



# Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

**DATE:** December 20, 2024

**SUBJECT:** Supplemental Nutrition Assistance Program (SNAP) – Questions and Answers on Student Exemptions

**TO:** All SNAP State Agencies  
All Regions

The Food and Nutrition Service (FNS) is clarifying student eligibility policy to help State agencies screen and certify eligible students and support work readiness for the Supplemental Nutrition Assistance Program (SNAP). Although students who are at risk of food insecurity may be eligible for SNAP, many are not participating in the program. A recent Government Accountability Office [report](#) estimated 3.3 million students were eligible for SNAP, but 67 percent reported not receiving benefits.

Individuals enrolled at least half time in an institution of higher education (IHE) are eligible for SNAP if they meet certain criteria (exemptions), provided at Section 6(e) of the Food and Nutrition Act of 2008 (the Act) and 7 CFR 273.5(b). FNS' February 7, 2023, [Institutions of Higher Education and Student Eligibility Rules memo](#) clarified which individuals are considered enrolled in an IHE, and therefore subject to student eligibility rules. FNS understands there is confusion around student exemptions, and is issuing this memorandum to clarify several of these exemptions:

- The physically or mentally unfit exemption at Sec. 6(e)(2) of the Act and 7 CFR 273.5(b)(2);
- The work study exemption at Sec. 6(e)(4) of the Act and 7 CFR 273.5(b)(6);
- The exemption for individuals assigned to or placed in an IHE through certain employment and training programs outlined at Sec. 6(e)(3) of the Act and 7 CFR 273.5(b)(11); and
- The exemption for the work incentive or Job Opportunities and Basic Skills (JOBS) program under Title IV of the Social Security Act, or its successor program, at Sec. 6(e)(7) of the Act and 7 CFR 273.5(b)(4).

The definition of a student covered in this memo and other SNAP memos is for SNAP eligibility purposes only.

Schools should determine who is a “student” for their own purposes, which may confer advantages such as access to a campus library or a student ID card.

State agencies with questions should contact their Regional Office representatives.

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Enclosure

## Supplemental Nutrition Assistance Program (SNAP) Questions and Answers on Student Exemptions

### Institutions of Higher Education

#### **Question 1: What is an institution of higher education (IHE)?**

**Response:** As described in FNS's February 7, 2023, [memo](#), the regulations at [7 CFR 273.5\(a\)](#) provide that an individual enrolled at least half-time in an IHE is only eligible for SNAP if they meet certain criteria (exemptions). Whether an individual is enrolled in an IHE for SNAP eligibility purposes is defined by three criteria: enrollment status, the type of school, and the type of curriculum.

- **Business, trade, technical, or vocational school:** An individual is considered enrolled in an IHE if they are enrolled at least half-time in a business, technical, trade, or vocational school and in a curriculum that normally requires a high school diploma or equivalent for enrollment.

Individuals enrolled in these types of schools, but in a curriculum that does not normally require a high school diploma or equivalent, are not considered enrolled in an IHE.

- **College or university that offers degrees:** An individual is considered enrolled in an IHE if they are enrolled at least half-time in a regular curriculum at a college or university that offers degrees, regardless of whether a high school diploma is required.

Individuals enrolled at a college in a program outside of the regular curriculum are not considered enrolled in an IHE.

Individuals enrolled less than half-time at any type of school are not considered to be enrolled in an institution of higher education. Please consult this [flowchart](#) to determine whether an individual is enrolled in an IHE for SNAP eligibility purposes.

### Physically or Mentally Unfit Exemption

Section 6(e)(2) of the Act and regulations at 7 CFR 273.5(b)(2) provide that students who are physically or mentally unfit meet an exemption and can participate in SNAP if otherwise eligible.

#### **Question 2: What does it mean to be physically or mentally unfit for purposes of meeting the student exemption?**

**Response:** This exemption is distinct from the exemption from the general work requirements at Section 6(d)(1) of the Act, though there may be overlap. Physical or mental unfitness at Section 6(e)(2) and 273.5(b)(2) refers to a student's ability to work while concurrently enrolled half-time or more in an institution of higher education. For example, individuals who are physically or mentally unfit for employment under 273.7(b)(1)(ii) would qualify for the student exemption

at 273.5(b)(2) because they are physically and mentally unfit for work. However, additional individuals may qualify for the student exemption at 273.5(b)(2), such as some students who receive services from an institution's disability or reasonable accommodations office.

**Question 3: Do students have to receive disability benefits to qualify as “physically or mentally unfit”?**

**Response:** No.

**Question 4: Do State agencies have discretion to define criteria for “physically or mentally unfit”?**

**Response:** Yes. State agencies have discretion to determine what they consider physical or mental unfitness under 7 CFR 273.5(b)(2). For example, in addition to students with an evident disability or who receive disability benefits, State agencies may consider students unfit if they are experiencing chronic homelessness or are placed in an institution of higher education by a state or local vocational rehabilitation program. State agencies may also determine that certain students receiving additional support from an institution of higher education's disability access or reasonable accommodations office may qualify for this exemption.

State agencies should keep in mind that some disabilities or other physical or mental conditions may not be evident to eligibility workers interacting with clients over the telephone or in-person. State agencies should develop clear criteria for physical or mental unfitness that eligibility workers can apply consistently across the caseload, including appropriate strategies to identify hidden disabilities.

**Question 5: How should State agencies screen students for physical or mental unfitness?**

**Response:** State agencies have the responsibility to methodically and comprehensively screen applicants who are students to determine if they meet the State's criteria for physically or mentally unfit.

Comprehensive screening for physical and mental unfitness begins with screening all SNAP applicants to determine whether they are subject to the general work requirements, including whether an individual is physically or mentally unfit for employment. In addition, State agencies should screen students to determine if they meet any additional criteria for physical and mental unfitness under 273.5(b)(2), such as receiving certain accommodations from the institution's disability office.

State agencies should work with institutions of higher education to identify policies and guidelines to determine whether students meet an exemption at 273.5(b)(2).

FNS encourages State agencies to use plain language on the application and in interviews so applicants can provide the information necessary for the eligibility worker to make the determination. For example, instead of asking if a student is “unfit,” State agencies could ask whether the student faces physical or mental barriers to working while attending school. The word “unfit” has negative connotations, so students may be hesitant to describe themselves as such. The State agency may also provide examples of the specific criteria individuals would need to meet, such as chronic homelessness or learning disabilities. This language is particularly important to identify students with a non-evident disability or who meet the physical or mental unfitness exemption in a way that is not readily apparent to the State agency.

### **Question 6: Are State agencies required to verify students' unfitness?**

**Response:** No. However, if the information is not evident per 273.2(f)(1)(xi) or is questionable, the State agency must require verification. If an individual’s physical or mental unfitness is evident to the eligibility worker, they should exempt the individual without requiring a statement or verification from medical personnel.

To avoid burdening applicants unnecessarily, FNS encourages State agencies to implement flexible verification policies to reduce barriers some students may have with obtaining specific forms of verification. Acceptable verification may include a statement from a physician or mental health professional, a letter from the school’s disability or reasonable accommodations office, or an acceptable collateral contact (e.g., social worker or medical personnel). The State agency must assist households in obtaining verification and must accept any reasonable documentary evidence per 273.2(f)(5)(i). State agencies may consider providing student applicants with a verification form to be completed by one of the professionals listed above to help facilitate the verification process.

If the unfitness is not evident and verification from a medical professional is unavailable, State agencies should make every attempt to verify the unfitness using a collateral contact.

State agencies should develop clear guidelines for when verification is required and consistently apply the verification criteria across the caseload to ensure civil rights protection.

### **Work Study Exemption**

Section 6(e)(4) of the Act and regulations at 7 CFR 273.5(b)(6) provide that students participating in a State or Federally financed work study program during the regular school year meet an exemption and can participate in SNAP if otherwise eligible.

### **Question 7: What is a State or Federally financed work study program?**

**Response:** State or Federally financed work study is any work study program that is funded by State or Federal funds. The Federal Work-Study Program provides part-time employment for undergraduate, graduate, and professional students with financial need. Students must fill out the Free Application for Federal Student Aid (FAFSA) to apply for Federal work study. State agencies should work with their State higher education agency to identify any State-funded work study programs.

**Question 8: What does it mean to be “participating” in a State or Federally financed work study program?**

**Response:** Under 7 CFR 273.5(b)(6), there are three criteria that must be met for a student to be considered participating in a work study program:

- 1) The student must be approved for work study at the time of application for SNAP benefits;
- 2) The work study must be approved for the school term; and
- 3) The student must anticipate actually working during that time.

The student does not need to be actively working at a work study job at the time they apply for SNAP, as long as the three criteria are met. A student who refuses a work study assignment is not considered to be participating in work study.

Individuals who meet the exemption for participating in work study do not also need to meet the exemption at 7 CFR 273.5(b) requiring students to work 20 hours a week. These are two separate exemptions.

**Question 9: What does it mean to “anticipate actually working”?**

**Response:** State agencies have discretion to determine what it means for a student to anticipate working and should develop clear policies to ensure that only those students who meet this criterion are provided this exemption.

**Question 10: What are the verification requirements for participation in work study?**

**Response:** The State agency may accept a statement from the student that they are participating in work study and meet the three criteria under 7 CFR 273.5(b)(6). However, if the State agency determines the information provided by the student is questionable, it must verify the statement prior to certifying the household, in accordance with 7 CFR 273.2(f)(2)(i). For example, for students who have not yet begun a work study job at the time of application or interview, the State agency may choose to require verification, such as an attestation from the student that they anticipate actually working during the school term.

State agencies have the option to require additional verification of work study participation, in accordance with 7 CFR 273.2(f)(3). However, State agencies must accept any reasonable documentary evidence provided by the household (e.g., financial aid award letter, documentation from school, letter from work study employer, student attestation) and must not limit verification to one type of document. The State agency must support households in obtaining verification, provided the household is cooperating. The State agency may also work with IHEs or State departments of higher education to jointly develop a work study verification form for students to use.

### **Individuals Assigned to or Placed in an IHE through Certain Employment and Training Programs Exemption**

Section 6(e)(3) of the Act and regulations at 7 CFR 273.5(b)(11) provide that students assigned to or placed in an IHE through certain employment and training programs meet an exemption and can participate in SNAP if otherwise eligible.

**Question 11: If an individual is assigned to or placed in an IHE through or in compliance with the requirements of certain employment and training programs they may be an eligible student. What are these programs?**

**Response:** See question 1 for the definition of an IHE. Students who are enrolled in an IHE through or in compliance with one of the following programs at 273.5(b)(11) may be eligible to receive SNAP if they meet all other SNAP eligibility requirements:

- **Programs under Title I of the Workforce Innovation and Opportunity Act (WIOA).** This includes WIOA [Adult](#), [Dislocated Worker](#), and [Youth Programs](#). These programs provide career and training services to job seekers and include job search assistance, workforce preparation, and career development services. Additionally, training services available include both classroom and work-based learning opportunities. They are available through a network of American Job Centers.
- **State SNAP Employment and Training Programs** that meet one of the following:
  - The course or program of study 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; or
  - The course or program of study is a remedial, basic adult education, literacy, or English as a second language course.
- **A program under section 236 of the Trade Act of 1974.** The Trade Act of 1974, as amended, established several programs that provide assistance to workers who have been affected by foreign trade. The programs, taken together, are referred to as the Trade Adjustment Assistance (TAA) Program. The TAA Program is a federal entitlement program that assists U.S. workers who lose their jobs or are threatened with job loss as a result of foreign trade. Specifically, section 236 provides for training for adversely affected workers or adversely affected incumbent workers for whom there is not suitable employment and would benefit from training. The U.S. Department of Labor administers the program and publishes regulations and guidance governing the program's administration.
- **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.

**Question 12: Are Trade Adjustment Assistance (TAA) programs (273.11(b)(iii)) still active?**

**Response:** On July 1, 2022, a termination provision of the Trade Act, as amended, took effect because Congress did not reauthorize the program. Since the program is now terminated, if a worker is adversely affected by trade on or after July 1, 2022, they will not be able to receive training under TAA (section 236 of the Trade Act of 1974, as amended). However, States are still required to continue serving trade-affected workers from worker groups certified prior to July 1, 2022. More information is available at <https://www.dol.gov/agencies/eta/tradeact>.

**Question 13: Are SNAP participants eligible for enrollment in training under the TAA program even though the program has been terminated?**

**Response:** The TAA program is a federal entitlement program that offers a lifetime benefit to individuals that qualify. Individuals who were adversely affected by foreign trade before July 1, 2022, and meet certain conditions may still be eligible to receive training as part of the TAA program. If an individual is assigned to or placed in an IHE through the TAA program, they would qualify for the exemption at 273.5(b)(11)(iii).

**Question 14: What is a “self-initiated placement” at an IHE?**

**Response:** An individual enrolled in one of the employment and training programs listed above may, in certain circumstances, “self-initiate placement” at an IHE and therefore meet the student exemption. In many cases, these employment and training programs will directly assign, place, or require individuals to enroll in an IHE. However, an individual who is participating in one of these employment and training programs may also find their own placements at the IHE. For example, WIOA Title I programs give participants training allowances and a list of eligible providers, and the individual may decide that the eligible provider that is the best place for them is the local community college. The employment and training program must accept the student’s placement.

**Question 15: Do the 7 CFR 273.5(b)(11) exemptions apply to individuals who are enrolled in an IHE before enrolling in one of the programs under (b)(11)?**

**Response:** Yes, if the employment and training program accepts the individual’s enrollment in the IHE as part of their participation in the program.

**Question 16: How can States operationalize self-initiated placements for individuals who meet an exemption through their assignment or placement in a SNAP E&T program?**

**Answer:** Per FNS’ August 19, 2010, guidance, [Student Eligibility for the Supplemental Nutrition Assistance Program \(SNAP\)](#), students who, at the time of application to SNAP, are already enrolled in an approved SNAP E&T educational activity, can qualify for a student exemption under 7 CR 273.5 (b)(11)(ii). This process is often described in SNAP E&T as a type of a “reverse referral” or a “request for a referral.”



The activity (“component”) must be in the approved SNAP E&T State plan, must have a direct link to employment, and the course or program of study must be one of the following: 1) 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, or 2) remedial courses, basic adult education, literacy, or English as a second language. Students that qualify under this exemption are formally placed into the State SNAP E&T program and reported to FNS as SNAP E&T participants. The State agency must also provide participants case management and participant reimbursements along with all other SNAP E&T requirements specified in 7 CFR 273.7. In addition, FNS will not pay for student educational expenses with SNAP E&T funds where these expenses are being met prior to SNAP participation.

**Question 17: Under 273.5(b)(11)(iv), an individual may be eligible for SNAP if they are assigned to or placed in an employment and training program for low-income households operated by a State or local government. What type of programs would qualify under this exemption?**

**Response:** State or local employment and training programs that qualify under this provision must pass a three-part test of 7 CFR 273.5(b)(11)(iv):

- 1) the employment and training program must be operated by a State or local government,
- 2) the program must be for low-income households, and
- 3) one or more program components must be equivalent to a SNAP E&T program component.

A program that fulfills the 7 CFR 273.5(b)(11)(iv) requirement would offer training and/or other services or supports that help low-income individuals gain skills and/or credentials for a specific occupation.

**Question 18: What about individuals enrolled in career and technical education (CTE) programs, such as associate’s degrees or certificate programs?**

**Response:** Certificate and associate degree programs that are part of CTE programs, as defined in 20 U.S.C. 2302(5), are typically outside of a college or university’s “regular curriculum” under 7 CFR 273.5(a) (see question 1 above). Individuals enrolled in these types of programs outside the regular curriculum would not be considered “students” for SNAP eligibility purposes, and therefore would not need to meet an exemption in order to be eligible for SNAP. States should conduct thorough screening to ensure that only individuals considered students enrolled half-time or more in IHEs are subject to the student exemptions.

**Question 19: What is a program for low-income households? Do programs under 273.5(b)(11)(iv) have to have income requirements?**

**Response:** To be a program for low-income households, a program must serve a substantial number of low-income households. It is not necessary that every individual in a program come from a low-income household, but a substantial number should come from households in economic circumstances equivalent to participants in SNAP. Using available demographic and economic data, a State may determine whether programs serve low-income households.

**Question 20: What does it mean to have one or more components equivalent to an acceptable SNAP E&T program component?**

**Response:** SNAP E&T programs must be designed to help SNAP recipients obtain skills, training, work, or experience to increase their ability to obtain regular employment and to meet the needs of employers. SNAP E&T program components are listed at 7 CFR 273.7(e)(2) and include supervised job search, job search training, workfare, work experience, education, and self-employment programs. In particular, SNAP E&T education components should directly enhance the employability of the participants. A direct link between the education and job-readiness must be established. For a program that is not a SNAP E&T program to have one or more components equivalent to an acceptable SNAP E&T component, it must offer one of the components under 7 CFR 273.2(e)(2).

Due to the strong connection with employability, SNAP E&T education components are frequently occupational training or credential programs. Individuals in these types of programs may not be considered “students in an institution of higher education” for SNAP purposes because they are not part of the regular curriculum and would not need to meet an exemption at 7 CFR 273.5 in order to qualify for SNAP. States should refer to a detailed discussion of this issue in FNS guidance from February 2023, [\*Supplemental Nutrition Assistance Program - Institutions of Higher Education and Student Eligibility Rules\*](#).

**Question 21: In order to meet the requirement of being equivalent to an acceptable SNAP E&T component, does the program have to be equivalent to a component included and approved in the State’s SNAP E&T plan?**

**Response:** No.

**Job Opportunities and Basic Skills (JOBS) program under Title IV of the Social Security Act or Its Successor Program Exemption**

**Question 22: What is the JOBS program exemption? Do State agencies need to screen for it?**

**Response:** No. The JOBS program was the employment and training arm of Aid to Families with Dependent Children (AFDC), and AFDC and JOBS were replaced with TANF. The JOBS program is obsolete and there is no successor program.