
FOOD AND NUTRITION SERVICES CERTIFICATION

INCOME AND RESOURCES

FNS 350 WHOSE INCOME IS COUNTED

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Change #20-2021

November 01, 2021

350.01 WHOSE INCOME IS COUNTED?

Determine if the Food and Nutrition Services (FNS) unit members' income is countable. Count **all** non-excluded gross income in a FNS unit whether earned or unearned, unless special circumstances exist as indicated below.

A. Disqualified Individuals

Include all non-prorated countable gross income when calculating the FNS unit's benefits if a FNS unit member is disqualified due to:

1. Intentional Program Violation (IPV);
2. Failing to comply with FNS Employment and Training (E&T) requirements or Workfare;
3. Voluntary quit;
4. Drug felony; or
5. Transfer of resources (Include all this member's countable gross income.).

B. Ineligible Individuals

Include prorated countable gross income when calculating the FNS unit's benefits if the individual is ineligible due to:

1. Failing to meet enumeration requirement, **or**
2. Ineligible ABAWDs
3. Qualified Ineligible Alien
4. Non-Qualified Ineligible Alien
 - a. Count all gross (non-prorated) income of non-qualified ineligible aliens when applying the expedited and gross income test for eligibility purposes.
 - b. Count prorated countable gross income of non-qualified ineligible aliens in calculating the FNS unit's benefits, if the household's income does not exceed the gross income level or the household is not subject to the gross income test.

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Note: To prorate, divide the ineligible individual's gross countable income evenly for all potential FNS unit members.

Multiply the prorated share by the number of persons included in the FNS unit.

Example: A FNS unit consists of seven persons. The head of household, who has not met the enumeration requirements, is employed and earns \$700 per month.

$$\$700 / 7 = 100 \text{ Prorated Share}$$

$$\$100 \times 6 \text{ (eligible FNS unit members)} = \$600$$

\$600 = Income of ineligible member to be counted for the remaining FNS unit members

Note: Enter all non-prorated gross income of these individuals in NC FAST, the system will prorate based on the determination that the individual is ineligible.

C. Student in Higher Education (Technical School or College)

A student is anyone who is enrolled in an institution of higher education as defined in FNS 230 Student of Higher Education.

1. Use policy in FNS 230 to determine if the individual meets the FNS definition of a student.
2. If the individual meets the FNS definition of a student use policy in FNS 230 to determine if the individual is an eligible or ineligible student.
 - a. Eligible Student: Include all gross (non-prorated) income when calculating the FNS unit's benefits.
 - b. Ineligible Student: Do not include this person's income. This person is not eligible to be included in the FNS unit.

D. High School Student

1. For a child age 17 or younger, exclude his entire gross earned income **only if the child is:**
 - a. A student attending any elementary or secondary school recognized, operated, or supervised by the state or local school district (including home-school) or attending classes at least half-time to obtain a GED, **and**
 - b. Not the head of the FNS unit.
2. Count all (non-prorated) of the eligible students non-excluded unearned income.

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3. Once the student turns 18:

Test prospectively for the month after the student turns 18, including the student's gross earned income. Follow policy in FNS 515 Changes during Certification to determine how to react to the change.

E. Fleeing Felons, Probation/Parole Violators, **Aggravated Sexual abuse, Murder, and Sexual assault Violators.**

Count the full (non-prorated) income of these individuals.

F. Sponsored Alien

A sponsored alien is an alien admitted lawfully for permanent residence who is sponsored financially by an individual. Unless exempt as outlined in FNS 227.09 B Sponsored Non-citizens, count the full (non-prorated) income of any individual (and their spouse, if living together) who executed an Affidavit of Support on behalf of the alien as indicated below. Refugees and Asylees are not sponsored.

If the Affidavit of Support was signed or re-signed on or after December 19, 1997, count the full amount of countable income of the sponsor and his spouse (if living together) as unearned income until whichever occurs earlier:

1. The alien becomes a citizen; **or**
2. Has earned or can be credited with 40 qualifying quarters; **or**
3. The sponsor dies.

NOTE: Beginning January 1, 1997, a quarter in which a wage earner received federal means-tested assistance (Work First, FNS, Medicaid, NC Health Choice, or SSI) does not count as a qualifying quarter.

G. Foster Children

Under Title IV-E of the Social Security Act, foster care payments are made to persons who take care of children while the social services agency maintains legal responsibility for the child. Determine if the FNS unit wishes to include the foster child(ren) in the FNS unit.

1. If yes, include the foster child's countable income, count the foster care payment when calculating the FNS unit's benefits.
2. If no, exclude the foster child's income including the foster care payment.

H. Guardianship Payments

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Treat guardianship payments authorized under the Demonstration Projects Section of Title IV-E the same as foster care payments. Guardianship payments are made to a person who becomes a child's (under age 18) legal guardian. Further, the guardian can petition the court to have guardianship terminated at any time. Determine if the FNS unit wishes to include the child receiving guardianship payment.

1. If yes, include the child as a member of the FNS unit, count the guardianship payment as unearned income when calculating the FNS unit's benefits.
2. If no, treat the child as a boarder and exclude the child and the guardianship payment when calculating the FNS unit's benefits.

I. Absent Wage Earner

An absent wage earner is defined as one who is absent from the FNS unit because of work-related travel or who resides away from the FNS unit because of the distance to work.

1. Using the best available information, the worker must use their prudent judgement to evaluate each case on its own merit to determine if the FNS unit contains an absent wage earner. If the FNS unit disagrees, the wage earner and the FNS unit are responsible for establishing that the wage earner is not a member of the FNS unit. If the absent wage earner maintains a separate residence, consider whether the individual is separate from the FNS unit.
2. An absent wage earner is included in the FNS unit. Count all (non-prorated) gross income when calculating the FNS unit's benefits.
3. If the absent wage earner is in the military, determine the length of absence.
 - a. If absent less than 30 days, continue to include the member in the FNS unit and count his income.
 - b. If absent 30 days or more, do not include the individual or his income in the FNS unit. This applies to both temporary duty (TDY) and permanent change of station (PCS). Count any cash contributions made to the FNS unit as unearned income. Also consider any deposits made to a joint account as unearned income to the FNS unit.
4. If the absent wage earner has a joint checking or savings account with a FNS unit member, count any deposits made to that account as unearned income, unless a resulting trust exists. Refer to FNS 390 Resources.

J. Non-HH Members

Do not count any of the income.

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- Consider any income given to the FNS unit as contribution income.
- If the FNS unit's expenses are paid to the providers such as landlord or utility company, consider the payments as vendor payments. *Do not count as income and do not allow deductions for paid expenses.*

Whose Income is Counted Reference Sheet		
INDIVIDUAL	GROSS INCOME & EXPEDITED TEST	BUDGETING INCOME
Non-qualified ineligible non-citizen	Count all of the ineligible non-citizen's countable gross income. Include only eligible household members to determine gross income limit amount.	Count prorated income.
Qualified ineligible non-citizen	Count prorated income	
Ineligible for failure to provide SSN	Count prorated income	
Ineligible ABAWD	Count prorated income	
Disqualified for : • IPV • Work Registration • Drug Conviction • Transfer of resources	Count all of the individual's non-excluded income.	Count all of the individual's non-excluded income.
• Ineligible Fleeing Felons & Probation • Parole Violators • Aggravated Sexual abuse, Murder, and Sexual assault Violators.	Count all of the individual's non-excluded income.	Count all of the individual's non-excluded income.
Non-household members such as: • Separate households • Ineligible students • Roomers • Boarders	Do not count any of the individual's income. Note: Count any income given to the household as contribution income.	Do not count any of the individual's income. Note: Count any income given to the household as contribution income.