

## LWIA 5

### Selective Service Registration Requirements

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#### **I. BACKGROUND:**

Section 189(h) of the Workforce Investment Act (WIA) requires that a determination of the Selective Service System (SSS) registration status of all males, be made prior to enrollment in any WIA Title I funded programs.

#### **II. PURPOSE:**

The purpose of the policy is to ensure that all males born on or after January 1, 1960 are in compliance with the SSS registration requirements and to establish the process for determining WIA eligibility for males 26 years old and over that failed to register with SSS prior to enrollment in any WIA Title I funded programs.

#### **III. INSTRUCTIONS:**

Local Workforce Investment Area 5 (LWIA 5) will verify the SSS status of all males born on or after January 1, 1960 prior to enrollment in WIA.

##### Males Under 26

- Males, between the ages of 18 and 26, who are required to register but have not done so, will be referred to the SSS website for registration prior to enrollment in WIA.
- Males that turn 18 while enrolled in WIA must register no later than 30 days after he becomes 18 in order to continue to receive services.
- Males under the age of 26 that are required to register but refuse to do so must be denied enrollment in WIA or services must be immediately suspended until he registers

##### Males 26 and Over

Males 26 years of age or over, who were required to register with SSS but did not, must obtain a Status Information Letter (SIL) from the SSS. The individual must provide a copy of the SIL to a WIA Career Service Coordinator (CSC) for eligibility determination.

- If the SIL indicates that a male was not required to register for Selective Service, then he may be considered eligible for WIA services. No additional documentation is required.
- If the SIL indicates the male was required to and did not register, he is presumed to be disqualified from participation in WIA Title I funded activities and services until it can be determined that his failure to register was not knowing and willful.

##### Determining Knowing and Willful Failure to Register

CSCs must submit a copy of the SIL, a written statement from the applicant and all applicable documentation to designated WIA administrative staff for review. Administrative staff will evaluate the evidence presented and determine whether the failure to register was a knowing and willful failure.

Documentation / Written Statements must address the following:

- Was the individual aware of the requirement to register?
- If yes, was he misinformed about the applicability of the requirement?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?

- Does the SIL indicate that SSS sent letters to the individual at that address and did not receive a response?
- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether or not to register and decided not to register?
- What actions, if any, did the individual take when he learned of the requirement to register?

If authorized personnel determines it was not a knowing and willful failure and the individual is otherwise eligible, services may be provided. If authorized personnel determines that evidence shows that the individual's failure to register was knowing and willful, WIA services must be denied.

Individuals denied services must be advised of WIA grievance procedures.

All documentation related to evidence presented in determinations related to Selective Service must be maintained.

**IV. EXCEPTIONS:**

The WIA Director or his/her designee reserves the right to determine if the applicant's failure to register was knowing and willful prior to requesting a SIL. These determinations will be made on a case by case basis when extreme or unique circumstances exist.

**V. EFFECTIVE DATE:**

The above policy shall become effective as of the date approved below. Any additions or modifications to the above shall be done in writing prior to becoming effective.

<b>AUTHORIZED BY:</b>	
<u>Rick Layne</u>	<u>6/12/12</u>
Director, Career and Workforce Development	Date
<b>APPROVED BY:</b>	
<u>Emerson Russell</u>	<u>6/12/12</u>
Chairperson, Workforce Investment Board	Date