



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
600 Washington Street • Boston MA 02111

William F. Weld
Governor
Argeo Paul Cellucci
Lieutenant Governor

Field Operations Memo 96-15
April 28, 1996

Gerald Whitburn
Secretary
Joseph Gallant
Commissioner

TO: Local Office Staff

FROM: Joyce Sampson
Assistant Commissioner for Field Operations

RE: Supplement to Field Operations Memo 95-29: Determining Residency for TAFDC, AFDC and EAEDC Applicants or Recipients Who Move to Massachusetts to Attend School

Clarification

This memo clarifies Field Operations Memo 95-29 regarding the determination of residency for TAFDC, AFDC and EAEDC applicants or recipients who move to Massachusetts to attend school.

As stated in Field Operations Memo 95-29, the presumption that an applicant or recipient is not a resident because he or she entered the Commonwealth to attend school can be overcome if the applicant or recipient establishes that he or she intends to make his or her home in Massachusetts. A declaration by the school-attending applicant or recipient, (or in the case of an unemancipated minor, the head of household), that he or she is living in Massachusetts with the intention of making his or her home in the Commonwealth and has no present intent to leave is one of the primary means of determining intent.

Any declaration by the relevant applicant or recipient must be corroborated with the verifications specified in 106 CMR 203.650(B) or 303.400(B). However, if there are other factors in the case that call into question the veracity of the relevant applicant's or recipient's declaration, these factors should be explored and may justify a denial despite the applicant's or recipient's declaration of residency if they show that the applicant or recipient does not intend to reside in Massachusetts. All applicants, (or in the case of unemancipated minors, the head of household), including those who come from out-of-state to attend school, should be asked about their intentions regarding residency and their responses should be documented in the case file.

Questions

If you have policy questions, have your Hotline designee call the Policy Hotline at (617) 348-8478.