



# FAMILY INDEPENDENCE ADMINISTRATION

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## **POLICY DIRECTIVE #07-17-EMP** *(This Policy Directive Replaces PD #99-68)*

### **EMPLOYMENT POLICY FOR 19-YEAR-OLD PARTICIPANTS ATTENDING A SECONDARY, VOCATIONAL OR TECHNICAL SCHOOL OR A GENERAL EQUIVALENCY DIPLOMA (GED) PROGRAM**

<b>Date:</b> June 1, 2007	<b>Subtopic(s):</b> Employment, Engagement
<b>AUDIENCE</b>	The information and instructions in this policy directive are for staff at Job Centers. They serve as information for all other staff.
<b>POLICY</b>	<p>Previously, an applicant for or participant of public assistance (PA) who is age 16 through 18 could fully satisfy his/her public assistance work requirement by attending a secondary, vocational or technical school or a General Equivalency Diploma (GED) program.</p> <p>The New York City Human Resources Administration has now extended the age range to allow 19-year-olds to satisfy their work requirements by attending secondary, vocational or technical school or a GED program at a public, private, parochial, vocational or technical institution.</p>
<b>BACKGROUND</b>	To encourage the completion of a high school education, a 19-year-old applicant/participant (up until his/her 20 <sup>th</sup> birthday) who meets the criteria of this policy will be excused from additional work activities including the Work Experience Program (WEP). These individuals will be considered fully engaged.

HAVE QUESTIONS ABOUT THIS PROCEDURE?  
Call 718-557-1313 then press 2 at the prompt followed by 765 or  
send an e-mail to *FIA Call Center*

Differentiation between age requirements for engagement purposes and for TANF eligibility

Although the age has been extended to 19-year-olds to allow attending secondary, vocational or technical school or a GED program to satisfy his/her work requirement, the age requirement for eligibility for Family Assistance (FA)/Safety Net Federally Participating (SNFP) categories has not changed. An applicant/participant 18 years of age, but under age 19, is eligible for FA/SNFP if s/he is a full time student, regularly attending a secondary school or in the equivalent level of vocational or technical training. Nineteen-Year-olds who are not caseheads may remain on an FA/SNFP case as an essential person if there are other FA-eligible minor children in the household.

**REQUIRED ACTION**

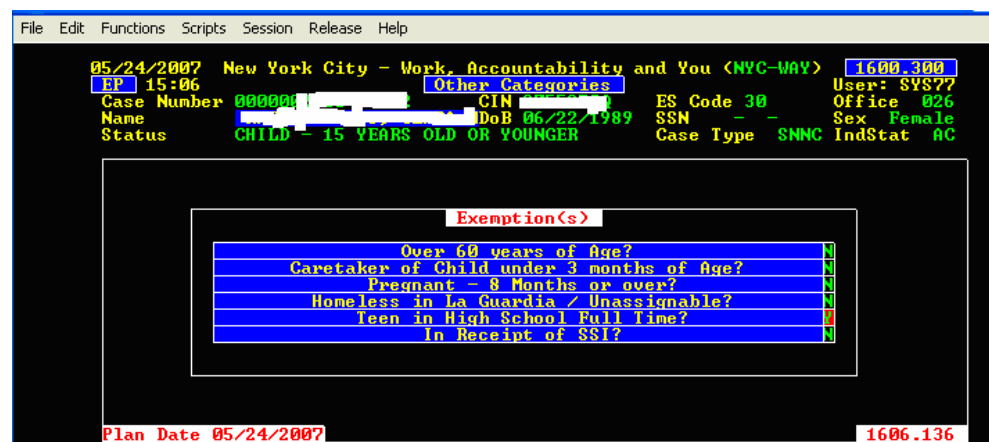
When interviewing a 19-year-old for engagement purposes, the JOS/Worker must determine if s/he is enrolled in a secondary, vocational or technical school or a GED program.

If the 19-year-old meets the criteria of this policy, the JOS/Worker must request verification of school attendance and the expected date of graduation.

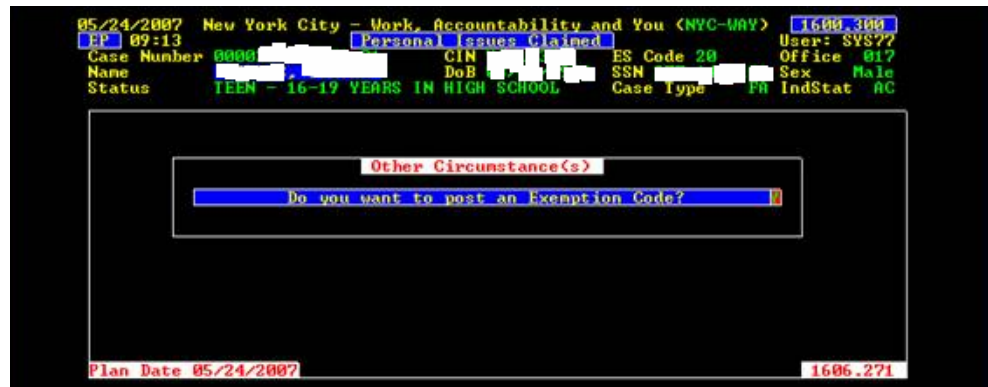
**Note:** Refer to the TA/FS Documentation/Verification Desk Guide (**LDSS-3666**) for acceptable forms of documentation to verify school attendance.

Upon verifying that the 19-year-old is attending a school or equivalency program that meets the criteria of this policy, the JOS/Worker must:

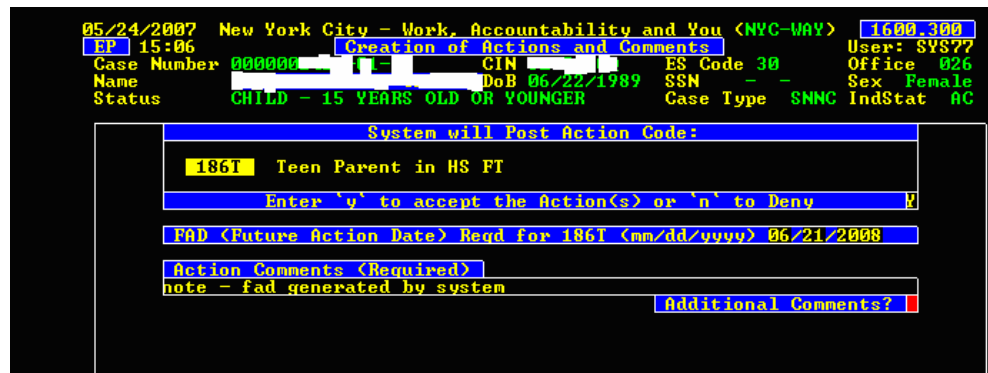
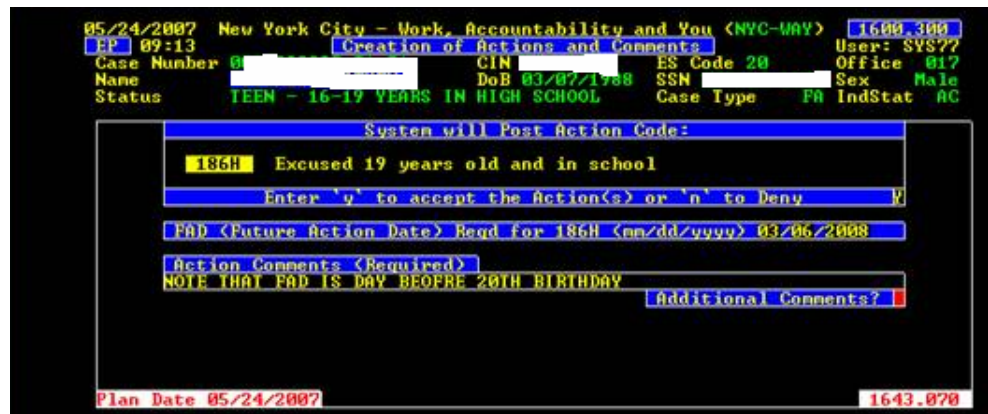
- scan/image documentation to verify attendance
- initiate an Employment Plan (EP) and enter “Y” in the **Other Personal Issues?** option from the **Assessment - Primary Questionnaire** screen
- enter a “Y” in the “Teen In High School Full Time?” Exemption option (as shown below)



- enter a “Y” in the “Do you want to post an Exemption Code?” question (as shown below)



NYCWAY will post Exemption Code **186H** (Excused, 19 Years Old and In School) or Exemption Code **186T** (Teen Head of Household [including Teen Parent]/Married Teen in High School FT) if the individual is under 20 years of age and a teen head of household (including teen parent) or a married teen (including married teen’s teenage spouse). Both codes will require a Future Action Date (FAD).



- Enter a FAD date equal to the date the student will turn age 20 or the expected date of graduation, whichever comes first

The individual’s employment status (EMP) code (Element **375**) of the Turn-Around Document (TAD) will be changed as follows:

- Exemption code **186H** will change the EMP code to **35** (In School Full-time) or
  - Exemption code **186T** will change the EMP code to **17** (Teen Head of Household or Married Teen Under 20 Years of Age Enrolled in Secondary School or Equivalent)
- Inform the individual that when the FAD expires, s/he will be called in to the Job Center to reassess his/her school attendance and engagement status.

**PROGRAM IMPLICATIONS**

Paperless Office System (POS) Implications

There are no POS implications.

Food Stamp Implications

Food stamp eligibility requirements

There are no Food Stamp eligibility requirements for students enrolled in high school (including General Equivalency Diploma [GED] programs), on-the-job training programs, schools or training programs that are not institutions of higher education.

Medicaid Implications

There are no work requirements to be deemed eligible for medical assistance (MA).

**LIMITED ENGLISH SPEAKING ABILITY (LESA) AND HEARING-IMPAIRED IMPLICATIONS**

For Limited English Speaking Ability (LESA) applicants/participants, make sure to obtain appropriate interpreter services in accordance with [PD #06-12-OPE](#). For hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with [PD #06-13-OPE](#).

## FAIR HEARING IMPLICATIONS

### Avoidance/ Resolution

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date. Remember that applicants/participants must receive either adequate or timely and adequate notification of all actions taken on their case.

### Conferences

An applicant/participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If an applicant/participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen.

The FH&C AJOS/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS/Supervisor I will explain to the applicant/participant the reasons for the Agency's action(s).

If the applicant/participant presents good cause for the infraction or the outstanding Notice of Intent needs to be withdrawn for other reasons, the FH&C AJOS/ Supervisor I will settle in conference (SIC) the pending action, and enter Action Code **820** (Good Cause Granted) in NYCWAY with detailed case notes. The FH&C AJOS/Supervisor I must also post **10FH** to send the applicant/participant to the Job Center and forward all verifying documentation, submitted by the applicant/participant, to the appropriate JOS/Worker for corrective action to be taken. In addition, if the adverse case action still shows on the "Pending" (**08**) screen in WMS, the AJOS/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form (**LDSS- 3722**), change the **02** to an **01** if the case has been granted aid continuing (ATC) or prepare and submit a PA Recoupment Data Entry Form - WMS (**LDSS-3573**), to delete a recoupment. The AJOS/Supervisor I must complete a Conference Report (**M-186a**).

If the determination is that the applicant/participant has not shown good cause for the infraction or that the Agency's action(s) should stand, then the AJOS/Supervisor I will explain to the applicant/participant why s/he cannot settle the issue(s) in conference. The AJOS/Supervisor I must complete a Conference Report.

**Evidence Packets**      Should the applicant/participant elect to continue his/her appeal by requesting or proceeding to a Fair Hearing already requested, the FH&C AJOS/Supervisor I is responsible for ensuring that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

All Evidence Packets must contain a detailed history, copies of relevant WMS screen printouts, other documentation relevant to the action taken and copies of NYCWAY “Case Notes” screens.

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**REFERENCES**

- 18 NYCRR 385.2
  - 18 NYCRR 385.3
  - 18 NYCRR 385.6
  - 18 NYCRR 385.7
  - 18 NYCRR 369.2 (c)(1)
  - Food Stamp Source Book (FSSB) Section 5, page 92
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**RELATED ITEMS**

[Employment Process Manual](#)