

Eligibility Determination Groups

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- The SNAP Employment and Training Program (SNAP E&T)
  - Workforce Investment Act (WIA)
  - Section 236 of the Trade Act of 1974
  - An employment and training program for low-income households that is operated by a state or local government when one or more of the program's components is at least equivalent to SNAP E&T.
- The student has the principal responsibility for the care of a child who meets certain criteria. No more than one person may be responsible for the care of each child.

There are three separate exceptions detailed below and followed by a summary chart.

- The student is the natural, adoptive, or stepparent of and is responsible for the care of an AG member under the age of 6.
- The student is the natural, adoptive, or stepparent of and is responsible for the care of an AG member **who has reached the age of 6 but is under age 12** and adequate child care is not available to enable the student to attend class and satisfy the 20-hour work requirement or participate in a state- or federally-financed CWS program during the regular school year.
- The student is the single parent (natural, adoptive, or stepparent), regardless of marital status, and is responsible for an AG member under age 12, regardless of the availability of adequate child care, and is enrolled full-time, as defined by the institution.

This applies in situations where only one natural, adoptive or stepparent, regardless of marital status, is in the same AG with the child.

## Eligibility Determination Groups

Student is Responsible for Child Age:	2 Parents in the AG	1 Parent in the AG
Birth to 6	Eligible – Exception Met	Eligible – Exception Met
<b>Who has reached age 6 but is under age 12,</b> adequate child care not available	Eligible – Exception Met *	Eligible – Exception Met *
<b>Who has reached age 6 but is under age 12,</b> adequate child care is available	Ineligible – Exception Not Met	Eligible – Exception Met

- \* The Worker must determine on a case-by-case basis whether or not the parent who is not a student or the student's spouse who is an AG member is available to provide adequate child care.

Paternity does not have to be established to qualify as a father for these purposes. Only when the adults involved do not agree about the paternity of the child is any verification of paternity required.

If no natural, adoptive or stepparent is in the AG with the child, another full-time student in the same AG as the child may qualify for this exception, if he has parental control over the child.

See item D,1 for examples of student AG composition.

### (3) Definition of Enrollment and Participation

A student is considered to be enrolled the day he is scheduled to begin classes. Enrollment, for the purpose of being enrolled in an institution of higher education, is defined as continuing during periods of vacation or recess. Students eligible during the school year continue to be eligible, providing all other eligibility factors are met, during the summer months. Students not eligible during the school year remain ineligible during vacation periods, unless they actually obtain work or meet other criteria outlined in item (2) above to determine student eligibility. Students who fail to maintain continuous enrollment status, or who do not intend to register for the normal school session, excluding summer

Normally all AG members are included in one case number. However, some SNAP AG members may be eligible for other benefits which, due to data system limitations, must be issued in another case number.

#### D. EXAMPLES OF AG COMPOSITION

##### 1. Student Eligibility Examples

**EXAMPLE:** A WV WORKS mother is a student. She has two children. The only income they receive is their WV WORKS check. The student qualifies for an exception to the restriction on student eligibility because she is a WV WORKS recipient.

**EXAMPLE:** In a two-person AG, both the husband and wife are students. They meet none of the exceptions to the restriction on student eligibility, so they are not eligible.

**EXAMPLE:** A man and woman receive WV WORKS and have four children, one of whom is a 21-year-old college student who lives at home. The student meets none of the criteria for an exception to the student policy. The student cannot be included in the SNAP AG, but, if they are otherwise eligible, SNAP benefits can be approved for the husband, wife and the three other children.

**EXAMPLE:** The situation is the same as the previous example, except that the college student is 17 years old. He is eligible to be included in the SNAP AG because he is under age 18 and not subject to the student policy restrictions.

**EXAMPLE:** A woman, who is a student, wants SNAP benefits for herself and her 10-year-old child. While the student is at school, her mother who lives across town takes care of the child. The student has the responsibility for the care of a dependent child between the ages of 6 and 12. Adequate child care is available, but because the student is a single parent, she qualifies for participation.

**EXAMPLE:** A man, woman and their 10-year-old child apply for SNAP benefits. The woman, who is a student, has principal responsibility for care of the child. While she is in school, her mother, who lives across town, takes care of the child. She is only willing to keep her while she is in classes, but not while she works. The man works and there is no other available child care. The student qualifies to be included due to the lack of adequate child care.

**EXAMPLE:** Same situation as above, except that the grandmother is willing to keep the child for as long as necessary for the woman to work. The exception is not met, so the student cannot receive SNAP benefits.

**EXAMPLE:** A SNAP AG consists of a 10-year-old child, his mother and his stepfather. The stepfather is a full-time student and is primarily responsible for the care of the child due to the mother's disability. The mother is, however, able to look after the child when the stepfather is in school. The stepfather does not qualify for an exception to the student policy based on caring for a child since adequate child care is available. To be included he must meet another exception.

**EXAMPLE:** Same situation as above except that the mother is not able to look after the child when the stepfather is in school. There is no other child care available. The stepfather qualifies for an exception based on having principal responsibility for the care of a child between 6 and 12 without adequate child care available.

**EXAMPLE:** A married woman separates from her husband and she and her daughter move out of the home. The woman is in college full-time, and her mother cares for her 10-year-old child while she goes to school. Because she is a single parent enrolled in school full-time, she qualifies for an exception to the student policy.

## 2. ABAWD Examples

**EXAMPLE:** An ABAWD uses his 3 months of eligibility in May, June and July, without meeting the work requirement and his case is closed effective August 1<sup>st</sup>. He completes 80 hours of work between August 10<sup>th</sup> and August 31<sup>st</sup> and his temporary job ends. He reapplies September 1<sup>st</sup>. If otherwise eligible, he may participate since he regained eligibility for the additional period of up to 3-consecutive months while not meeting the ABAWD work requirement.

**EXAMPLE:** Same as above example except that he reapplies August 8<sup>th</sup> and will not complete 80 hours of work until September 9<sup>th</sup>. He is not eligible to receive SNAP benefits until September 9<sup>th</sup>, when he has completed 80 hours of work.

**EXAMPLE:** A non-exempt ABAWD in an ILC applies and receives his first full month's benefits in March 1997. His 36-month period begins March 1997 and ends February 2000. He meets the work requirement each month from March 1997 through February 1998. He does not meet

the work requirement in March and April 1998, but does meet it in May and June. He does not work in July, but receives full benefits. July is the last month of his 3-month eligibility period.

**EXAMPLE:** An ABAWD resides in an NILC and received a full month's benefits in December 1996. His 36-month period begins December 1, 1996. He moves to an ILC on September 15, 1997. He becomes subject to the work requirement and 3-month limit. September does not count toward the 3-month limit since he only lived in the ILC for a partial month. He participates for 3 months without meeting the ABAWD work requirement in October, November and December 1997. His eligibility ends effective December 1997. He moves back to an NILC in January 1998 and becomes eligible. His 36-month period continues through November 1999.

**EXAMPLE:** A husband and wife with two children are recipients on December 1, 1996. The 36-month period begins on December 1, 1996 although both adults are exempt. In June 1997, the wife moves out, taking the children with her. If otherwise eligible, the husband is subject to the 3-month limit beginning July 1997, since July is the first month of non-exempt ABAWD benefits in the 36-month period which began December 1996.

**EXAMPLE:** An ABAWD residing in an ILC is a recipient of SNAP benefits on December 1, 2005 with a redetermination due in May 2006. At the May redetermination, it is determined the individual did not meet the ABAWD work requirement and was not exempt during December, January and February. He is not currently meeting the ABAWD work requirement or an exemption. His eligibility ends effective May 2006.

**EXAMPLE:** The same individual in the example above moves to an NILC and applies for SNAP benefits in August 2006. If otherwise eligible, he may receive SNAP while he resides in the NILC or while the county remains an ILC.

**EXAMPLE:** An ABAWD receives SNAP benefits in January and February 1997 without meeting the work requirement. These are his first and second months of eligibility. He finds part-time employment of 20 hours per week in March. He is otherwise eligible and receives SNAP benefits until October 1997, when his job ends. He then receives SNAP benefits in November 1997, his third month of eligibility without meeting the work requirements. November 1997 is his last month of eligibility.

**EXAMPLE:** The same individual in the example above then began a job on January 1, 1998 and worked 80 hours by January 31, 1998. If otherwise eligible, he may receive SNAP benefits starting in February. His job continued until he was fired on May 20, 1998. If otherwise eligible, he is eligible for up to 3-consecutive months, June, July and August, without meeting the ABAWD work requirement or being otherwise exempt.

3. AG Examples

**EXAMPLE:** Miss A, age 20, lives with her parents. She is unmarried, has no children and is employed. She purchases food and prepares her meals separately. However, because she is under age 22, Miss A must be in an AG with her parents.

**EXAMPLE:** Miss B, age 25, lives with her mother. She purchases food and prepares meals separately. Because she is over age 21, and purchases and prepares meals separately, she is a separate AG.

**EXAMPLE:** Same situation as the previous example, except that Miss B purchases food and prepares meals with her mother. Miss B and her mother must be in an AG together.

**EXAMPLE:** Joan C, age 17, is a high school student who is employed part-time. She lives with her aunt, age 36, who exercises parental control over her. Joan and her aunt must be included in an AG together.

**EXAMPLE:** Tom D, age 17, and Tim D, age 18, are brothers. Their parents are deceased and the brothers live together. They purchase and prepare meals separately. They each qualify as a separate AG as they do not live with a parent or any other adult who exercises parental control.

**EXAMPLE:** Helen E, age 27, with 2 children, ages 1 and 2, moves back in with her parents after she is divorced. The grandmother cares for the children and feeds them their meals. The daughter works at night and eats separately. The daughter and her children are an AG, but the grandmother wants the children included with her because she feeds them their meals. Children under age 22 and their parents must be in the same AG, so the two AGs are as follows: grandmother and grandfather in one; daughter and her children in another.

**EXAMPLE:** Mr. F has been laid off. He and his family move in with friends. The friends are providing them all their meals since Mr. F and his family have no income. Mr. F indicates that the only reason they are not purchasing and preparing their food separately from their friends is that

they have no money. Once they receive SNAP benefits, they will purchase and prepare meals separately. They qualify as a separate AG. The Worker may set a control to check with the clients after they begin receiving SNAP benefits to confirm the situation.

**EXAMPLE:** Same situation as the previous example, except that the client indicates his family will continue to purchase and prepare food with his friends, even after receipt of SNAP benefits. The F family and their friends must be in the same AG.

**EXAMPLE:** Mr. and Mrs. G, both age 35, live with Mr. G's mother. They purchase food and prepare meals separately from the mother. Separate AG status is approved.

**EXAMPLE:** Mr. and Mrs. H, ages 27 and 30, live with her elderly and disabled mother. They purchase food and prepare meals together. The elderly and disabled requirements in item A,1,b are met, so two AG's are established: one for Mr. and Mrs. H and one for the elderly and disabled mother.

**EXAMPLE:** Same situation as the previous example, except that the assets of Mr. and Mrs. H exceed the limit. The elderly and disabled mother is still eligible to participate as a separate AG.

**EXAMPLE:** Same situation as the previous example, except that the assets and the income of Mr. and Mrs. H exceed the limits. Neither AG is eligible to participate.

**EXAMPLE:** Grandmother reports that she has moved in with her grandson. He has a good job and does not receive SNAP benefits. She states that she purchases and prepares her meals separate from her grandson. She prepares her meals in the kitchen but takes her meals in her living area.

In the example above, grandmother customarily purchases and prepares her food separate and apart from others. She is a separate AG.

**EXAMPLE:** Same scenario as above but grandmother becomes ill. She can no longer do her own shopping and cooking. She meets the definition of elderly and disabled according to policy. She must depend on her grandson and the housekeeper to purchase and prepare her meals for her. They use her SNAP benefits and money to purchase her food and they prepare her meals. She continues to take her meals in her living area.

Although grandmother is now dependent on her grandson and the housekeeper to purchase and prepare her meals, she can continue to be a separate AG for SNAP purposes, regardless of the grandsons income, because she had previously established that she customarily purchases and prepares her food separate and apart from others and she continues to do so.

**EXAMPLE:** Same scenario as the first example except that grandmother decided that she liked someone else doing the shopping and cooking and she likes spending meal time with her grandson. Since she no longer purchases and prepares her own meals and she takes most of her meals with her grandson, she no longer meets the criteria of purchasing and preparing her food separate and apart from others.

Under this scenario if grandmother decides that she wants to receive SNAP benefits under the elderly and disabled policy as a separate household, then the Worker must determine if the grandson's income exceeds 165% FPL. If it does then grandmother cannot be considered a separate household for SNAP purposes.

**EXAMPLE:** Mr. I, age 25, lives with his parents and pays them a reasonable amount for room and board. Because of the parent/child relationship, Mr. I cannot be considered a boarder, even though he is over age 21, nor can he be a separate AG. He may be included in an AG with his parents if they so request.

**EXAMPLE:** Mr. L works out of state and comes home on weekends and holidays. When he returns to West Virginia, he stays with his wife and 3 children who receive SNAP benefits. He is not eligible to be included in the AG with his wife and children, because they do not consider that he lives with the AG while he is working. Only the amount of income he makes available to his family is counted as income.



**9.2 RESERVED FOR FUTURE USE**