

PROTECTING AND ENFORCING YOUR RIGHTS UNDER THE FIP AND WORK FIRST PROGRAMS

Important Information for College Students Who Receive Family Independence Program (FIP) Cash Assistance (& FIP Recipients Interested in Attending College)

- ***GETTING YOUR EDUCATION PROGRAM APPROVED BY WORK FIRST***

Ask your Work First case manager to approve your education program and to include it in the Individual Service Strategy (ISS) form that the Work First agency completes.

The ISS is your proof that your education has been approved. If the case manager will not approve your education or include it in your ISS, use the Work First Agency's grievance procedure, as explained below.

Ask the Work First agency to approve your education program if:

- (1) You are working at least 10 hours a week AND
- (2) Your education program is related to a specific occupation.

- ***GETTING CHILD DAY CARE AND OTHER SUPPORTIVE SERVICES***

If your education program is approved, you should receive Child Day Care and other supportive services (including some types of transportation assistance, such as car repairs) to help you go to school.

Apply for Child Day Care assistance at FIA. Ask your Work First case manager for other supportive services – a written request is best, and keep a photocopy. Request a hearing or grievance (see below) if you are denied.

- ***REQUESTING A FIA HEARING IF YOU ARE DENIED SERVICES OR YOU DISAGREE WITH A DECISION BY FIA***

Hearings are an excellent opportunity to enforce your rights. In about 1/3 of all FIA cases that go to a hearing, the Administrative Law Judge finds that the agency made an error.

You have the right to request a hearing whenever FIA denies, reduces, or terminates any services or assistance that you have applied for or received. Your hearing request must be signed, dated, and received by your local FIA office. Put your case number on the hearing request, hand-deliver it to your FIA office, and keep a photocopy of the request.

FIA must receive your hearing request within 90 days after they send you written notice of the action they are taking. If you ask for a hearing within 11 days of the notice, FIA continues your benefits at their current level until a hearing decision is issued.

Seek legal advice and representation if you are going to a hearing. See "Getting legal help" on the back.

THIS INFORMATION SHEET APPLIES ONLY TO FAMILIES WHO RECEIVE FIP CASH ASSISTANCE. DIFFERENT RULES APPLY IF YOU RECEIVE ONLY FOOD STAMPS, OR FOOD STAMPS & MEDICAID, WITHOUT FIP CASH ASSISTANCE.

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- **FILING A WORK FIRST GRIEVANCE IF YOU ARE DENIED SERVICES OR DISAGREE WITH A DECISION BY THE WORK FIRST AGENCY**

You have the right to file a grievance if you disagree with a decision by the Work First agency. The Work First agency should provide you with a copy of the grievance procedure if you ask for it. You should have received a copy of their grievance process at the Work First Orientation.

Work First agencies have a lot of discretion in how they operate their programs. Asking for review of a decision by your Work First manager may result in a more favorable decision.

- **GETTING LEGAL HELP**

The laws and policies on Work First often are confusing. If you are not sure what your rights are, ask for legal advice. Seek legal advice and representation if you are requesting a hearing or filing a grievance. Legal services and legal aid offices provide free legal help to low income clients. They may be able to help. To find your local legal services/legal aid office, look under "Attorneys" in the Yellow Pages or call the State Bar of Michigan lawyer referral number: (800) 968-0738.

- **SPEAKING OUT IF YOUR FAMILY IS HARMED BY POLICIES OR LAWS THAT MAKE IT DIFFICULT TO GET A COLLEGE EDUCATION**

Policy makers and legislators need to know if Work First is helping or hurting low income families with children. Share your stories with your local legislators. Call the League of Women Voters at (800) 292-5823 if you do not know how to contact your representatives and senators. If you are interested in sharing your experience through the Coalition for Independence Through Education, a group that is working to change policies that prevent parents from getting the college education they need and want to succeed, write to us at the address in the box below.

- **GETTING "DEFERRED" FROM WORK FIRST**

If you are deferred, you do not have to meet Work First work requirements. However, if you are deferred and do not wish to comply with Work First, you will not qualify for supportive services, such as child care and transportation assistance, in connection with your education program.

Deferrals are available for persons who are:

Disabled;* Under age 16 over over age 65; Parenting a child under the age of 3 months; parenting a minor child with a disability;* Full-time caretaker for spouse with a disability;* Participating in VISTA, Job Corps or Americorps; Experiencing actual or threatened domestic violence to self or child, which interferes with work requirements; Participating in Transitional Housing Programs; or Experiencing a "temporary critical event" such as homelessness or domestic violence.

* "Disability" generally means receiving SSI or Social Security disability benefits, or applying for those benefits (through the appeals process). However, a short-term exemption may be approved for a person with a short-term disability that prevents participation in Work First.

IMPORTANT NOTE: This information is based on policies in effect and information available in December 1999. Work and Work First policies and laws change frequently. The information on this sheet is not a substitute for individual legal advice.

This Information sheet was prepared by, and additional information is available from: the Coalition for Independence Through Education (CFITE), 330 E. Liberty, Ann Arbor MI 48104