whether an AEL services candidate is “homeless,” as defined in 42 USC §11302:

* Do you live in a place that has no windows, doors, running water, heat, or electricity?
* Are you living in a place that is overcrowded?
* Are you staying with a friend or relative because of a loss of housing or economic hardship, or for a similar reason? (Examples include eviction, foreclosure, fire, flood, divorce, domestic violence, the loss of a job, being told to leave by your parent, and running away from home.)
* Are you living in a shelter? (Examples include a family shelter, a domestic violence shelter, a shelter for children or youth, and housing funded by the Federal Emergency Management Agency.)
* Are you living in an unsheltered location? (Examples include living in a tent, in a vehicle, in an abandoned building, at a campground, in a park, and in a bus or train station.)
* Are you living in a hotel or motel because of a loss of housing or economic hardship? (Examples include eviction, foreclosure, flood, fire, hurricane, and lack of money to pay deposits for a permanent home.)
* Are you living in transitional housing (that is, housing that is available as part of a program, is offered for a specific length of time only, and is partly or completely paid for by a church, a nonprofit organization, a governmental agency, or another type of organization)?

If responses determine that the candidate meets the criteria for homelessness, the providers may enroll the candidate with or without the parent’s or guardian’s permission.

##### Questions

Staff should first ask questions of their managers or supervisors. Direct questions to the Gulf Coast Consortium Lead Agency Staff through the Submit a question link.