

FOOD STAMP PROGRAM REQUEST FOR REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 -10 of the form. Use a separate form for each policy interpretation request. Retain a copy of the FS 24 for your records. For counties asking for policy interpretations, submit the question directly to a FRAT representative via e-mail. For other organizations (e.g., Quality Control, Administrative law Judges), submit questions directly to the Food Stamp Policy Implementation Unit or Employment and Special Projects Unit representative via e-mail.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Immediate Need/Emergency Services <input type="checkbox"/> Other:		05/14/2012	06/14/2012
2. REQUESTOR NAME: Greg Postulka		6. COUNTY/ORGANIZATION: CalWIN Consortium	
3. PHONE NUMBER: 916-608-3401		7. SUBJECT: Student Eligibility- Status at Application	
4. REGULATION CITE(S): 63-406.1 & 63-406.2		8. REFERENCES: (ACLs/ACINs, FSQADs, etc.) CFR 273.5 (c) ACIN I-14-03 ACIN I-73-04	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

At what point is the Student Status of an applicant applied when the school term starts after the application date? Is there eligibility in the application month and ineligibility in the month after the school term starts?

Scenario:

Application dated 8/4/2011 for a single unemployed individual who is registered for full-time school at an institution of higher learning beginning 8/22/2011. At the time of the application, the student is enrolled in college and will start attending classes on 8/22/2011. The application interview is scheduled for 8/8/2011. On the date of the interview, the applicant stated what is reported on the application is correct with regard to schooling: full-time registered and enrolled with a beginning attendance date effective 8/22/2011; currently not employed, and currently not exerting care and control over any children in the CalFresh household.

Elizabeth Grisham submitted an FS24 in 07/2011 but I cannot locate a response. I apologize if this interpretation has already been completed.

10. REQUESTERS PROPOSED ANSWER:

When school term begins in the month of application but after the date of application, student rules do apply as of the interview date per MPP 63-406.221:

Student eligibility criteria shall be applied on the date of the interview to all applicants who are students as defined in Section 63-406.1. The student eligibility criteria shall also be applied on the date of the interview to all applicants who are non-continuing students in the final month of student status.

Based on the criteria in the scenario, the applicant is not entitled to CalFresh benefits and denied as an ineligible student in the application month and any subsequent month, unless the student meets one of the exemptions listed in MPP 63-406.21.

11. FRAT RESPONSE TO COUNTY QUESTION:

CDSS agrees with the proposed response. The applicant is not entitled to CalFresh benefits and should be denied as an ineligible student in the application month and any subsequent month, unless the student meets one of the exemptions listed in MPP 63-406.21.

FOR FRAT USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY:	DATE FORWARDED TO STATE:
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