

CATAWBA WIA INSTRUCTION NUMBER 05-02

TO: All PY'05 WIA Grantees

SUBJECT: Family Size

ISSUANCE DATE: July 25, 2005

EFFECTIVE DATE: Immediately

EXPIRATION DATE: Indefinite

Attached is a handout that provides the WIA definition of Family, as well as several clarifications made by the State regarding the WIA definition of Family and the determination of Family Size. It is imperative that Family Size be determined consistently throughout the State. Please review this handout and distribute this instruction to staff immediately.

If you have any questions concerning this matter, please call Robert Barber at (803) 327-9041.

Robert A. Barber
LWIA Administrator

Attachment

Family Size

WIA definition of 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:

- A. A husband, wife and dependent children;
- B. A parent or guardian and dependent children;
- C. A husband and wife.

Any individual not meeting the above definition of family is considered to be a family of one.

Exception: An applicant who has a *disability that substantially affects his/her ability to gain employment* may be considered as a family of one. Documentation of the substantial disability must be verified in writing and maintained in the applicant's hard copy case file.

Family Size is determined based on the total number of individuals meeting the above definition during the 6 months prior to application.

The State is providing the following clarifications to the definition of family:

- References to *“dependent children”* do not include grandchildren unless the grandparents are legal guardians (determined by court order) for the grandchildren or have adopted the grandchildren.
- For Category B, references to *“guardian”* refer to *“legal guardian”*. Legal guardianship is determined by court order.
- The phrase *“living in a single residence”* includes temporary, voluntary residence elsewhere such as attending school or college, or visiting relatives. It does not include involuntary temporary residence elsewhere, such as incarceration or placement into foster care as result of a court order.
- For Categories A and B, *“dependent children”* shall include:
 - Any child, age 14-17; or
 - Any child age 18-25 who is a full-time student dependent on the parent or guardian for more than 50% of his/her support;
 - Any child over the age of 17 who did not provide more than 50% off his/her own support for the 6 months prior to application. This includes adult children of any age.

Note: Applicants over age 17 who would ordinarily be included as part of a family, but claim to be no longer dependent on the parent/guardian, must complete a written statement, justifying that he/she has provided more than 50% of his/her own support (food, shelter, etc.) for the last 6 months. This statement should include the amount and source(s) of his/her personal income, and the type and amount of expenses that the individual has covered for the last 6 months. Additional documentation of income, such as check stubs, may be required to verify the applicant's income.

- The State of South Carolina recognizes *common law marriage*. Individuals claiming to be married by common law must meet the following criteria:

1. Both parties must be free to enter into the common law marriage. In other words, neither party may be married to another individual. If previously married, the marriage must have been annulled or the divorce must be final.

And

2. The couple must present themselves as married to the public.

Individuals meeting the criteria listed above for common law marriage will be considered as married under the WIA definition of marriage.