Selective Service Verification – Effective July 1, 2017

TO: Anne Arundel Workforce Development Corporation (AAWDC) staff
Subgrantees

FROM: Kirkland Murray
President and CEO
Anne Arundel Workforce Development Corporation

SUBJECT: Selective Service Verification Requirements

PURPOSE: To communicate staff requirements in the verification of Selective Service registration and the procedures to follow when verification cannot be obtained or a waiver is necessary.

ACTIONS: Directors will ensure that all employees are educated on and have received copies of this policy. All AAWDC PPMs shall be posted on the Shared drive.

EXPIRATION: N/A

QUESTIONS: Jason W. Papanikolas, MBA
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CANCELLATIONS

None

AAWDC Approvals

Office of Research, Performance and Compliance
Fiscal Office
Program Director
President and CEO
Workforce Development Board
General Information

Starting on January 1, 1960, all male U.S. citizens and male aliens living in the United States between the ages of 18 and 25 must be registered with Selective Service. As a recipient of federal workforce training funds, it is incumbent upon the Anne Arundel Workforce Development Corporation (AAWDC) and its subgrantees to ensure that all participants who are required to register have done so. Those who cannot provide verification of registration or who did not register cannot be provided workforce training funds until such time as the participant can produce such verification or obtain a waiver.

Certain individuals are exempt from the registration requirements as indicated below:

- Any male living in the United States born prior to January 1, 1960 were never required to register
- Members of the Armed Forces on active duty (NOTE: active duty for training or ADT does not constitute active duty for registration purposes).
- Cadet and Midshipmen of the Service Academies or Coast Guard Academy.
- Students in Officer Procurement Programs at the Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University.
- Lawful non-immigrants on visas and special agricultural workers on I-688A visa.
- Any individual who is incarcerated, hospitalized, or institutionalized between the ages of 18 and 25.
- Any individual with a physical or mental disability who is continually confined to a residence, hospital, or institution.
- Individuals who are born female and have a sex change.

TEGL 11-11, Change 2 requires that recipients must have a policy for a potential participants who age 26 years old and were required to register with Selective Service but failed to do so.

Selective Service Registration Policy

All male participants born after January 1, 1960 must provide evidence that they are registered with the Selective Service System. If a participant cannot provide documentation, then AAWDC cannot enroll them into any federally-funded programs or grants. For youth grants, once a participant turns 18 years old, the participant must register with Selective Service within 30 days of his birthday. Should a youth participant fail to register or refuse to do so, program services must be immediately discontinued. Any program costs are disallowed starting on the 31st day after the participant's 18th birthday.

If a participant is between the ages 18 and 26, he may still register with Selective Service and be deemed eligible to receive program services. If a participant is over age 26 and is not registered with Selective Service, then the waiver process below must be used.

Selective Service Waiver Process

It is the role of AAWDC, as the recipient of federally-funded training funds, to evaluate the evidence presented by a participant in the event of non-registration. AAWDC must make the determination as to whether or not the failure to register was knowing and willful.

Service in the Armed Forces

While it is rare, it is possible that a veteran or transitioning service members may not be registered with Selective Service. If this is the case, honorable service (meaning an honorable, other than honorable, or general discharge) qualifies as an automatic exemption from Selective Service requirements. The veteran or service member must provide a copy of his DD-214 or Honorable Discharge Certificate.

Case management staff should select “Documented Exemption from Registration” on the Maryland Workforce Exchange (MWE) WIOA application. For verification, staff should select “DD-214.”
All Other Cases

In all other situations, AAWDC requires that the participant obtain a Status Information Letter. Not only will this assist AAWDC in making a determination for a waiver, it is likely that the participant may need this letter in the future. Therefore, it is in the best interest of the client and the corporation to obtain this document.

Participants may obtain a Request for Status Information Letter at: [https://www.sss.gov/Portals/0/PDFs/Status.pdf](https://www.sss.gov/Portals/0/PDFs/Status.pdf). The participant will need to describe, in detail, the circumstances that prevented him from registering (such as hospitalization, institutionalization, incarceration, military service, etc.) and provide documentation of those circumstances. Documentation should be specific to the dates of those circumstances.

Once the Selective Service System returns a Status Information Letter, there are two possible outcomes.

- If the Letter indicates that the participant was not required to register for Selective Service, then he is deemed eligible. Case management staff should select “Documented Exemption from Registration” on the Maryland Workforce Exchange (MWE) WIOA application. For verification, staff should select “Selective Service Status Information Letter.”
- If the Letter indicates that the participant was required to register and failed to do so, it is presumed that he is disqualified from participation in federal-funded training activities. In this case, the case should be referred to the Office of Research, Performance, and Compliance (RPC Office).

The RPC Office will need to make a determination if the failure to register was knowing and willful. The RPC Office uses a standard of “preponderance of the evidence” to make its determination. Participants need to provide sufficient evidence to answer the following questions:

- Was the participant aware of the requirement to register?
- If the participant knew about the requirement, was he misinformed about the applicability of the requirements to him?
- When did the participant first learn that he was required to register?
- Where did the individual live between the ages of 18 and 26?
- Does the Status Information Letter indicate that Selective Service sent letters to the participant at that address and did not receive a response?
- Was the failure to register done deliberately and intentionally?
- Did the participant have the mental capacity to choose whether or not to register and decided not to register?
- What actions, if any, did the participant take when he learned of the requirement to register?

If the RPC Office determines that the participant’s failure to register was neither knowing nor willful, the participant may be enrolled in federally-funded training activities, if otherwise qualified. Compliance staff should select “No” on the MWE WIOA application and enter a Case Note with a subject line of “Selective Service Waiver.” The case note must detail how the RPC Office arrived at their conclusion.

In the event that the RPC Office makes an adverse determination, services must be denied and the participant needs to be notified in writing. Further, the participant must be made aware of the available WIOA grievance procedures.

Should a participant file a complaint, AAWDC must render a decision within 60 days. If AAWDC does not do so, or if the participant is dissatisfied with the decision he receives, the participant may request a review of their complaint by the State. The State’s decision is final, according to the rules laid out in TEGL 08-98.

**Reporting and Monitoring**

The Research, Performance, and Compliance Office will utilize the reporting capabilities of the MWE to ensure compliance with the procedures laid out above. Additionally, the RPC Office may review eligibility determination during regularly scheduled and desk audits by compliance staff. The RPC Office shall analyze these audits for compliance with the procedures enumerated here and may require corrective action if found deficient.
The RPC Office may also at the request of management, the Board, or other interested parties produce a report on complaints within the workforce development system. Complaints related to adverse Selective Service determinations may be included in such a report.