



IMPERIAL COUNTY WORKFORCE DEVELOPMENT BOARD

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POLICY	ORIGINAL DATE	LAST REVISION
Dependent Status Policy	FISCAL YEAR 2024-2025	January 2025

POLICY OVERVIEW:

The purpose of this policy is to provide guidance and criteria for determining dependent status for WIOA adult and young adults/youth applicants. It is intended for use by the Imperial County Workforce Development Board (ICWDB), the Imperial County Workforce and Economic Development Office (ICWED), the America’s Job Center of California (AJCC), and Youth Service Providers.

REFERENCES:

- 29 U.S.C 3101 et seq.
- 20 CFR 675.300
- U.S. Internal Revenue Service (IRS)

BACKGROUND:

This policy aims to reduce uncertainty and ensure consistency in determining eligibility related to family size and the inclusion of income for all relevant members of an applicant's family. The support provided by parents or guardians must be carefully evaluated when assessing eligibility for WIOA adult and youth program services. Additionally, the definition of "dependent" has been expanded to include young adults aged 18-24, as well as youth applicants and participants.

DEFINITIONS:

Dependent – Must meet the qualifications established by the Internal Revenue Service (IRS). Failure to meet any of these qualifications means the applicant cannot be considered a dependent.

- 1. Relationship**
 - a. Son, daughter, stepchild, eligible foster child, brother, sister, half-brother, half-sister, stepbrother, stepsister, adopted child or descendant of one of these.
- 2. Residence**
 - a. Has the same principal residence as the taxpayer for more than half the tax year, with some exceptions.
- 3. Age**
 - a. Under age 19 at the end of the calendar year (if not a student) **or**
 - b. A student under age 24 at the end of the calendar year **or**
 - c. Permanently and totally disabled at any time of the year regardless of age.
- 4. Support**
 - a. The individual cannot provide more than 50% of their own support.
- 5. Joint Return**
 - a. The individual cannot file a joint tax return for the year unless the joint return is only to claim a refund of income tax withheld or estimated tax paid.

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Independent – An individual who meets any of the following criteria:

- Under 18 years of age, not living with parents or guardians, and not receiving any support from them.
- Between the ages of 18 and 24, providing more than 50% of their own support.
- Age 24 or older.
- Married (including separated but not divorced).
- Has children who receive more than half of their support from the individual.
- Has dependents other than a spouse or children who live with the individual and receive more than half of their support from the individual.
- Lives in their own residence or in a residence without financial or other support from parents or guardians.
- Is on active duty in the U.S. Armed Forces for purposes other than training.
- A veteran of the U.S. Armed Forces.

Family Size – Two or more persons related by blood, marriage (including same-sex marriages), 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 dependent children.
- A parent or guardian and dependent children.
- A married couple.

Family-of-One – Any individual who meets the criteria of any one of the following categories:

- An individual who has a verified, documented disability.
- A single, widowed, permanently separated, or divorced person, without one or more dependent children living in a single residence with the applicant, and who is not a dependent child.
- A homeless individual who lacks a fixed, regular, and adequate nighttime residence.
- A foster child on behalf of whom state or local government payments are made.
- A runaway youth who is separated from the family.
- An emancipated youth who is separated from the family.
- A court-adjudicated youth who is separated from the family.

Support – As it relates to dependent, financial assistance from parents or guardians to help pay for food, clothing, shelter, utilities, education, medical and dental care, recreation, transportation, and any other living expenses; as well as government provided cash public assistance and food assistance.

Individuals with Disabilities – Based on 20 CFR 663.640 and 664.250, even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their own income meets the income criteria of WIOA Section 101(25)(A) or 101(25)(B). The disabled individual would be considered a family of one and only the individual's income would be considered when determining low-income status.

POLICY AND PROCEDURE:
WIOA Youth Program

This WIOA Title I financially assisted program, or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

Dependent status must be documented for all WIOA eligible youth applicants, ages 14-24, as defined in section 129 (a)(1), (2), and (3) of the WIOA. Verification of dependent status and means of support must be documented for each youth program participant. Self-attestation may be accepted to document parental support if signed by a parent or guardian.

The issue of guardianship concerning dependent children may be determined by decree of court or may be determined by a state or federal agency which has established or assumed guardianship.

An individual under 18 years of age is always considered to be a dependent child, unless the youth is not living with parents or guardians and is not receiving any support from them.

Determination of dependent status is particularly important for WIOA youth, ages 18-24, who are applying for WIOA youth-funded services as not all out-of-school youth enrolled in the youth program are low-income individuals.

WIOA Adult Program

Dependent status must be documented for all WIOA adults, ages 18-24. The determination of dependent status is driven by the following factors:

1. The amount of support provided to the applicant by his or her parent(s) or guardian(s).
2. Applicant's age.
3. The applicant's marital status.
4. The applicant's dependents (biological/adopted children, disabled adults, and others dependent on the applicant for more than 50% of the applicant's support).
5. Veteran status.

It is not possible to develop policy that will cover every situation. At some point, common sense, humanity, and good case records must compensate for the limitations of policies in anticipating every scenario.

ACTION:

Please ensure that this policy is brought to the attention of all appropriate staff and relevant parties. This policy is effective immediately. Once approved by the ICWDB, subsequent changes will not require board approval unless the revisions affect established protocols. Furthermore, this policy must be appropriately maintained until further notice.

INQUIRIES:

Should you have any questions, please feel free to contact ICWDB staff at (442) 265-7584, (442) 265-4955, (442) 265- 4974 or the Program and Compliance Manager (442) 265-4963.

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