

SERVICE DELIVERY	Determining Eligibility for Applicants Who Failed to Register for Selective Service
Classification:	Title I Adults, Dislocated Workers, Youth
Date Adopted:	11/18/15
Background:	<p>Males born on or after January 1, 1960, are required by law to register with Selective Service within 30 days before or after their 18th birthday. Even if they do not register in that 2-month period, however, they may still do so until their 26th birthday. After that, they are no longer allowed to register with Selective Service and, as a consequence, may be ineligible for WIOA services. Specifically, males who did not register with Selective Service before their 26th birthday are eligible for WIOA services <u>only</u> if they:</p> <ul style="list-style-type: none"> • Obtain and present a Status Information Letter from Selective Service to the staff confirming that they were not required to register.
Policy:	<p>All males born on or after January 1, 1960, who request WIOA services, must present acceptable documentation to staff showing compliance with the Selective Service's registration requirement. Acceptable documentation includes:</p> <ul style="list-style-type: none"> • Selective Service Acknowledgement Letter • Form DD-214, Report of Separation • Selective Service Registration Card • Selective Service Verification Form (Form 3A), or • Screen printout from the Selective Service Verification site confirming an individual's registration and Selective Service number by entering his last name, Social security number, and date of birth. <p>With one exception, discussed below, male WIOA applicants born on or after January 1, 1960, who do not present acceptable documentation of Selective Service registration must obtain and provide to staff a Status Information Letter from the Selective Service System.</p> <ul style="list-style-type: none"> • If the Status Information Letter indicates that the applicant was not required to register with Selective Service and he meets all other eligibility requirements, he is eligible to receive WIOA services. • If the Status Information Letter indicates that he applicant was required to register but did not do so, he is presumed to be disqualified from receiving WIOA services, unless it can be determined that his failure to register was not knowing and willful. <p>An applicant may offer evidence to support his case. Evidence may include:</p> <ul style="list-style-type: none"> • The applicant's written explanation and supporting documentation of his circumstances at the time he was required to register and the reasons he failed to register.

- Records of his service in the U.S. Armed Forces, which may be considered sufficient evidence that his failure to register was not knowing and willful.
- Affidavits from third parties, such as parents, teachers, employers, and doctors, regarding his reasons for not registering.

To assure consistency in determining whether applicants' failure to register with Selective Service was knowing and willful, the staff should consider the following questions.

In determining whether the failure to register was "knowing," the staff should consider:

- Was the applicant aware of the requirement to register?
- If the applicant knew about the requirement to register, was he misinformed about whether the requirement applied to him (e.g., veterans who were discharged before their 26th birthday may have been told that they did not need to register)?
- On what date did the applicant first learn that he was required to register?
- Where did the applicant live when he was between the ages of 18 and 26?
- Does his Status Information Letter indicate that Selective Service sent letters to the applicant at that address and did not receive a response?

In determining whether the failure to register was "willful," the staff should consider:

- Was the applicant's failure to register deliberate and intentional?
- Did the applicant have the mental capacity to choose whether to register (third party affidavits may provide information relevant to this question)?
- What actions, if any, did the applicant take when he learned that he was required to register with Selective Service?

The determination of whether the preponderance of evidence shows that an applicant knowingly and willfully failed to register with Selective Service will be made only by the Dean of Workforce Development or her designee.

- If the dean determines that the evidence shows the failure was not knowing and willful and the applicant is otherwise eligible, he may receive WIOA services.
- If the dean determines that the evidence does not support his claim that the failure to register was neither knowing nor willful, he may not receive WIOA services.
- Applicants "*denied services must be advised of available WIOA grievance procedures.*"
- The staff "*must keep documentation related to evidence presented in determinations related to Selective Service.*"