

## FAMILY SIZE AND INCOME GUIDELINES

**Family:** two or more persons 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:

1. A married couple and dependent children,
2. A parent or guardian and dependent children, or
3. A married couple

**Dependent child:** as referenced in the definition of family includes children living in a single residence with parent(s) or guardian(s) and who DO NOT meet the definition of independent child based on the Free Application for Federal Student Aid (FAFSA) guidelines.

**Independent child:** shall include those children living in a single resident with parent(s) or guardian(s) and who fall into one (or more) of the following categories:

1. Is 24 years of age or older by December 31 of the current year;
2. Is an orphan or ward of the court or was a ward of the court until the individual reached the age of 18;
3. Is a graduate or professional student (in college, beyond a bachelor's degree);
4. Is a veteran of the Armed Forces of the United States;
5. Is a married individual;
6. Has legal dependents other than a spouse;
7. Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances; or
8. Is currently living with parents(s) or guardian(s) but provides more than 50% of his/her own support.

**Family size:** the composition of the family is determined at the date of the application. Members in the household who do not meet one of the categories identified in the definition of family are not included in family size.

When determining family income for eligibility purposes, an individual with a disability's income is based on the individual's income rather than his or her family's income. The individual's income must meet the low-income definition.

**Family income:** means all income received by all members included in the family size (determined at time of application) during the six-month period prior to application/registration, annualized by multiplying the six-month income by two (six-month income x 2). Unless specifically identified as being excluded from family income, income must be included.

Income of prior family members who may have comprised part of the family during the past six months, but are no longer members of the household at time of application (i.e., divorced, separated or deceased spouse, or other family member) would not be counted for income determination purposes. Only the income of members of the current family should be counted and applied against the current family size.

### INCOME GUIDELINES

Income only needs to be verified if it is required for eligibility purposes.

**Lower Living Standard Income Level:** 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. The [Title I Eligibility Desk Guide](#) (WIOA Resource 2) is updated each year as this information is made available.

Include in family income:

1. Money wages and salaries before any deductions;

- a. Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expense);
- b. Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
2. Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends;
3. Alimony;
4. Military: Pension payments such as those received by military retirees and pension benefits.
5. Pensions whether private, or government employee ;
6. Regular insurance or annuity payments **other than** Supplemental Security Income disability (SSI)<sup>1</sup> or veterans' disability;
7. College or university grants (excluding Pell grant), scholarships (not needs-based), and assistantships;
8. Net gambling or lottery winnings;
9. Social Security Disability Insurance payments (SSDI)<sup>2</sup>
10. WIOA One Stop partner programs where income is not subsidized (e.g. On-the-Job Training wages)
11. Reemployment Assistance (RA) benefits;
12. Child support payments
13. Old age survivor's insurance benefits received under section 202 of the Social Security Act (42 USC 402).  
Old age survivor's insurance benefits include:
  - a. Social Security Survivor Benefits: paid to people up to age 18 who have had a parent die and the parent paid wages into the system; and
  - b. Social Security Retirement Benefits: paid to people who reached their social security age and have wages paid in the system.

Exclude from family income:

1. Public Assistance cash payments (including Temporary Assistance to Needy Families (TANF), SSI, Refugee Case Assistance (RCA), and General Assistance (GA));
2. Foster care child payments;
3. Title IV of the Higher Education Act (i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants (FSEOG), and Federal Work-Study (FWS));
4. Needs-Based scholarship assistance;
5. Income earned while [the veteran was] on active military duty and certain veteran's benefits (i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance);
6. Capital gains;
7. Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;
8. Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
9. Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, school meals, and housing assistance;
10. Tribal Government Payments (i.e., Per Capita Payments, Lease Payments, Individual Indian Money (IIM)
11. One Stop partners programs where income is subsidized.(e.g. work experiences, support services)
12. Any amounts received as military pay or allowance by any person who served on active duty and certain other specified benefits must be disregarded as income.

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<sup>1</sup>SSI is a program that pays benefits to disabled adults and children who have limited income and resources. It is also paid to people 65 and older without disabilities who meet the financial limits. SSI is considered cash assistance and individuals receiving SSI are automatically income eligible the same as individuals receiving TANF or SNAP.

<sup>2</sup>SSDI pays benefits to individuals that have worked in the past, paid Social Security taxes, and are currently unable to work for a year or more because of a disability. SSDI is considered income replacement and must be included in family income

## LOW INCOME

WIOA Section 3 (36) defines a Low-Income individual as an individual who:

- (a) receives, or in the past six (6) months has received, or is a member of a family that is receiving or in the past six (6) months has received, assistance through SNAP, cash payments under a Federal, State, or local income-based public assistance program such as TANF (Temporary Assistance for Needy Families), SSI (Supplemental Security Income), General Assistance (GA) or Refugee Cash Assistance (RCA);
- (b) received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved
  - (I) the poverty line, for an equivalent period; or
  - (II) 70 percent of the lower living standard income level, for an equivalent period (**see Low Income Guideline Chart for the appropriate time period.**)
- (c) Applicant receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act;

When a school does not use individual eligibility criteria to determine who is eligible for free or reduced-price lunch, whole school recipients of free or reduced priced lunches cannot be utilized to determine low income. Low income must be based on the individual student's eligibility to receive free or reduced-price lunches.

The free or reduced-price lunch category primarily applies to ISY, with one exception. If an Out-of-School Title I Youth is a parent living in the same household with their child who receives or is eligible to receive free or reduced price lunch based on their income level, then such an Out-of-School Title I Youth would meet the low-income criteria based on their child's qualification.

- (d) Qualifies as a homeless individual as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))the Steward B. McKinney Homeless Assistance Act;
- (e) is an individual with a disability whose own income meets the requirements of a program described in subparagraph (a) or (b), but who is a member of a family whose income does not meet such requirements;
- (f) is a youth in foster care on behalf of whom State or local government payments are made;
- (g) is a youth living in a high poverty area

WIOA Law §3(36), §129(a)(2)  
20 CFR §681.280, §683.230, §675.300  
TEGL 19-16, 21-16,10-9