

Southwest Ohio Region Workforce Investment Board

POLICY: WIOAPL 15-06 Determination of Dependent Status

APPROVAL DATE:

PURPOSE: To outline the process for determining if an applicant or member of a family is dependent on, or independent of, his/her parent(s) or guardian(s).

The attached policy (WIOAPL 15-06) serves as the Determination of Dependent Status Policy provided by the State of Ohio and approved by the Southwest Ohio Region Workforce Investment Board.

WIOAPL 15-06 (Determination of Dependent Status)

Workforce Investment and Opportunity Act Policy Letter No. 15-06

July 15, 2015

To: Workforce Innovation and Opportunity Act (WIOA) Local Workforce Development Boards (WDBs), Fiscal Agents, and OhioMeansJobs Center Operators

From: Cynthia C. Dungey, Director

Subject: Determination of Dependent Status

I. Purpose

The purpose of this policy is to outline the process for determining if an applicant or member of a family is dependent on, or independent of, his/her parent(s) or guardian(s).

II. Effective Date

July 1, 2015

III. Background

This policy is intended to help avoid uncertainty and/or inconsistency in making eligibility decisions regarding family size and the inclusion of income when relevant for all appropriate members of the applicant's family. The support provided by parents or guardians must be carefully considered when determining eligibility for WIOA adult and youth program services. The definition of dependent is being expanded to include young adults, ages 18-24, as well as youth applicants and participants.

IV. Definitions

Dependent : an applicant who falls in any one of the following categories:

- Under 18 years of age, living with parents or guardians, and is receiving support from them; or
- Age 18-24 and parent(s) or guardian(s) pay(s) for more than 50% of the applicant's support.

Independent : an applicant who falls into any one of the categories below:

- Under 18 years of age, not living with parents or guardians, and is not receiving any support from them;
- Individuals, age 18-24, providing more than 50% of their own support;
- Age 25 or older;
- Married (including separated, but not divorced);
- Has children that receive more than half of their support from the applicant;
- Has dependents other than a spouse or children who live with the applicant and receive more than half of their support from the applicant;
- Lives in 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; or
- A veteran of the U.S. armed forces.

Support : as it relates to dependent, financial assistance from parents or guardians to help⁸⁶ 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.

V. Requirements

WIOA Youth Program

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 by completion of checklist that incorporates, at a minimum, the categories listed in Attachment A. Self-attestation may be accepted to document parental support pursuant to self-attestation procedures outlined in Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 15-07, Source Documentation for WIOA Eligibility .

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.

The issue of guardianship concerning dependent children is determined either by decree of court or by a state or federal agency that has established or assumed guardianship.

Determination of dependent status is particularly important for WIOA youth, ages 18-24, who are applying for WIOA youth-funded individual training accounts (ITAs) 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, who are applying for WIOA adult-funded individual training accounts (ITAs). The determination of dependent status is driven by the following factors:

- The amount of support provided by the applicant by his or her parent(s) or guardian(s); **and**
- The applicant's age;
- The applicant's marital status;
- The applicant's dependents (biological/adopted children, disabled adults, and others dependent on the applicant for more than 50% of the applicant's support; **and**
- Veteran status.

Verification of dependent status and means of support must be documented for each WIOA adult participant, ages 18-24, who is applying for an ITA. This is done by completion of checklist that incorporates, at a minimum, the categories listed in Attachment A of WIOAPL No. 15-07. The JFS 13186, Self-Attestation , may be accepted to document parental support when signed by a parent or guardian.

VI. Monitoring

Through the state's monitoring system, program monitors will review the area's application of dependent status for the youth program and 18-24 year old participants applying for WIOA adult-funded ITA, including conducting a participant file review, during the annual onsite monitoring review for compliance with federal and state laws and regulations. Any issues will be handled through the state's monitoring resolution process.

VII. Technical Assistance

For additional information, you may send your questions to the Office of Workforce Development: OWDPOLICY@jfs.ohio.gov.

For technical assistance, you may send your request to the Office of Workforce Development: WIAQNA@jfs.ohio.gov.

VIII. References

Workforce Innovation and Opportunity Act, Public Law 113-128

29 U.S.C. 3101 et seq.

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-06, Source Documentation for WIOA Eligibility, (July 1, 2015).

Rescission

ODJFS, Workforce Investment Act Policy Letter No. 08-11.2, Determination of Dependent Status for Workforce Investment Act (WIA) Applicants to the WIA Youth and Adult Programs, (May 26, 2011).