



Can An 18-Year-Old Full-Time Student Still Get Social Security Child's Benefits?

Written On January 15, 2010 By [Bob Kraft](#)

Colorado attorney [Tomasz Stasiuk](#) wrote one of his usual great posts this week at the [Colorado Social Security Law blog](#). Please read his entire post. Here are some of the highlights:

According to the regulations, an 18 year old full time student can draw benefits through the 12th grade. The regulations, at 20 C.F.R. §404.350, indicate that child's benefits can be received on the earnings record of an insured person who is entitled to old-age, disability, or who has died if the child:

- is the insured person's child, based upon a relationship described in §§404.355 through 404.359;
- is the dependent on the insured, as defined in §§404.360 through 404.365;
- has applied;
- is unmarried; and
- is under age 18; is 18 years old or older and has a disability that began before age 22; or is 18 years or older and qualifies for benefits as a full-time student as described in §404.367.

The final point above concerns continuing benefits for those 18 or over, who are still full time students. Under this section, the individual has to be either under age 18, a disabled adult child (DAC), or 18 or older and a full time student under §404.367. Section 404.367 defines primary and secondary education

as through grade 12. It appears that the child's benefits are only paid to full time students who are over 18 while they are still in high school.

We encourage you to contact us with specific questions about Social Security Disability claims in Texas. If we cannot assist you, we would be happy to make a referral.

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