

Dislocated Worker and Federal Adult Programs (DWFAP)

ADVISORY: Technical Assistance Bulletin (TAB) 26-10

TO: All Dislocated Worker and Federal Adult Programs (DWFAP) Grantees

FROM: Minnesota Department of Employment and Economic Development (DEED) DWFAP Unit

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EXPIRATION DATE: None (Continuing)

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SUBJECT: Defining, Calculating and Documenting Low-Income Status at Program Entry in Minnesota's Workforce Innovation and Opportunity Act (WIOA) Adult, WIOA Dislocated Worker (DW), and State DW Programs

1. Purpose

This TAB provides guidance to help stakeholders define, calculate, and document low-income status at program entry in Minnesota's WIOA Adult, WIOA DW and State DW programs.

2. Action Requested

Stakeholders are encouraged to review this TAB and update their procedures and practices as appropriate. Providers must review WIOA Adult, WIOA DW and State program participants enrolled or co-enrolled on or after July 1, 2026 who used low-income status at program entry for eligibility or priority of service purposes to ensure compliance.

3. Relevant Laws, Policies and References

Workforce Innovation and Opportunity Act (WIOA) (42 USC 3101 et seq)

[Training and Employment Guidance Letter \(TEGL\) 23-19, Change 3](#) (December 1, 2025)

[Training and Employment Guidance Letter \(TEGL\) 19-16](#) (March 1, 2017)

[Definition of Economic Self-Sufficiency and Income Exclusions Policy](#) (April 16, 2025)

[Technical Assistance Bulletin \(TAB\) 26-03, Change 1](#) (May 8, 2026)

4. Updates to Advisories

None

5. Summary and Background

On December 1, 2025 the U.S. Department of Labor's (DOL) Employment and Training Administration published [TEGL 23-19, Change 3](#). This TEGL updated DOL's data and reporting requirements to various data elements, including Data Element 802: Low Income Status at Program Entry (See [TEGL 23-19, Change 3 Attachment II Page Nine](#)). Most notably, TEGL 23-19, Change 3 removed the option to self-attest to low-income. As of July 1, 2026 WIOA Adult, WIOA DW and State DW participants can no longer Self Attest to being low-income at program entry.

Stakeholders should use this TAB and its attachments as references when completing low-income determinations during the enrollment process. Other DOL programs are included in TEGL 23-19, Change 3's update to low-income status at program entry (such as the Senior Community Service Employment Program) however they are not included in this TAB. This TAB only applies to Minnesota's WIOA Adult, WIOA DW and State DW programs.

6. Action Items Required

Providers must review WIOA Adult, WIOA DW and State program participants who enrolled or co-enrolled on or after July 1, 2026 who used low-income status at program entry for eligibility

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or priority of service purposes. Providers must ensure acceptable documentation is on file (see Attachment Three below for more information) to bring files into compliance with TEGL 23-19, Change 3's requirements. Providers must complete this review by December 31, 2026. Technical assistance is available upon request to assist providers with this review.

7. Summary of Attachments

Attachment One defines low-income in the WIOA Adult, WIOA DW and State DW programs. Attachment Two clarifies the definition of low-income as it relates to homeless participants in the WIOA Adult and WIOA DW programs. Attachment Three lists the acceptable documentation needed to document low-income in the WIOA Adult, WIOA DW and State DW programs. Attachment Four provides guidance on how to calculate low-income the WIOA Adult, WIOA DW and Four DW programs. Attachment Five provides guidance on low-income verification for participants enrolled on or after July 1, 2026.

8. Using Low-Income Status in the WIOA Adult, WIOA DW, and State DW Programs

Determining and documenting low-income status at program entry has many purposes in the WIOA Adult, WIOA DW and State DW programs, including but not limited to:

- Priority of service eligibility and requirements (required for WIOA Adult and applies to WIOA DW/State DW if covered by local priority of service policy),
- Determining if someone is an [individual with barriers to employment](#) (for priority of service and wait list applicability if covered by local policy), and,
- State DW Category Nine (low-income adult) eligibility.

Note that the WIOA DW Program does not use low-income status at program entry for eligibility determination. However, low-income status at program entry may apply to WIOA DW participants for priority of service and wait list purposes if covered by local policy.

9. Inquiries

Questions related to this TAB should be directed to the DWFAP email:

Dwfaprograms.deed@state.mn.us

10. Attachments

- Attachment One: Defining Low-Income in the WIOA Adult, WIOA DW, and State DW Programs
- Attachment Two: Clarification of Low-Income Status for Homeless Participants in the WIOA Adult and WIOA DW Programs
- Attachment Three: Low-Income Status at Program Entry Acceptable Documentation for the WIOA Adult, WIOA DW, and State DW Programs
- Attachment Four: Calculating Low-Income at Program Entry in the WIOA Adult WIOA DW, and State DW Programs
- Attachment Five: Frequently Asked Questions Guidance for Cases Enrolled on or after July 1, 2026 Related to Low-Income Verification

11. Advisory History

Version Number	Description	Published Date
TAB 26-10	Original Publication	9/30/26

Attachment One: Defining Low-Income in the WIOA Adult, WIOA DW, and State DW Programs

Defining Low-Income in the WIOA Adult and WIOA DW Programs:

WIOA Section 3(36) defines “Low-Income” for the WIOA Adult and WIOA DW programs. Low-income means individuals who meets at least one of the following:

- Received, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families (TANF) program, the Supplemental Security Income (SSI) program, or a State or local income-based public assistance program.
- Is in a family with total family income that does not exceed the higher of:
 - 100% of the [Federal Poverty Guidelines \(FPGs\)](#) determined by the U.S. Department of Health and Human Services, or,
 - 70% of the [Lower Living Standard Income Level \(LLSIL\) Guidelines](#) determined by DOL.
- Is a homeless individual (as defined by the Violence Against Women Act of 1994) or a homeless child or youth (as defined under the McKinney-Vento Homeless Assistance Act).
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act).
- Is a foster child on behalf of whom State or local government payments are made.
- Is an individual with a disability whose own income meets the income requirement (not higher than 100% of FPGs or 70% of LLSIL Guidelines) but who is a member of a family whose income does not meet this requirement (higher than 100% of the FPGs or 70% of LLSIL Guidelines).

Defining Low-Income in the State DW Program:

For the State DW Program, low-income means an individual with total family income that does not exceed higher than 200% of the FPGs issued by the U.S. Department of Health and Human Services.

Attachment Two: Low-Income Status for Homeless WIOA Adult and WIOA DW Participants

In the WIOA Adult and WIOA DW programs homeless individuals are considered low-income. Homelessness at program entry can be self-attested ([TEGL 23-19, Change 3 Attachment II Page Eight](#)). WIOA Adult and WIOA DW participants who self-attest to being homeless must be considered low-income status at program entry for eligibility and priority of services purposes where applicable.

Providers are encouraged to seek other acceptable documentation for documenting homelessness at program entry whenever possible. Acceptable documentation includes at least one of the following ([TEGL 23-19, Change 3 Attachment II Page Eight](#)):

- Intake Application or Enrollment Form,
- Written Statement or Referral Transmittal from a Shelter or Social Service Agency,
- Needs Assessment,
- Case Notes,
- Individual Service Strategy, or,
- A Letter from Caseworker or Support Provide.

Homeless participants in the WIOA Adult and WIOA DW programs are defined in [TEGL 23-19, Change 3 Attachment II Page Eight](#) as:

1. lacking a fixed, regular, and adequate nighttime residence, including participants who
 - a. Sharing the housing of other people due to loss of housing, economic hardship, or a similar reason,
 - b. Living in a motel, hotel, trailer park, or campground due to a lack of adequate alternative accommodation,
 - c. Is living in an emergency or transitional shelter,
 - d. Is abandoned in a hospital, or,
 - e. Is awaiting foster care placement.
2. Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, such as a car, park, abandoned building, bus or train station, airport, or camping ground,
3. A migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent's or parent's spouse's seasonal employment in agriculture, dairy, or fishing work, or,
4. Someone under 18 years of age and absents himself or herself from home or place of legal residence without the permission of his or her family (i.e., runaway youth).

Note: This definition does not include participants imprisoned or detained under Federal or State law. A participant who may be sleeping in a temporary accommodation while away from home (traveling for work, vacationing, etc.) should not, as a result of that alone, be recorded as homeless.

Attachment Three: Low-Income Status at Program Entry Acceptable Documentation for the WIOA Adult, WIOA DW, and State DW Programs

[TEGL 23-19, Change 3 Attachment II Page Nine](#) lists the acceptable documents for documenting low-income status at program entry in the WIOA Adult, WIOA DW and State DW programs. Acceptable documentation includes at least one of the following:

- Award Letter From Veteran's Administration
- Bank Statements
- Pay Stubs
- Compensation Award Letter
- Court Award Letter
- Pension Statement
- Employer Statement/Contact
- Family or Business Financial Records
- Housing Authority Verification
- Quarterly Estimated Tax for Self-Employed Persons
- Social Security Benefits
- Unemployment Insurance (UI) Claim Documents
- Copy of Authorization to Receive Cash Public Assistance
- Copy of Public Assistance Check
- Public Assistance Eligibility Verification
- Cross-Match with Refugee Assistance Records
- Cross-Match with Public Assistance Records
- Cross-Match with UI Wage Records

In many cases, a combination of the acceptable documents listed above are used to determine and document low-income status at program entry.

Low-Income Status at Program Entry Determinations for the WIOA Adult and WIOA DW Programs:

Participants are determined low-income at program entry through one of two ways:

1. By calculating, determining, and documenting that the participant's total family income, based on family size, is not higher than 100% of the FPGs or 70% of LLSIL Guidelines at the time of program eligibility determination, or,
2. By determining and documenting that the participant (or their family) meets another low-income criteria (receiving SNAP assistance, is homeless, etc.).

Low-Income Status at Program Entry Determinations for the State DW Program:

Participants are determined low-income at program entry for the State DW Program by calculating, determining, and documenting that the participant's total family income, based on family size, is not higher than 200% of the FPGs at the time of program eligibility determination.

In all cases documentation must be provided. All documents used must be clearly labeled and uploaded into Electronic Document Storage (EDS) in compliance with [DEED's EDS Policy](#).

Attachment Four: Calculating Low-Income at Program Entry in the WIOA Adult WIOA DW, and State DW Programs

Providers must complete the following steps:

1. Determine family size,
2. Calculate total family income, and,
3. Determine if the calculated total family income is below the applicable income amount based on family size (See [TAB 26-03, Change 1](#) for the 2026 FPG and LLSIL Guideline income amounts) at the time of program eligibility determination.

Determining Family:

A family means two or more people related by blood, marriage, or court decree, 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; or
- A married couple.

A person not meeting the definition of “family” is considered to be an individual (also known as a “Family of One”). A person with a disability is also considered a family of one for eligibility purposes. In determining whether an individual without a disability can be considered a family of one, providers should consider the following:

- An individual 14 years of age or older, not living with his/her family, and receiving less than 50% maintenance from the family in the six-month period prior to program application;
- An individual 18 years of age or older, living with his/her family, receiving less than 50% maintenance from the family in the six-month period prior to program application, and is not the principal earner nor the spouse of the principal earner.

Living in a single residence with other family members includes temporary, voluntary residence elsewhere (i.e. attending college or visiting relatives). It does not include involuntary temporary residence elsewhere (i.e. incarceration or placement as a result of a court order).

Calculating Total Family Income:

Use Table One for what incomes sources to include when calculating an individual’s total family income. Use Table Two for a list of incomes that must be excluded when determining an individual’s total family income. Total family income includes all income actually received by members of the participant’s family during the income determination period, which is six months prior to their application.

Attachment Four: Calculating Low-Income at Program Entry in the WIOA Adult WIOA DW, and State DW Programs

Table One: Income Sources to Include and Exclude When Calculating Total Family Income

Gross Wages and Salaries Before Deductions:

The full amount, before payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation 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.

Income from Non-Farm Self-Employment:

Net income (gross receipts minus operating expenses) from a person's own unincorporated 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. However, expenditures for business expansion or amortization of capital indebtedness cannot be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is to be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

Income from Farm Self-Employment:

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). 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.

Other Payments, Compensation, or Money Received from:

- Governmental and non-governmental retirement and pensions (including military retirement and pension pay – See [TEGL 10-09 Pages 11 and 12](#)),
- Social Security Disability Insurance payments (Title II of the Social Security Act, Federal Old Age, Survivors and Disability Insurance),
- Regular payments from Old Age, Survivors and Disability Insurance benefits received under Section 202 of the Social Security Act,
- Railroad retirement benefits,
- Strike benefits from union funds,
- Workers' compensation,
- Regular training stipends,
- Child Support payments,
- State UI Compensation payments, and,
- Federal Unemployment Insurance Compensation payments
- Alimony,
- Military family allotments or other regular support from an absent family member or someone not living in the household,
- Regular insurance or annuity payments,
- Non-needs-based college or university scholarships, grants (excluding Pell Grants), fellowships, and assistantships,

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- Net royalties,
- Periodic receipts from estates or trusts, and,
- Net gambling or lottery winnings.

Table Two: Income Sources to Exclude When Calculating Total Family Income

All Pay and/or Financial Allowances and Benefits Earned While on Active Duty in the U.S. Armed Forces (See [TEGL 10-09 Pages 11 and 12](#))

This includes:

- Compensation for service-connected disability or death,
- Dependency and indemnity compensation for service-connected deaths,
- All-volunteer force educational assistance program,
- Training and rehabilitation for veterans with service-connected disabilities.
- Survivors' and dependents' educational assistance, and,
- Administration of educational benefits.

Public Assistance. Including income, allowances, earnings and payments made to individuals participating in WIOA Title I programs or any other workforce development program for which eligibility is based upon a needs and/or income test ([See 20 CFR 683.275\(d\)](#))

Cash and Non-Cash Benefits from:

- Employer paid or union paid portions of fringe benefits,
- Food or housing received in lieu of wages,
- Jury duty pay,
- Medicare benefits,
- Medicaid benefits,
- SNAP benefits,
- School lunches,
- Housing assistance,
- TANF/Minnesota Family Investment Program,
- SSI,
- SCSEP,
- Emergency Assistance money payments,
- Payments or allowances made under the U.S. Department of Health and Human Services Low-Income Home Energy Assistance Program,
- Black Lung payments received under the Benefits Reform Act of 1977,
- Payments to volunteers under the Domestic Volunteer Act of 1973 (AmeriCorps, etc.),

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- U.S. Department of Housing and Urban Development rental subsidies (Section 8, etc.),
- Any crime victim compensation made under the Victims of Crime Act received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant.
- General Assistance/Work Readiness, and
- Refugee Cash Assistance.

Note: Any income source not in Table One that is not excluded in Table Two should be included as an income source. Providers can contact DWFAP for cases needing additional guidance.

Attachment Five: Frequently Asked Questions Guidance for Cases Enrolled on or after July 1, 2026 Related to Low-Income Verification

See below for guidance on what to do is a participant was enrolled after July 1, 2026, and providers incorrectly used self-attestation to prove low-income status at program entry instead of providing acceptable documentation.

Question One: For participants who were enrolled on or after July, 1, 2026 and self-attested to low-income status on program entry, do providers need to go back and ask for acceptable documentation?

Answer One: Yes. Providers must immediately go back and ask for acceptable documentation.

Questions Two: For participants who were enrolled before July 1, 2026 and self-attested to low-income status on program entry, do providers need to go back and ask for acceptable documentation?

Answer Two: No. Active participants who were enrolled before July 1, 2026 and self-attested to low-income status on program entry do not need to provide additional documentation.

However, if a participant was enrolled before July 1, 2026 but they were co-enrolled in the WIOA Adult, WIOA DW or State DW programs after July 1, 2026 providers must obtain acceptable documentation for low-income status on program entry for the new co-enrollment if low-income was used for eligibility or priority of service purposes.

Question Three: Do participants enrolled on or after July 1, 2026 who do not or cannot provide acceptable documentation by December 31, 2026 need to be exited from their program?

Answer Three: It depends. Participants must be exited if the low-income status was tied to their eligibility (for example State DW Category Nine: Low-Income Adult) expect in cases where they may qualify under category (see Question Four below). If the low-income status was not tied to eligibility but instead tied to priority of service order (in WIOA Adult for example) participants should not be exited. Instead, because low-income status cannot be verified, that participant's waitlist order or priority of service status may need to be re-ordered as appropriate.

However, if a participant incorrectly received low-income priority of service but is already enrolled in training that participant should be allowed to continue their training as normal. Participants should not be expected to exit their training. Providers must case note cases that are impacted by this situation.

Question Four: If low-income status cannot be verified and it is tied to program eligibility (for example, State DW Category Nine: Low-Income Adult) can providers see if the participant is eligible for the program under another category?

Answer Four: Yes. Providers must first attempt to verify low-income status if it was originally tied to program eligibility. However, If providers cannot verify low-income status providers may explore another program or category of eligibility so long as participants meet eligibility and acceptable documentation requirements. For example, State DW Categories One, Two and/or Six could be used to if an unemployed participant fails to meet the low-income acceptable documentation requirement for State DW Category Nine.