



Food and
Nutrition
Service

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SUBJECT: Supplemental Nutrition Assistance Program (SNAP) – End of Temporary Student Exemptions in the Consolidated Appropriations Act, 2021

TO: All SNAP State Agencies
All Regions

This memorandum provides guidance to Supplemental Nutrition Assistance Program (SNAP) State agencies on the end of the temporary student exemptions as described in Section 702(e) of the Consolidated Appropriations Act, 2021 (CAA). This expands upon the [SNAP Student Provisions in the Consolidated Appropriations Act, 2021 - Questions and Answers – Section 702\(e\)](#) memorandum issued on February 2, 2021.

Temporary Student Exemptions

Section 702(e)(2) of the CAA created two temporary exemptions for students in response to the COVID-19 Federal public health emergency (PHE). The two temporary exemptions apply to students who meet either of the following:

- 1) The individual is eligible to participate in a State or Federally financed work study program during the regular school year, as determined by the institution of higher education; or,
- 2) The individual has an expected family contribution (EFC) of 0 in the current academic year.

Initial Applications

Under the CAA, the temporary student exemptions shall be in effect for initial SNAP applications until 30 days after the Federal PHE is lifted. States must stop applying the temporary exemptions to students submitting initial applications filed on the 30th day following the end of the Federal PHE declaration. States will certify initial applicants filed on the 30th day following the end of the Federal PHE declaration based only on the exemptions listed at Section 6(e) of the Food and Nutrition Act of 2008, as amended (the Act).¹

For example, if the Federal PHE ends on January 11, 2023, States would continue to apply the temporary exemptions to initial applications filed on or before February 10, 2023. States would process initial applications filed on or after February 11, 2023, under only the student exemptions at Section 6(e) of the Act.

¹ [Student exemptions](#) are described in Section 6(e) of the Food and Nutrition Act of 2008, as amended (the Act) and Federal regulations at 7 CFR 273.5(b).

Households certified under a temporary student exemption retain their exemption until their next recertification. Many students will remain eligible under the temporary exemptions for up to a year after the sunset of the exemptions.

States must base eligibility for the temporary student exemptions on the application filing date, not on the processing date.

Recertifications

Under the CAA, States must stop applying the temporary exemptions at the household's next recertification beginning no earlier than 30 days after the Federal PHE ends. This means that students recertifying in the first full calendar month that begins at least 30 days after the end of the PHE will no longer have the temporary exemptions applied to their case. For households recertifying after the Federal PHE is lifted but before the first full month beginning at least 30 days after the end of the Federal PHE, States will process applications using the temporary exemptions. States must base eligibility for the temporary student exemptions on the date the household applies for recertification, not the date of processing.

For example, if the PHE ends on January 11, 2023, States would continue processing recertifications submitted through February 28, 2023, using the temporary exemptions. The State would process recertification applications submitted beginning March 1, 2023, under only the student exemptions outlined in the Act, as March 2023 is the first full month that begins at least 30 days after the end of the PHE.

States do not have discretion to end the temporary student exemptions earlier or later than the timeframes outlined in this memorandum.

Mid-Certification Changes

Households are not required to report if a student loses eligibility for the temporary exemptions (e.g., loses eligibility for work study or if their expected family contribution (EFC) increases above 0). If a household does report information indicating that a student is no longer eligible for a temporary exemption, the State must act on the change if the impact on the case is clear. The State should screen the student for other student exemptions, outlined in Section 6(e) of the Act and at 7 CFR 273.5(b), prior to determining the student ineligible and closing the case, or removing the student from the household.

If the household's report does not provide sufficient information for the State to determine whether or not the temporary exemption still applies, then the report would be considered unclear information. The State would hold the information until the household's next scheduled contact, in accordance with the unclear information procedures at 7 CFR 273.12(c)(3).

Implementation and Importance of Screening

FNS will inform States of the end date of the Federal PHE as soon as possible. In preparation, FNS is working with the Department of Education to communicate changes in SNAP student eligibility rules to all stakeholders, including students and SNAP State agencies.

FNS highly encourages States to plan for these changes by making any necessary system changes and undertaking additional training for eligibility workers. FNS also recommends that States consider providing refresher training on regular [student eligibility](#) rules to ensure staff properly screen students enrolled half-time or more in an institution of higher education.

In addition, FNS encourages States to conduct outreach about the changes with stakeholders, including institutions of higher education, State departments of higher education, advocates, and students. Through these networks, States may communicate SNAP standard student eligibility rules in addition to the end of the temporary student exemptions to ensure applicants understand their eligibility.

As the temporary student exemptions expire, State agencies should make every attempt to screen students for all currently allowable exemptions outlined in 7 CFR 273.5. Students who were previously certified under the temporary exemptions may continue to be eligible under a different exemption.

State agencies with questions may contact their respective Regional Office representatives.

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