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**Effective: April 23, 2024**

**Subject: Selective Service Failure to Register Policy**

All programs and services established or receiving assistance under Title I of WIOA must comply with the Selective Service registration requirements.

#### Selective Service Requirements

Men born on or after January 1, 1960, are required to register for Selective Service within thirty (30) days of their 18<sup>th</sup> birthday (i.e. 30 days before of 30 days after their birthday.) The Selective Services website at [www.sss.gov](http://www.sss.gov) provides more information about registration requirements. The Selective Service system also provides a reference chart showing who must register located at <http://www.sss.gov/PDFs/WhoMustRegisterChart.pdf>.

#### Requirements for Males under 26 Years

Before being enrolled into WIOA, all males who are not registered with Selective Service and have not reached their 26<sup>th</sup> birthday must register through the Selective Service website at [www.sss.gov](http://www.sss.gov). If a male is approaching or has reached their 18<sup>th</sup> birthday while participating in any WIOA services, registration with Selective Services must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA services. If a male under the age 26 refuses to register, then WIOA services must be suspended until he registers.

#### Requirements for Males 26 Years and Over

Before enrolling in WIOA Title I funded services, all males ages 26 years and older must provide:

1. Documentation of compliance with Selective Service registration requirements
2. Documentation showing, they were not required to register.
3. If they were required but did not register, documentation establishing their failure to register was not knowing and willful.

The South Central Workforce Investment Board policy for participants who have failed to register for Selective Service is as follows:

1. Staff will request a Status Information letter from Selective Service if the individual believes they were not required to register or did register but cannot provide any kind of documentation.
  - Forms can be found at <http://www.sss.gov/PDFs/infoform.pdf> and instructions for the form can be accessed at <http://www.sss.gov/PDFs/instructions.pdf>.
  - Individuals will need to describe in detail the circumstances that prevented them from registering and provide documentation of those circumstances.

Documentation should be specific regarding the dates of circumstances.

2. If the Status Information Letter indicates the individual was not required to register for Selective Service, then the individual is eligible to be enrolled in WIOA Title I services.
3. If the Status Information Letter indicates that the individual was required to but did not register, individual is presumed to be disqualified from participation in WIOA until it can be determined the failure to register was not knowing and willful.
4. If the individual was required to register but failed to register, the individual may only receive services if the individual can establish that failure to register was not willful.
5. The individual must provide a written explanation and supporting documentation of his circumstances at the time of required registration and the reasons for failure to register the individual should be encouraged to offer as much evidence with as much detail as possible.
  - Examples of Documentation that can assist in making determination:
  - DD 214 form
  - Honorable Discharge Certificate
  - Third Party Affidavits – from teachers, parents, employers, etc. concerning reason for not registering.
6. Once Individual has provided written explanation and supporting documentation, it should submit to Executive Director of the SCWIB.
7. The Executive Director will provide a determination using the written explanation of the supporting documentation along with considering the following:
  - Was the failure knowing?
    - Was the individual aware of the requirement to register?
    - Were they misinformed about the applicability of the requirement to them?
    - On which date did the individual first learn they were required to register?
    - Where did the individual live when they were between the ages of 18 and 26?
    - Does the Status Information Letter indicate the Selective Service sent letters to the individual at the address and did not receive a response?
  - Was the failure willful?
    - Was the failure to register done deliberately and intentionally?
    - Did the individual have the mental capacity to choose whether to register and decide not to register?
  - What actions, if any did the individual take when they learned of the requirement?
8. The Executive Director will provide a determination within five (5) business days.

If it is determined that it was not a knowing and willful failure, the individual is otherwise eligible, services may be provided.

If it is determined that it was knowing and willful failure, the individual will be denied services. Individuals denied services must be advised of WIOA Grievance Procedure. Documentation of Selective Services determinations will be kept by the SCWIB. This includes the determination and related documentation.

Contact: Please direct comments or questions regarding this policy to [info@scwib.org](mailto:info@scwib.org)