



**311 West Saratoga Street  
Baltimore MD 21201**

**FIA ACTION TRANSMITTAL**

**Control Number: # 20-04**

**Effective Date: Immediately**

**Issuance Date: October 23, 2019**

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT  
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

**FROM: NETSANET KIBRET, EXECUTIVE DIRECTOR**

A handwritten signature in blue ink, appearing to be 'N. Kibret', is written over the name 'NETSANET KIBRET'.

**RE: STUDENT ELIGIBILITY**

**PROGRAM AFFECTED: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM  
(SNAP)**

**ORIGINATING OFFICE: OFFICE OF PROGRAMS**

**Summary**

The Agricultural Act of 2014 (also known as the 2014 Farm Bill) Section 4007 extends SNAP eligibility to individuals enrolled half-time or full-time in an institution of higher education if those individuals are also participating in a State-approved, SNAP Employment and Training (E&T) program.

The previous federal Food and Nutrition Act of 2008 generally prohibited students enrolled at least half-time in an institution of higher education from receiving SNAP. The 2014 Farm Bill now allows these students to be eligible for SNAP if the student is participating in a career and technical education program.

There are currently no State-approved SNAP E&T programs which would meet the eligibility requirements. Therefore, this new policy expansion has no immediate programmatic impact. In the future, however, Maryland anticipates that there will be students who will benefit from this policy change.

## **Action Required**

### **Verification**

In order for a full-time college student to be eligible for SNAP benefits without having to meet any other eligibility requirements, the local departments must verify that the program the student is enrolled in is a state-approved SNAP E&T Program. To verify this, a case manager must use WORKS.

#### **Notes:**

- Not every case manager has access to WORKS, therefore, local departments will need to establish a protocol for verifying this information.
- All State-approved SNAP E&T vendors are required to track participants in WORKS.

If the individual is enrolled in an E&T Program at least half-time, the local department must also verify if the program meets the above criteria using one of the two following methods:

- A copy of the FIA Verification of Program Attendance form (see attached) completed by the institution, or
- A copy of the customer's most recent transcript. Because each institution defines its enrollment statuses, the local department will need to confirm with the institution how many credits are considered at least half-time.

**Note:** If a customer is between terms, verification of the upcoming term should be obtained if possible.

### **Frequency of Verification**

Verification is needed only when a previous term has ended and verification of the new term has not yet been obtained.

Local departments must confirm if appropriate verification of enrollment status has been obtained at application and redetermination. If appropriate verification of enrollment status has not been obtained, the local department must request verification to confirm eligibility.

### **ABAWD**

There is no change in the ABAWD policy for this population. As noted in SNAP Manual Section 106, customers attending an accredited school at least half-time are not considered ABAWDs.

## TCA

This change in SNAP policy does not change TCA work requirements.

## Attachment

- SNAP Manual Section 102

## Inquiries

For TCA, TDAP and SNAP policy-related questions, please complete the [FIA Policy Information Request Form](#) found on Knowledge Base as shown in the screenshot below.

For CARES/systems related inquiries, please contact [fia.bsdm@maryland.gov](mailto:fia.bsdm@maryland.gov).

The screenshot displays the DHS Knowledge Base website. The left sidebar contains a list of navigation links, with 'Family Investment Administration' and 'Contact us with your FIA Program Eligibility Policy Question' circled in red. The main content area features a 'FIA Policy Information Request' form with the following text:

**FIA Policy Information Request**

Have a FIA policy question? Click on the link to complete a Policy Information Request. Your question will be routed directly to the Bureau of Policy.

Questions will be answered within 48 business hours. If a question requires further research, you will be notified that there will be a delay and kept apprised of the status. Remember to review the policy manuals, Action Transmittals, and forms found on Knowledge Base (<http://kb.dhs.maryland.gov/family-investment-administration/>) prior to submitting a request; many times the answer to your question can be found through our online resources.

Technical questions regarding CARES functions should be directed to the Bureau of Systems Development and Management at [fia.bsdm@maryland.gov](mailto:fia.bsdm@maryland.gov).

\* Required

Email address \*

Your email

On the right side of the page, there is a 'Contact Us' section with contact information for Carrie A. Durham, JD (Director, Office of Policy and Training) and Candice A. Roberts (FIA Executive Assistant). A 'Tools' button is also visible at the bottom right.

cc: DHS Executive Staff  
FIA Management Staff  
DHS Constituent Services  
DHS Help Desk  
Office of Administrative Hearings

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### **102.1 General Policy**

- A. A person who is enrolled at least half-time in an institution of higher education is ineligible for SNAP benefits unless the person meets one of the requirements listed below in Section 102.2.
- B. A person is a student if he or she is enrolled in an institution of higher education, which includes business, technical, trade or vocational school, remedial courses, basic adult education and English as a second language.
- C. Part-time enrollment in an institution of higher education is less credits than half-time enrollment.
- D. This policy section does not pertain to persons who are enrolled part-time in an institution of higher education.

### **102.2 Student Eligibility Requirements**

The following half-time or full-time students are eligible for SNAP benefits:

- 1. Persons age 17 or younger or age 50 or older;
- 2. Persons with a physical or mental disability;
- 3. Persons attending high school;
- 4. Persons receiving Temporary Cash Assistance (TCA);
- 5. Persons employed for an average of 20 hours per week and paid for the employment or, if self-employed, employed for an average of 20 hours per week and receiving weekly earnings at least equal to the federal minimum wage multiplied by 20 hours;
- 6. Persons participating in on-the-job training programs (a person is considered to be participating in an on-the-job training program only during the period of time he or she is being trained by the employer);
- 7. Persons participating in the Job Opportunities and Basic Skills program under Title IV of the Social Security ACT or its successor program;
- 8. Persons participating in a state or federally financed work study program during the regular school year (see 102.3 for the definition of work study);
- 9. Persons responsible for the care of a child under age 6;
- 10. Persons responsible for the care of a child between ages 6 and 12 when adequate child care is not available for the student to attend class and work 20 hours per week or participate in a State or federally financed work study program; or,
- 11. Persons who are voluntarily participating in the SNAP Employment and Training (E&T) Program, a program under the Job Training Partnership Act of 1974, a program under section 236 of the Trade Act of 1974, or an employment and training program for low-income households that is operated by a state or a local government where one or more

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of the components of the program is at least equivalent to an acceptable food stamp employment and training program component as specified in 7 CFR § 273.7(e)(1).

12. Persons who are participating in a State-approved SNAP E&T Program as verified through WORKS.

### **102.3 Definition of Work-Study**

A. To qualify as an eligible student because of work-study, the following conditions apply:

1. The student must be participating in a state or federally financed work-study program during the regular school year.
2. The work-study must be approved for the school term.
3. The student must anticipate actually working the work-study job during the school term.
4. The exemption begins with the month in which the school term begins or the month the work-study is approved, whichever is later.
5. Once begun, the exemption continues until the end of the month in which the school term ends or it becomes known that the student has refused an assignment.

**Note:** When the local department becomes aware of a student who has been given an exemption because of anticipated work-study and the work-study did not materialize, a claim is not required unless the student deliberately gave wrong or misleading information.

6. The exemption does 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.

B. This exemption does not apply to students who are working in hospitals or student-teachers who are teaching as part of their coursework for which they earn credit.

C. Most work-study programs are funded through Title IV, Part C of the Higher Education Act of 1965, as amended. As long as there is some federal funding involved, these programs meet the definition of federally financed work-study programs. (See Section 211 Excluded Income, for treatment of Title IV educational income.)

D. Do not consider students who are paid to attend institutions of higher education with federal JTPA or Work Opportunities funds as work-study students. The students in these programs receive compensation based on the number of hours of class attendance and not for any worked performed. Therefore, they are not entitled to the work-study exemption.

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<p style="text-align: center;">STUDENTS</p>	<p style="text-align: center;">Section 102</p>	

**102.4 Work Registration**

An eligible student is exempt from work registration.

**102.5 Eligibility Requirements**

A student who is not exempt is a non-member of the SNAP household. See Section 102.7 for information on the non-member’s income and resources.

**102.6 Enrollment Status**

Enrollment status begins the first day of the school term and continues through normal periods of class attendance, vacation, and recess unless the person graduates, is expelled or suspended, drops out or does not plan to register for the next normal school term (excluding summer school).

**102.7 Income/Resources**

Do not consider the income and resources of an ineligible student when determining eligibility and the benefit level for the remainder of the household. Ineligible students are non-members.