



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Social and Health Services, Economic Services Administration

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose:

This department is amending this rule to remove obsolete information that state-funded work study can be categorized under Title IV Higher Education (HEA) or Bureau of Indian Affairs (BIA) sources. The change does not impact cash assistance programs.

The State Work Study (SWS) 2012-2013 Program Manual contains information about changes in funding sources for SWS. The federal government eliminated Title IV funding for two federal education assistance programs (Special Leveraging Educational Assistance Partnership (SLEAP) and the Leveraging Educational Assistance Partnership (LEAP)).

- Formerly, the co-mingling of federal Title IV funds from LEAP and SLEAP with SWS funding exempted student earnings from welfare benefit income control calculations.
- With the elimination of LEAP and SLEAP, SWS earnings no longer can be classified as Title IV and will now be counted as income for Basic Food for SWS students in this category.
- Income from state work study will remain exempt for cash assistance eligibility.

Citation of existing rules affected by this order:

Repealed: none
 Amended: WAC 388-450-0035
 Suspended: none

Statutory authority for adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 74.08.090

Other authority: 7 CFR 273.9 (c)

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 14-17-127 on 8-20-2014.
 Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: NA

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted:

October 30, 2014

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: November 03, 2014

TIME: 12:14 PM

WSR 14-22-078

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	<u>1</u>	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	1	Repealed	_____

WAC 388-450-0035 Educational benefits. This section applies to cash assistance and food assistance.

(1) We do not count:

(a) Educational assistance in the form of grants, loans or work study, issued from Title IV of the Higher Education Amendments (Title IV - HEA) and Bureau of Indian Affairs (BIA) education assistance programs. Examples of Title IV - HEA and BIA educational assistance include but are not limited to:

(i) ~~((College work study (federal and state);~~

~~(ii)-))~~ Pell grants; and

~~((iii))~~ (ii) BIA higher education grants.

(b) Educational assistance in the form of grants, loans or work-study made available under any program administered by the Department of Education (DOE) to an undergraduate student. Examples of programs administered by DOE include, but are not limited to:

(i) Christa McAuliffe Fellowship Program;

(ii) Jacob K. Javits Fellowship Program; and

(iii) Library Career Training Program.

(2) For assistance in the form of grants, loans or work-study under the Carl D. Perkins Vocational and Applied Technology Education Act, P.L. 101-392:

(a) If you are attending school half-time or more, we subtract the following expenses:

(i) Tuition;

(ii) Fees;

(iii) Costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study;

(iv) Books;

(v) Supplies;

(vi) Transportation;

(vii) Dependent care; and

(viii) Miscellaneous personal expenses.

(b) If you are attending school less than half-time, we subtract the following expenses:

(i) Tuition;

(ii) Fees; and

(iii) Costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study.

(c) For cash assistance, we also subtract the difference between the appropriate need standard and payment standard for your family size.

(d) Any remaining income is unearned income and budgeted using the appropriate budgeting method for the assistance unit.

(3) If you are participating in WorkFirst work study or state-funded college work study, that work study income is:

(a) Not counted for cash assistance;

(b) Counted as earned income for food assistance.

(4) If you are participating in a work study program that is not excluded in subsection (1), or for cash assistance, under subsection (3) of this section, we count that work study income as earned income:

(a) You get any applicable earned income disregards;

(b) For cash assistance, we also subtract the difference between the need standard and payment standard for your family size as described in chapter 388-478 WAC; and

(c) Budgeting remaining income using the appropriate budgeting method for the assistance unit.

(5) If you get Veteran's Administration Educational Assistance:

(a) All applicable attendance costs ((as)) is subtracted; and

(b) The remaining unearned income is budgeted using the appropriate budgeting method for the assistance unit.