

**DEPARTMENT OF SOCIAL SERVICES**

DIVISION OF ECONOMIC ASSISTANCE

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March 25, 2020

Dana Platin  
Division Director  
Supplemental Nutrition Assistance Program  
Mountain Plains Regional Office  
1244 Speer Blvd 903  
Denver, CO 80204

Dear Ms. Platin,

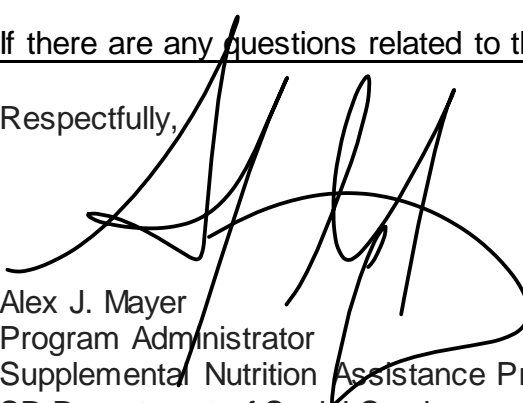
Please find the attached waiver request related to Student eligibility requirements. The State is requesting to waive the regulation at 7 CFR 273.15(a). The COVID-19 pandemic has significantly impacted the United States and has required every state agency to do its part to maintain access to vital supports like SNAP, while too taking proactive measures to reduce further transmission of the virus. The State of South Dakota has begun implementing such provisions to reduce the proliferation of this virus amongst those in the State, most recently issuing an Executive Order resulting in the closure of all South Dakota Department of Social Services' (DSS) offices until May 2<sup>nd</sup>, closure of schools, closing of businesses, and all institutions moving to online course.

The agency remains committed to our most vulnerable citizens. It is then of the utmost importance that the State not only continue to be able to issue benefits, but that we assure accurate and timely determination for our citizens who are in need of food assistance. Therefore, the State requests latitude in the area to ensure that the vulnerable student population and impacted households are offered some relief during this time.

If there are any questions related to this request, please let me know.

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Respectfully,



Alex J. Mayer  
Program Administrator  
Supplemental Nutrition Assistance Program  
SD Department of Social Services  
Division of Economic Assistance

cc: Philip Fraley, FNS USDA Regional Office, SNAP Operations Branch Chief  
Kari Mardyla-Goddard, FNS USDA Regional Office, Acting Operational Team Lead

Virginia Hanson, SD Department of Social Services, SNAP Program Specialist II

## STATE WAIVER REQUEST

**1. Waiver Serial Number (if applicable):**

**2. Type of request:** Initial

**3. Regulatory citation:** 7 CFR 273.5(a)

**4. State:** South Dakota

**5. Region:** MPRO

**6. Regulatory requirements:**

The Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.5(a) state that 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 paragraph (b) of this section.

**7. Description of alternative procedures:**

South Dakota is requesting a waiver of regulations at 7 CFR 273.5(a) to allow students who are enrolled at least half-time in an institution of higher education to be eligible to participate in SNAP without being required to meet one of the exemptions in 7 CFR 273.5(b).

**8. Justification for request:**

The COVID-19 pandemic has significantly impacted the United States and has required every state agency to do its part to maintain access to vital supports like SNAP, while too taking proactive measures to reduce further transmission of the virus. The State of South Dakota has begun implementing such provisions to reduce the proliferation of this virus amongst those in the State, most recently issuing an Executive Order closing all South Dakota Department of Social Services' (DSS) offices, altering business operations, sustaining school closures throughout the State until May 1, 2020, and moving all college course to online formats indefinitely.

With students now home taking online courses our States low-income families, already impacted by this pandemic have an additional person in the household but are unable to include them in the household because of eligibility provisions. Furthermore, the exponential increase in unemployment across the State has too resulted in many looking to supports like SNAP during this challenging time. Now, for these households, they have children home due to campus closures across the State and country but are insufficiently supported by SNAP because of the current provisions. Lastly because of the school closures it is incredibly difficult to verify if the student is enrolled in an institution of higher education, if the student is approved to participate in a work study program, or if the student is assigned to or placed in an institution of higher education through or in compliance with one of the programs identified in paragraphs (b)(11)(i) through (b)(11)(iv) of 7

CFR 273.5. With an increasingly larger number of businesses closing daily, students are unable find employment or maintain employment to meet the minimum 20 hours per week requirement. Through the waiving of these requirements, families would be able to receive the adequate support needed to supplement their family's food needs as this pandemic continues.

**9. Anticipated impact on households and State agency operations:**

As noted, this waiver will assure access to vital program supports are maintained so there is consistency for households. Furthermore, State agency operations will be streamlined by removing the fruitless attempts around gaining verifications due to the growing COVID-19 situation. Finally, the exponential increase in applications and other program related processes make it challenging and the verification attempts reduce the amount of staff available to process applications. The provisions currently in place leaves existing and new SNAP households vulnerable during this very uncertain time in our state and nation.

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

The State will implement April 1, 2020 and is needed until June 1, 2020.

**11. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:**

For February 2020, the South Dakota caseload included 78,006 people in 37,002 SNAP households. It is difficult to assess the impact given the unique circumstance around student eligibility requirement. That said, with students now home taking online courses low-income families already impacted by this pandemic have an additional person in the household but are unable to include them in the household because of eligibility provisions. The State could see between 100-3000 people added to existing households or as new applicants.

**12. Time Period for which Waiver is needed:** We are requesting approval as soon as possible and will implement as soon as approval is received. The effective period of this waiver will be April 1, 2020 to June 1, 2020 or until the public health emergency declaration is lifted, whichever comes first.

**13. Proposed quality control review procedures:**

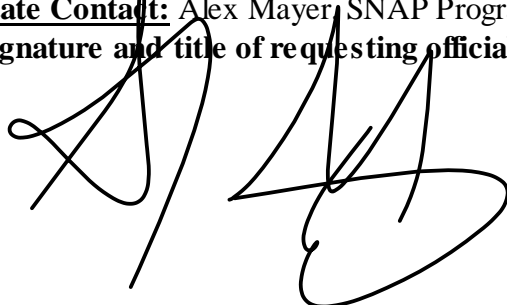
No special QC procedures are required for cases subject to the provisions of the waiver.

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

**State Agency:** State of South Dakota, Department of Social Services

**State Contact:** Alex Mayer, SNAP Program Administrator

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



Alex J. Mayer

Title: SNAP Program Administrator

Email for transmission of response: [Alex.Mayer@state.sd.us](mailto:Alex.Mayer@state.sd.us)

**16. Date of request:** March 25, 2020

**17. State agency staff contact (name/email/telephone):**

Alex Mayer 605-773-5468

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