



March 23, 2020

Julie Mikkelson  
SNAP Director  
U.S. Food and Nutrition Service  
77 West Jackson Street, 20<sup>th</sup> Floor  
Chicago, IL 60604-3501

Dear Ms. Mikkelson:

In an effort to aid individuals of Illinois during the Coronavirus disease (COVID-19), we are submitting a waiver request to apply Good Cause to students enrolled at least half-time in institutions of higher education who currently do not meet exemption requirements for students.

The Supplemental Nutrition Assistance Program (SNAP) requires at 7 CFR 273.5(a), 273.5(b) an individual who is enrolled at least half-time in an institution of higher education to be ineligible to participate in the SNAP program unless they qualify for an exemption.

This waiver would allow the State agency to grant Good Cause to students enrolled at least half-time in an institution of higher education who cannot meet student exemptions now due to the COVID-19 crisis which has caused college/university closures, lack of employment and job training resources.

If you need additional information, please contact [Leslie.k.cully@illinois.gov](mailto:Leslie.k.cully@illinois.gov)  
217/785-3294.

Sincerely,

Grace B. Hou, Secretary  
Illinois Department of Human Services

Cc: Tim Verry, Director  
Leslie K. Cully, Associate Director  
Terri Vaniter, Bureau Chief

## STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request: Initial**
3. **Regulatory citation: 7 CFR 273.5(a), 7 CFR 273.5(b)**
4. **State: Illinois**
5. **Region: MWRO**
6. **Regulatory requirements:**

The Supplemental Nutrition Assistance Program (SNAP) regulations at **7 CFR 273.5(a)** requires An individual who is enrolled at least half-time in an institution of higher education shall be ineligible to participate in SNAP unless the individual qualifies for one of the exemptions contained in **273.5(b)**:

b) Student Exemptions. To be eligible for the program, a student as defined in paragraph (a) of the section must meet at least one of the following criteria.

- (1) Be age 17 or younger or age 50 or older;
- (2) Be physically or mentally unfit;
- (3) Be receiving Temporary Assistance for Needy Families under Title IV of the Social Security Act;
- (4) Be enrolled as a result of participation in the Job Opportunities and Basic Skills program under Title IV of the Social Security Act or its successor program;
- (5) Be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours. The State agency may choose to determine compliance with this requirement by calculating whether the student worked an average of 20 hours per week over the period of a month, quarter, trimester or semester. State agencies may choose to exclude hours accrued during academic breaks that do not exceed one month. A State agency that chooses to average student work hours must specify this choice and specify the time period over which the work hours will be averaged in its State plan of operation;
- (6) Be participating in a State or federally financed work study program during the regular school year.
  - (i) To qualify under this provision, the student must be approved for work study at the time of application for SNAP benefits, the work study must be approved for the school term, and the student must anticipate actually working during that time. The exemption shall begin with the month in which the school term begins or the month work study is approved, whichever is later. Once begun, the exemption shall continue until the end of the month in which the school term ends, or it becomes known that the student has refused an assignment.
  - (ii) The exemption shall not continue between terms when there is a break of a full month or longer unless the student is participating in work study during the break.



(7) Be participating in an on-the-job training program. A person is considered to be participating in an on-the-job training program only during the period of time the person is being trained by the employer;

(8) Be responsible for the care of a dependent household member under the age of 6;

(9) Be responsible for the care of a dependent household member who has reached the age of 6 but is under age 12 when the State agency has determined that adequate child care is not available to enable the student to attend class and comply with the work requirements of paragraph (b)(5) or (b)(6) of this section;

(10) Be a single parent enrolled in an institution of higher education on a full-time basis (as determined by the institution) and be responsible for the care of a dependent child under age 12.

(i) This provision applies in those situations where only one natural, adoptive or stepparent (regardless of marital status) is in the same SNAP household as the child.

(ii) If no natural, adoptive or stepparent is in the same SNAP household as the child, another full-time student in the same SNAP household as the child may qualify for eligible student status under this provision if he or she has parental control over the child and is not living with his or her spouse.

(11) Be assigned to or placed in an institution of higher education through or in compliance with the requirements of one of the programs identified in paragraphs (b)(11)(i) through (b)(11)(iv) of this section. Self-initiated placements during the period of time the person is enrolled in one of these employment and training programs shall be considered to be in compliance with the requirements of the employment and training program in which the person is enrolled provided that the program has a component for enrollment in an institution of higher education and that program accepts the placement. Persons who voluntarily participate in one of these employment and training programs and are placed in an institution of higher education through or in compliance with the requirements of the program shall also qualify for the exemption. The programs are:

(i) A program under the Job Training Partnership Act of 1974 (29 U.S.C. 1501, et seq.);

(ii) An employment and training program under §273.7, subject to the condition that the course or program of study, as determined by the State agency:

(A) Is part of a program of career and technical education as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) designed to be completed in not more than 4 years at an institution of higher education as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 2296); or

(B) is limited to remedial courses, basic adult education, literacy, or English as a second language.

(iii) A program under section 236 of the Trade Act of 1974 (19 U.S.C. 2296); or

(iv) An employment and training program for low-income households that is operated by a State or local government where one or more of the components of such program is at least equivalent to an acceptable SNAP employment and training program component as specified in §273.7(e)(1). Using the criteria in §273.7(e)(1), State agencies shall make the determinations as to whether or not the programs qualify.

## **7. Description of alternative procedures:**

On January 31, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern as well as Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States. The Governor of Illinois, Governor JB Pritzker, declared a state of emergency of the entire state of Michigan on March 09, 2020, (Executive Order 2020-08) to protect the well-being of the citizens of Illinois from the dangerous effects of COVID-19. In addition to the state-declared state of emergency, on March 13, 2020, President Trump declared a national state of emergency over the COVID-19 pandemic.

This waiver would allow the State agency to grant Good Cause to students enrolled at least half-time in an institution of higher education who cannot meet student exemptions now due to the COVID-19 crisis which has caused college/university closures, lack of employment and job training resources.

**8. Justification for request:**

Approval of this waiver would assist Students of Higher Education to receive SNAP benefits during the COVID-19 crisis.

**9. Anticipated impact on households and State agency operations:** Students of higher education not meeting special student requirements can receive SNAP benefits during a worldwide pandemic which has caused campus closures and interruption to employment and on-the-job training.

**10. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):** The total number of SNAP cases as of 02/2020 is 887,753 and the total number of students enrolled at least half-time in an institution of higher education and receiving SNAP benefits as of 02/2020 is 10,688.

**11. Anticipated implementation date and time period for which waiver is needed:**

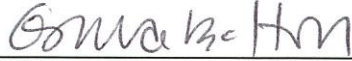
Immediately upon approval.

**12. Proposed quality control review procedures:** Cases will be reviewed in accordance with this waiver approval.

**13. State agency submitting waiver request and State contact person:**

Illinois Department of Human Services, Leslie K. Cully, [leslie.k.cully@illinois.gov](mailto:leslie.k.cully@illinois.gov)  
217/785-3294

**14. Signature and title of requesting official:**



Grace B. Hou, Secretary

**Illinois Department of Human Services**

**15. Date of request: 03/23/2020**

**16. State agency staff contact (name/email/telephone: Leslie.K.Cully  
[leslie.k.cully@illinois.gov](mailto:leslie.k.cully@illinois.gov) 217/785-3294**

**17. Regional office contact person (*to be completed by FNS regional office*):**