

DEPARTMENT OF SOCIAL SERVICES

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August 15, 1980

ALL-COUNTY LETTER NO. 80-48 (FOOD STAMP POLICY COORD. BUR)

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IMPLEMENTATION OF THE FOOD STAMP PROGRAM CHANGES IN STUDENT
ELIGIBILITY RESULTING FROM THE 1980 FOOD STAMP AMENDMENTS

As you are probably aware, USDA has issued emergency regulations to implement the eligibility changes required by the 1980 Food Stamp Amendments. Corresponding state regulations are currently being prepared and will be filed as soon as possible. However, since the federally mandated implementation date for the student provisions is September 1, 1980, this letter is to provide information on the forthcoming required changes so that counties may begin planning their implementation of these regulations. Counties are urged to comply with the mandated implementation date.

These regulations will require that counties implement the following changes in the Food Stamp Program:

1. Any person who is between 18 and 60, physically and mentally fit and enrolled at least half-time in an institution of higher education is ineligible to participate in the Food Stamp Program unless that person meets at least one of the requirements listed below. Verification of these eligibility factors is not mandatory and only required if questionable.
 - a. Is employed a minimum of 20 hours per week. (Receipt of wages equivalent to 20 hours at the minimum wage does not meet this requirement).
 - b. Is participating in a federally financed work study program during regular school year.
 - c. Is providing over half of the total support during the current calendar year for at least one other person in the food stamp household. Total support includes expenditures for providing food, shelter, clothing, education, medical and dental care, recreation, transportation, and similar necessities. Need-based federal, state, or county assistance payments received on behalf of a household member are considered as being provided by the person receiving such payments.

For clarification, this provision means that if the student supplies over half of the support for at least one other food stamp household member, the student could participate if otherwise eligible. A spouse could be the only other household member for whom support is being provided. For example, a student who is providing over half of his/her spouse's support could participate if otherwise eligible. If the spouse in this example was a student, this student spouse could also participate if otherwise eligible. In addition, each student in the food stamp household could participate if he/she is providing over half of the support of another household member regardless of the number of students in the household. For example, if two AFDC mothers and their children were one food stamp household, each mother could qualify as an eligible student if she provided over half of her child's support.

- d. Is enrolled in an institution of higher education as a result of participation in the Work Incentive Program under Title IV of the Social Security Act.
2. The income and resources of an ineligible student living with a household shall not be considered in determining eligibility or level of benefits of household. (Section 63-503.55).
3. Eligible students who are enrolled at least half time in any institution of higher education and meet the criteria described in paragraph 1 above are exempt from the work registration requirements. Students who experience a break in school due to vacation continue to be exempt as long as the student intends to return to school following the vacation.

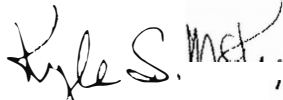

These regulations will require counties to implement the new student provisions on September 1, 1980 for all new applicants and to convert the current caseload either at recertification or any time the case file is reviewed (as a result of household change reports) prior to recertification. However, the students applying in August must be converted to the new student provisions by November 1, 1980. To facilitate this conversion, counties should assign certification periods to these student households not to exceed three months and not to go beyond October 31, 1980.

Because of these changes in the student regulations, forms DFA 377.8, DFA 813A, and DFA 813 (formerly Temp 1038) will become obsolete on September 1, 1980. To aid counties in identifying eligible students, a flow chart has been developed and is attached for county use.

Counties should also be aware that regulations to implement a decrease in the resource limit from \$1750 to \$1500 for households with no member over sixty, a resource exclusion for vehicles necessary to transport a handicapped household member and a resource and income exclusion for energy assistance payments are also now being prepared. The federally mandated implementation date for these regulations is October 1, 1980.

If you have any questions regarding these changes, please contact your Food Stamp Program Operations Consultant at (916) 322-5475.

Sincerely,


KYLE S. McKIN
Deputy Director 

Attachment

cc: CWDA
FNS/WRO