

AUGUST 21, 2017

TO: All Western Piedmont Workforce Development Service Providers
SUBJECT: Family Size and Family Income Policy
EFFECTIVE DATE: Immediately
EXPIRATION DATE: Indefinitely
CONTACT: Workforce Development Program Administrator



Wendy Johnson
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Serving Alexander, Burke, Caldwell and Catawba Counties

FAMILY SIZE AND FAMILY INCOME POLICY

PURPOSE: To document information that verifies the Workforce Innovation and Opportunity Act (WIOA) applicant's family size at time of registration and family income prior to registration. This entails verifying the size and makeup of the applicant's family. **The Statement of Family Size and Income (Attachment A) is necessary only when eligibility is based on Family Income.** *To rescind WPWDA Policy Statement dated August 1, 2017.*

BACKGROUND: Family income is required under WIOA to determine eligibility for:

- All in-school youth
- Out-of-school youth who have a secondary diploma or equivalent and are basic skills deficient or an English language learner
- Out-of-school youth who requires additional assistance to enter or complete an educational program or to secure or hold employment
- Adults to establish priority of service

In order to determine family income, family size must also be determined.

Individuals or families may be automatically deemed low-income by WIOA if they receive public assistance. In these cases, verification of family size and income are not required.

This policy establishes the guidelines for determining family size and income.

Definitions:

Basic Skills Deficient – [WIOA Sec. 3(5)(B)] – Individuals who are unable to compute or solve problems, or read, write or speak English, at a level necessary to function on the job, in the individual's family or in society.

Dependent – Youth in the following categories are considered dependents and counted in the family unit:

- Youth not yet 18, who are not emancipated youth or runaway youth, living at home with their parents or guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent of that household); or
- Youth age 18-19 who are full-time students in a secondary school or equivalent and are living at home with their parents or guardians; or
- Youth age 18-24 who are not full-time students and are living at home with their parents or guardians and are primarily supported by their parents.

English Language Learner – [WIOA Sec. 3(21) and WIOA Title II Sec. 203(7)] – An eligible individual who has limited ability in reading, writing, speaking or comprehending the English language, and

- Whose native language is a language other than English; or
- Who lives in a family or community environment where a language other than English is the dominant language.

Family – Family is defined as two or more individuals related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple and children
- A parent or guardian and dependent children; or
- A married couple

Guardian – A guardian is a blood relative (e.g., grandparent, aunt or uncle) or another legally recognized relative (e.g., decree of court) who claims the youth as a dependent. The key factors are:

- Relationship by blood or decree of court;
- Living in a single residence; and
- The youth is claimed as a dependent.

Independent Youth – youth between the ages of 18 – 24 who reside with their parents may be considered individuals and not dependents (i.e., only the youth's income would be considered for income verification purposes) if they meet one of the following categories:

- Personally receiving TANF, food stamps or Social Security Benefits;
- Attending post-secondary education and who qualify as an independent student on the Free Application for Federal Student Aid (FAFSA); or
- Youth who are supporting their parents or other family members who are unemployed or unable to work.

Low Income Individual - [WIOA Sec. 3(36) (A)] – In general, the term “low-income individual” means an individual who:

1. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received assistance through:
 - a. The supplemental nutrition assistance program established under the Food and Nutrition Act of 2008, (7 U.S.C. 2011 et seq.); or
 - b. The program of block grants to states for temporary assistance for needy families (TANF) program under part A

- of title IV of the Social Security Act (42 U.S.C. 601 et seq.);
or
c. The supplemental security income (SSI) program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.); or State or local income based public assistance.

OR

2. Is in a family with total family income that does not exceed the higher of:
- a. The poverty line; or
 - b. 150 percent of the Lower Living Standard Income Level (LLSIL)

OR

3. Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2));

OR

4. Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq);

OR

5. Is a foster child on behalf of whom State or Local government payments are made;

OR

6. Is an individual with a disability whose own income meets the income requirement clause (2)(i.e., the poverty line; or at or below 150% of the Lower Level Living Standard Income Level (LLSIL)) but who is a member of a family whose income does not meet this requirement.

Lower Living Standard Income Level (LLSIL) – See DWS Policy Statement for most updated chart
<http://www.nccommerce.com/LinkClick.aspx?fileticket=XuAfyPdjmcg%3d&tabid=3697&mid=8957>.

The term “lower living standard income level” means the income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary. LLSIL is

utilized for determining eligibility for youth and adults for certain services (Federal Register Vol. 80, No. 59).

Poverty Line – The term 'poverty line' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Service Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

Public Assistance – The term 'public assistance' means Federal, State or local government cash payments for which eligibility is determined by a needs or income test.

Student – the term 'student' refers to a dependent child who was enrolled as a full-time student at a school during any 5 months of the previous calendar year or took a full-time, on-farm training course during any five months of the previous calendar year. The course had to be given by a school or a state, county or local government agency. A school includes technical, trade and mechanical school. It does not include an on-the-job training course, correspondence school, or school offering courses only through the internet.

PROCEDURE:

Family size must first be determined and then verification of the income for each listed member if the potential participant or family does not receive public assistance.

Family Income includes the following for each family member where applicable:

1. Gross wages and salaries before deductions: Total money earnings received from work performed as an employee. If a family's only source of income was from wages and salary payments, family income would be equal to gross wages and salary received.
2. Income from non-farm self-employment: Net income (gross receipts minus operating expenses) from a business or other non-farm enterprise in which a person is engaged on his/her own account. If the business or enterprise has suffered a loss, this loss will be allowed to offset wage earnings.
3. Income from farm self-employment: Net receipts from farm self-employment (receipts from a farm which operates as an owner, renter, or sharecropper after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to offset wage earnings. Money received under the Agricultural Crop Stabilization Program is considered income.
4. WIOA and Title V Older Americans Act Program Participation: Wages paid to participants of WIOA OJT and the Title V Older Americans Program placements count as income.

5. Old age and survivors' insurance benefits received under section 202 of the Social Security Administration Act (42 U.S.C. 402).
6. Social Security Disability Insurance (SSDI): pays benefits to you and certain members of your family if you are "insured" meaning that you worked long enough and paid Social Security taxes.
7. Money received from such sources:
 - a. Unemployment Compensation
 - b. Child Support Payments
 - c. Net rents
 - d. Governmental and non-governmental pensions
 - e. Railroad retirement benefits
 - f. Strike benefits from union funds
 - g. Worker's Compensation
 - h. Training stipends
 - i. Alimony
 - j. Military family allotments or other regular support from an absent family member or someone not living in the household; (except for military payments indicated below which are excluded from family income calculations)
 - k. Regular insurance or annuity payments
 - l. College or university scholarships, grants (excluding Pell grants), fellowships, and assistantships
 - m. Dividends and interest
 - n. Net Royalties
 - o. Periodic receipts from estates and trusts
 - p. Net gambling or lottery winnings

Exclusions for Family Income:

1. Military Pay or Allowances: Special rules apply to veterans when income is a factor in eligibility determination. Under 38 U.S.C. 4213, when past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded. This applies when determining if a person is a "low-income individual" for eligibility purposes and applies if income is used as a factor in applying the priority provision under 20 CFR663.600 when WIOA adult funds are limited. Questions regarding the application of 38 U.S.C. 4213 should be directed to the Veterans Employment and Training Service.

US Code: Title 38, Section 4213. Eligibility requirements for veterans under Federal employment and training programs: Any (1) amounts received as pay or allowances by any person while serving on active duty, (2) period of time during which such person served on active duty, and (3) amounts received under

chapters 11, 13, 30, 31, 35, and 36 of this title by an eligible veteran, any amounts received by an eligible person under chapters 13 and 35 of such title, and any amounts received by an eligible person under chapter 106 of Title 10, shall be disregarded in determining eligibility under any public service employment program, any emergency employment program, any job training program carried out under **Title I of the Workforce Innovation and Opportunity Act**, or any other employment or training (or related) program financed in whole or in part with Federal funds.

Title 38:

Chapter 11 – Compensation for Service – Connected Disability or Death

Chapter 13 – Dependency and Indemnity Compensation for Service-Connected Deaths

Chapter 30 – All-Volunteer Force Educational Assistance Program

Chapter 31 – Training and Rehabilitation for Veterans with Service-Connected Disabilities

Chapter 35 – Survivor's and Dependents' Educational Assistance

Chapter 36 – Administration of Educational Benefits

US Code: Title 10, Chapter 106 – Educational Assistance for Members of the Selected Reserve

2. Federal non-cash benefits such as: Medicare, Medicaid, SNAP, school lunches and housing assistance.
3. SSI
4. Capital Gains and Losses
5. Assets drawn down as withdrawals from a bank.
6. Public Assistance payments: Payments received under TANF, Supplemental Security Income, Refugee Cash Assistance.
7. The sale of property, house, or an automobile.
8. Tax refunds
9. One-time gifts
10. Loans
11. Lump sum inheritances

12. One-time insurance payments, or compensation for injury.
13. Cash value of employer-paid or union-paid portion of health insurance or other employee fringe benefit.
14. Cash value of food or housing received in lieu of wages.
15. Cash value of food and fuel produced and consumed on farms.
16. Imputed value of rent from owner-occupied non-farm or farm housing.
17. Amounts received as pay or allowances by any person while service on active duty.
18. Payments received under the Trade Readjustment Act of 1974.
19. Black Lung payments received under the Benefits Reform Act of 1977.
20. Needs-based scholarship assistance
21. Financial Assistance under Title IV of the Higher Education Act, i.e., PELL Grants, BEOG Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS, Stafford and Perkins loans like any other kind of loan are debt and not income.
22. Terminal leave pay: Severance pay or cash out of accrued vacation leave.
23. Stipends received in the following programs: Peace Corps, Senior Corps, Americorps Programs.
24. Foster Care Payments.

NOTE: When a federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIOA eligibility determination.

Compare the family income to the most current Lower Living Standard Income Level chart to determine income eligibility as required for Adults. **Adults who are not low income, receiving public assistance or basic skills deficient may be served on a case by case basis if they are at or below 150% of the Income Table in NCWorks.gov.** To determine 150% of the Income Table annual family income must first be calculated. Review the Income Table in NCWorks.gov on the family income tab of the WIOA application. Use the appropriate Family Unit Size and the Metro columns and multiple the amount in the Metro column by 150% this

equals the total amount of annual family income. The family income must be at or below when eligibility is based on family income as stated in the Priority of Service for WIOA Adult Funds policy statement (http://docs.wixstatic.com/ugd/960958_52c3f09a969d40408e7160ab8fa87670.pdf). Contact the WPWDA Program Administrator to discuss any changes in income in the months prior to the registration date if the Annualized Family Income on the Statement of Family Size and Income (Attachment A) exceeds 150% of the Income Table.

In-School Youth and Out-of-School Youth are to use the amounts in the Income Table in NCWorks.gov to determine low-income eligibility.

When eligibility is based on family income, the WIOA Statement of Family Size and Income (Attachment A) must be completed and uploaded in NCWorks.gov along with the supporting documents for each line item of family income. When completing the WIOA Application in NCWorks.gov, select all corresponding documents for family income verification.

Western Piedmont Workforce Development Area policy statements on Eligibility for Participation in the Workforce Innovation and Opportunity Act Title I Adult, Dislocated Worker & Youth programs can be found at <http://www.wpcog.org/policy-statements>

**Workforce Innovation and Opportunity Act
Statement of Family Size and Income**

Applicant's Name: _____

Address: _____

Last 4 digits of Social Security Number: _____ Application Date: _____

To be completed by applicant with staff assistance

For use in completing this form, refer to the definitions included in the Family Size/Family Income policy. Please provide information regarding the applicant's family below:

Family Member's Name	Relationship to Applicant

Total Number in Applicant Family: _____

Monthly Income Calculation

Amounts below are included in family income calculation for WIOA

Personal Income (Includes gross wages/salary before deductions, Farm or Non-farm self-employment, Wages received through Title II/OJT or Title V Older Americans Program)	
Spouse/Partner Income (Includes same as above)	
Income contributed by other family members	
Child Support	
SSDI	
Alimony	
Retirement (other than Social Security)	
Social Security	
Unemployment Insurance	
Military family allotments or other regular support from an absent family member or someone not living in the household (except military payments to be listed below)	
Cash Gifts	
Odd Jobs	
Self-Employment Income	

Total WIOA Monthly Family Income: _____

Annualized Family Income (Multiply Total WIOA Monthly Family Income by 12): _____

I attest to the best of my knowledge that the information above is true and correct.

Participant Signature: _____ Date: _____