**Section 50.235 Income Eligibility Criteria**

A family is considered "income eligible" when the combined gross monthly base income (earned and unearned) (see subsection (a)) of all family members is at or below the amounts listed in Section 50.230 for the corresponding family size. In 2 parent families, both incomes must be combined to determine eligibility. Two-parent families include those with 2 or more adults living in the home, such as the applicant and the applicant's spouse or parents of a common child in the home. Eligibility is determined on the basis of gross monthly base income. To convert weekly income into monthly base income, multiply weekly income by 4.333. To convert bi-weekly income into monthly base income, multiply bi-weekly income by 2.1666. To convert twice monthly income into monthly base income, multiply twice monthly income by 2. Documentation must be secured for all income and maintained in the family eligibility file prior to approval for child care payments.

a) Income Included (Non-Exempt)

1) gross base wages and salary, tips and commissions earned on a regular basis;

2) net income from farm self-employment;

3) net income from non-farm self-employment;

4) dividends, interest, net rental income, and royalties;

5) pensions and annuities;

6) veteran's pensions;

7) unemployment compensation;

8) worker's compensation.

b) Exempt Income

1) per capita payments to or funds held in trust for any individual in satisfaction of the Indian Claims Commission or the Court of Claims;

2) payments made pursuant to the Alaska Native Claims Settlement Act to the extent such payments are exempt from taxation under Section 21(a) of the Act (43 U.S.C. 1620(a));

3) money received from sale of property, such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property, in which case the net proceeds would be counted as income from self-employment);

4) non-recurrent or inconsistent pay for overtime, incentives, bonuses, sick, vacation, travel reimbursements, or other types of non-recurrent or inconsistent income that is not part of the family's base income;

5) money borrowed, including educational loans to a student who is included in the family unit as authorized in Section 50.105;

6) withdrawals of bank deposits;

7) tax refunds or any Earned Income Tax Credit (EITC) payments;

8) gifts;

9) lottery winnings or proceeds obtained by gambling;

10) lump sum inheritances or insurance payments;

11) capital gains;

12) the value of the coupon allotment or Supplemental Nutrition Assistance Program (SNAP) benefits under the Food Stamp Act of 1977 (PL 95-113) or the Food and Nutrition Act of 2008 (PL 110-246), as amended;

13) the value of United States Department of Agriculture (USDA) donated foods;

14) the value of supplemental food assistance under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and the special food service for children under the National School Lunch Act (42 U.S.C. 1751 et seq.), as amended;

15) any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (42 U.S.C. 4651);

16) earnings of a child (unless that child is the applicant);

17) grants, such as scholarships, obtained and used by a student who is included in the family unit as authorized in Section 50.105;

18) any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the U.S. Department of Education under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*);

19) home produce utilized for household consumption;

20) energy grants or allowances received through the Low-Income Energy Assistance Program authorized by the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8625);

21) any DCFS foster care board payments or clothing allowance;

22) child support paid by the family will be deducted from their income;

23) earned income from the U.S. Census Bureau for temporary census employment;

24) alimony;

25) child support received by the family (not including lump sum payments);

26) ongoing monthly adoption assistance payments from DCFS;

27) public assistance and welfare payments;

28) social security payments for all family members, including SSI and pensions;

29) survivor's benefits, permanent disability payments, and railroad retirement benefits from the federal government;

30) retroactive/back pay from employment;

31) travel reimbursement;

32) living allowance received serving with AmeriCorps VISTA; and

33) cash/gifts, wages provided to individuals enrolled in research projects that are not funded via general revenue and investigate the impacts of policies or programs designed to reduce poverty.

(Source: Amended at 47 Ill. Reg. 18694, effective November 30, 2023)