

Department of Social and Health Services  
Olympia, Washington

**ELIGIBILITY A-Z MANUAL REVISION**

Revision #	<b>616</b>
Category / Section	<b>Student Status</b>
Issued	<b>March 1st</b>
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**REMOVE**

**INSERT**

New text into WAC 388-482-0005  
CLARIFYING INFORMATION #2 & #3.

**WAC 388-482-0005**  
**CLARIFYING INFORMATION #2 & #3**

**Summary**

Add text clarifying that students who work can meet eligibility criteria if their hours average to 20 per week. They need not work 20 hours each and every week.

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Effective December 1, 2003

WAC 388-482-0005 How does being a student impact my eligibility for the Washington Basic Food Program?

1. For Basic Food, we consider you a student if you are:
  - a. Age 18 through 49;
  - b. Physically and mentally able to work; and
  - c. Enrolled in an institution of higher education at least half-time as defined by the institution
2. An institution of higher education is:
  - a. An educational institution that requires a high school diploma or general education development certificate (GED);
  - b. A business, trade or vocational school that requires a high school diploma or GED; or
  - c. A two-year or four-year college or university that offers a degree but does not require a high school diploma or GED.
3. If you are a student, you must meet one of the following conditions to be eligible for Basic Food:
  - a. If you are a student, you must meet one of the following conditions to be eligible for Basic Food:
  - b. Have paid employment of at least twenty hours per week;
  - c. Be self-employed, work at least twenty hours per week, **and** earn at least the amount you would earn working twenty hours at the federal minimum wage;
  - d. Be participating in a state or federal work study program at the time you applied for Basic Food benefits. For the purpose of being eligible for Basic Food, work study is:
    - i. Working and receiving money from the work study program; and
    - ii. Not turning down a work assignment.
  - e. Be responsible for more than half the care of a dependent person in your Assistance Unit (AU) who is age five or younger;
  - f. Be responsible for more than half the care of a dependent person in your AU who is between age six and eleven if we have determined that there is not

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adequate child care available during the school year to allow you to:

- i. Attend class and satisfy the 20-hour work requirement; or
  - ii. Take part in a work study program.
- g. Be a single parent responsible for the care of your natural, step, or adopted child who is age eleven or younger;
- h. Be an adult who has the parental responsibility of child who is age 11 or younger if none of the following people live in the home:
- i. The child's parents; or
  - ii. Your spouse.
- i. Participate in the WorkFirst program under [WAC 388-310-0200](#);
- j. Receive TANF or SFA benefits; or
- k. Attend an institution of higher education through:
- i. The Workforce Investment Act (WIA);
  - ii. The Food Stamp Employment and Training Program under [Chapter 388-444 WAC](#);
  - iii. An approved state or local employment and training program; or
  - iv. Section 236 of the Trade Act of 1974.
4. If you are a student and the only reason you are eligible for Basic Food is because you participate in work study, you are only eligible while you work and receive money from work study. If your work study stops during the summer months, you must meet another condition to be an eligible student during this period.
- a. If you are a student, your status as a student:
  - b. Begins the first day of the school term; and
  - c. Continues through vacations. This includes the summer break if you plan to return to school for the next term.
5. We do not consider you a student if you:
- a. Graduate;
  - b. Are suspended or expelled;
  - c. Drop out; or

- d. Do not intend to register for the next school term other than summer.

This is a reprint of the official rule as published by the [Office of the Code Reviser](#). If there are previous versions of this rule, they can be found using the [Legislative Search page](#).

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#### CLARIFYING INFORMATION

##### 1. **Courses not considered higher education:**

A student is not considered enrolled in an institution of higher education if the student attends only for the purpose of participating in one of the following programs:

- a. English as a second language (ESL);
- b. High school completion and GED courses;
- c. Courses that are not a part of the regular college program; or
- d. A WIA program contracted by a college.

##### 2. **Employed students:**

Employed students meet the eligibility criteria when their hours of work **average** to 20 per week. It is not necessary that they work 20 hours each and every week.

##### 3. **Self-employed students:**

Self-employed students meet the eligibility criteria when they work an average of twenty hours each week and earn at least the federal minimum wage times 20 hours. The current federal minimum wage is \$5.85 an hour.

##### 3. **Care for a dependent person in the AU:**

In order for a client to be an eligible student based on their need to provide care for a dependent member of the AU, the client must be responsible for more than half of the care. Because of this, one child cannot make more than one student eligible for Basic Food.

If there is more than one dependent member of the AU, each student who is responsible for more than half the care of a dependent member as described in [WAC 388-482-0005](#) (3) meets the requirements as an eligible student.

#### 4. **Income-in-kind:**

Income-in-kind is not considered payment for work and cannot be used to establish hours of work per week.

#### **EXAMPLE**

A student works for the college during her summer break. Instead of paying her wages, the school deducts the income from her fall tuition costs. This is income-in-kind and does not meet eligible student criteria.

#### 5. **Educational income:**

See [WAC 388-450-0035](#) to determine how a client's educational income may impact their benefits.

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#### WORKER RESPONSIBILITIES

1. If a client attends school, determine if they meet the definition of "student" for Basic Food before looking at whether or not they are an eligible student. We don't consider someone to be a student if they are:
  - Under 18;
  - 50 or over;
  - Are physically or mentally unable to work; or
  - Attending somewhere that doesn't require a GED or Diploma and doesn't offer a degree.
2. If you decide that a client meets the definition of a student, review their circumstances to decide if they are an eligible student for Basic Food.
3. vii. Dependent care; and
4. vii. Miscellaneous personal expenses.
5. b. If you are attending school less than half-time, we subtract the following expenses:
6. i. Tuition;
7. ii. Fee; and
8. iii. Costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study.

ACES PROCEDURES

See [Interview - \(DEM2\) screen.](#)

See [Interview - \(ALAS\) screen.](#)

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