

<b>DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION</b>	<b>FOOD SUPPLEMENT PROGRAM MANUAL</b>	
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## 102.1 Purpose

This section describes special policies that apply to households with students.

## 102.2 Student Status

- A. A person is a student if the individual is between 18 and 50 years old and enrolled at least half time in an institution of higher education.
- B. An institution of higher education is limited to those institutions that normally require a high school diploma or equivalency certificate for a student to enroll. This definition also allows students of vocational and technical schools to participate in the program while they are obtaining practical skills.

NOTE: Some institutions which normally require a high school diploma or its equivalent waive this requirement for certain students that have not graduated from high school. Students attending school under these special institutions of higher education are students for the purposes of this policy.

- C. This section does not apply to the following:

- 1. Persons age 17 or under;
- 2. Persons age 50 or over;
- 3. Persons physically or mentally unfit;

NOTE: Physically or mentally unfit means any condition for which the person receives temporary or permanent disability payments issued by government or private sources or a condition verified in a statement from a physician or certified psychologist.

- 4. Persons attending high school;
- 5. Persons participating in on-the-job training programs (a person is considered to be participating in an on-the-job training program only during the period of time he or she is being trained by the employer);
- 6. Persons not attending school at least half time (half-time is determined by the institution);
- 7. Persons enrolled full-time in schools that are not institutions of higher education.

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### 102.3 Eligibility Requirements

The student must meet one of the following requirements to be eligible. If the student does not meet one of the requirements, the individual is a non-household member for program purposes. (See section 102.6 for treatment of income and resources.) The student must:

- A. Be employed for a minimum of 20 hours per week (no averaging) and paid for the employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the federal minimum wage multiplied by 20 hours; or
- B. Participate in a State or federally financed work-study program during the regular school year. To qualify, a student must be approved for a work-study program at the time of application for the Food Supplement Program (FSP). The exemption begins with the month the school term begins or the month work-study is approved, whichever is later. The exemption continues until the end of the month in which the school term ends; or
- C. Be a recipient of Temporary Cash Assistance; or
- D. Be responsible for the care of a child when:
  - 1. The child is age 5 or under;
  - 2. The child is age of 6 through 11 and adequate child care is not available to enable the student to attend class and work 20 hours per week or participate in a State or federally financed work study program. (A statement from the customer will be sufficient to verify that adequate child care is not available.);
  - 3. The child is age 11 or younger and the parent is a single parent enrolled in an institution of higher education on a full-time basis. (This provision applies in those situations where only one natural, adoptive or stepparent, regardless of marital status, is in the same household as the child.); or
- E. Be assigned or placed in an institution of higher education through a program under the Job Training Partnership Act (JTPA), or Work Opportunities, or a Program under Section 236 of the Trade Act of 1974.

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## 102.4 Definition of Work-Study

- A. To qualify as an eligible student because of work-study, the following conditions apply:
1. The student must be participating in a state or federally finance work-study program during the regular school year.
  2. The work-study must be approved for the school term.
  3. The student must anticipate actually working the work-study job during the school term.
  4. The exemption begins with the month in which the school term begins or the month the work-study is approved, whichever is later.
  5. Once begun, the exemption continues until the end of the month in which the school term ends or it becomes know that the student has refused an assignment.
- Note: When the local department becomes aware of a student who has been given an exemption because of anticipated work-study and the work-study did not materialize, a claim is not required unless the student deliberately gave wrong or misleading information.
6. The exemption does not continue between terms when there is a break of a full month or longer unless the student is participating in work-study during the break.
- B. This exemption does not apply to students who are working in hospitals or student- teachers who are teaching as part of their coursework for which they earn credit.
- C. Most work-study programs are funded through Tile IV, Part C of the Higher Education Act of 1965, as amended. As long as there is some federal funding involved, these programs meet the definition of federally financed work-study programs. (See Section 211, Excluded Income, for treatment of Title IV educational income.)
- D. Do not consider students who are paid to attend institutions of higher education with federal JTPA or Work Opportunities funds as work-study students. The students in these programs receive compensation based on the number of hours of class attendance and not for any worked performed. Therefore, they are not entitled to the work-study exemption.

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### **102.5 Work Registration**

An eligible student is exempt from work registration.

### **102.6 Enrollment Status**

Enrollment status begins the first day of the school term and continues through normal periods of class attendance, vacation, and recess unless the person graduates, is expelled or suspended, drops out or does not plan to register for the next normal school term (excluding summer school).

### **102.7 Income/Resources**

Do not consider the income and resources of an ineligible student when determining eligibility and the benefit level for the remainder of the household. Consider ineligible students as non-household members.