

**DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 9-2008
(Food and Nutrition Services)**

TO: County Directors of Social Services

ATTENTION: Food and Nutrition Services Managers & Supervisors

DATE: December 5, 2008

RE: Clarification of Student Requirements and Retirement Plans

EFFECTIVE DATE: Upon Receipt

I. BACKGROUND

- A. Student Regulations - Current policy states that an individual age 18 through 49, enrolled at least half time (as defined by the institution) in an institution of higher education, is ineligible to participate in the Food and Nutrition Services Program unless one of the exemptions in 230.03 is met.
- B. Retirement Plans - Current policy states that the following types of retirement savings are included as a resource, regardless of whether there is a penalty for early withdrawal:
 - 1. Keogh Plans that involve no contractual relationship with other individuals;
 - 2. Individual Retirement Accounts (IRA's); and
 - 3. Simplified Employer Pension Plans (SEPs).

II. POLICY AND PROCEDURES

- A. Student Requirements - This letter is to clarify that the age of the student is not used in the definition of a student in an institute of higher education. The age of the student only applies in section 230.03 when determining if they meet an exemption and are eligible to participate in the Food and Nutrition Services program as an eligible student.
- B. Retirement Plans – This letter is to clarify that these accounts are excluded from consideration as a resource per changes in the 2008 Farm Bill.

III. IMPLEMENTATION INSTRUCTIONS

- A. Student Regulations - No additional implementation instructions are required.
- B. Retirement Plans – Review all applications or benefits that have been denied or terminated effective 10/1/2008 due to excess resources based on current policy to determine if the client meets the resource requirement and issue benefits appropriately. Identify these households by completing a Data Warehouse Query.

If you have any questions concerning the policy contained in this letter, please contact your Food and Nutrition Services & Energy Programs Representative.

Sincerely,

A handwritten signature in black ink that reads "Dean Simpson". The signature is written in a cursive style with a large, prominent "D" and "S".

Dean Simpson, Chief
Economic and Family Services

DS/tb