
WORK FIRST

ASSESSMENT FOR WORK FIRST FAMILY ASSISTANCE

Change # 03-2009

Minor Parent Rules

December 1, 2009

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I. WHAT ARE THE MINOR PARENT RULES?

A minor parent is an individual under age 18 who has a child.

NOTE: A minor parent is under age 18. The rules in these instructions do not apply to an emancipated minor. Emancipation occurs when a dependent child marries or is a member of the U. S. Armed Forces or is declared emancipated by a court. (Declaration by a court rarely happens.)

When a dependent child becomes emancipated, the child is treated as an adult caretaker and can not receive Work First Family Assistance in the status of a child. For example, if a minor child marries and later returns to his/her parent's home before reaching age 18, the emancipated individual can not be included in the parent's WFFA case as a child.

A minor parent is subject to all the eligibility requirements for Work First Family Assistance. Although a parent, the minor is still by Work First Family Assistance definition a dependent child and is, therefore, subject to additional requirements for staying in school and living with a parent or other adult. The purpose of these requirements is to encourage and promote future independence.

These requirements are reviewed when discussing personal responsibility and when the caretaker or protective payee signs the Mutual Responsibility Agreement. Refer to [Section 103, Personal Responsibility](#), for additional information.

These additional requirements are:

A. A MINOR PARENT MUST BE ENROLLED IN AND REGULARLY ATTENDING SCHOOL.

A minor parent is expected to attend an elementary school or secondary school (public or private) or approved home school (or a vocational or technical training program which is equivalent to high school).

NOTE: Home schools for children age 7 through 17 must be registered with the Division of Non-Public Education. To verify whether the home school is operating legally, ask the caretaker to provide a

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copy of the Notification card issued by the Division of Non-Public Education. If the caretaker does not have a card, call the Division of Non-Public Education at (919)733-4276 to verify the registration of a home school.

In those instances in which the minor parent has already completed high school or received a GED or is suspended or expelled from school, the caseworker must assist the caretaker in finding an educational, training, or work activity. Enrollment in and regular attendance (defined by the school or institution) at one of these alternative arrangements meets the school attendance requirement.

If a child's suspension is lifted, the child is expected to return to school.

While there is a sanction when the minor parent does not attend school, the goal is to help educate the child and make him employable.

NOTE: If needed, minor parents are entitled to child care services to go to school. See the [North Carolina Child Care Services Manual](#).

B. A MINOR PARENT MUST LIVE WITH A PARENT, LEGAL GUARDIAN, OR IN ANOTHER ADULT SUPERVISED ARRANGEMENT (THE ADULT DOES NOT HAVE TO BE A RELATIVE.) UNLESS ONE OF THE EXCEPTIONS BELOW APPLIES.

1. The minor parent has no parent or legal guardian who is living, or the whereabouts of the parent or legal guardian is unknown; **or**
2. The agency determines that the physical health or safety of the minor parent or the dependent child would be jeopardized by living with a parent or legal guardian; **or**
3. The minor parent has lived apart from any parent or legal guardian for a period of at least one year prior to either the birth of the child or prior to the date of the Work First Family Assistance application; **or**
4. The parent or legal guardian will not allow the minor parent to live in the home; **or**

NOTE: In all of the instances discussed in 1. through 4. the minor parent may be at risk. Make a referral to the Child Protective Services Unit, if appropriate.

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5. The county director or the designee determines on an individual case basis that because of a reason not listed above, it would be detrimental to the minor parent to live with her parent or legal guardian; **AND**
6. There is no other adult supervised arrangement where the minor parent may live. The adult does not have to be related to the minor parent.

If the minor parent does not live with a parent, legal guardian, or in another adult supervised arrangement, the caseworker may approve Work First Family-Assistance only after the caseworker have carefully assessed that there is no adult with whom the minor parent can live or that such an arrangement would be detrimental to the minor parent or the child. The Work First Family Assistance payment in such cases must be made as a protective payment. [Refer to II. below.](#)

II. WHO RECEIVES THE PAYMENT FOR THE MINOR PARENT?

In no instance can the minor parent receive a Work First Benefit payment in their own name.

Whenever the minor parent lives with an adult who is a member of the family unit, that adult is the applicant and receives the payment. Otherwise, the payment is made as a protective payment. Refer to the protective payment instructions in **Section 205₁, Payment Rules For Payees.**

III. HOW DOES THE CASEWORKER ASSURE THE MINOR PARENT MEETS THE ADDITIONAL REQUIREMENTS?

A. School Attendance

When the caretaker or protective payee signs the Mutual Responsibility Agreement the caretaker agrees to be responsible for school attendance verification on an ongoing basis once the application is approved.

Once the Work First Family Assistance application has been approved, families with a minor parent are subject to Work First Family-Assistance reporting for payment type 1 as the method for ongoing monitoring of school attendance. The caseworker will also need to discuss this requirement at the eligibility review.

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If at any time the information is questionable, the caseworker may ask the caretaker or protective payee to provide a statement from the school (or other source if the child is meeting the school requirement in a setting other than the traditional public school) that the minor parent is enrolled and attending school. Accept the school's definition of regularly attending.

NOTE: For those counties that have on-line access to local school records, you may choose to obtain verification in this manner.

B. Living With Parent, Legal Guardian, Or Other Adult

When the caretaker or protective payee signs the Mutual Responsibility Agreement, the caretaker or protective payee agrees to notify the case worker if the minor parent leaves the home. The caretaker or protective payee for payment type 1 cases will be responsible for reporting on the Work First Family Assistance Report if the minor parent leaves the home.

To verify initially that the minor parent is living with a parent, legal guardian, or other adult, use the verifications listed in [Section 112, Kinship/Living With Rule](#).