



**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY
ASSISTANCE**

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Andrew M. Cuomo
Governor

Informational Letter

Section 1

Transmittal:	12-INF-14
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	September 19, 2012
Subject:	Supplemental Nutrition Assistance Program Policy – Student Eligibility (Replaces 11-INF-06)
Suggested Distribution:	Supplemental Nutrition Assistance Program Directors, Temporary Assistance Directors, Staff Development Coordinators
Contact Person(s):	Supplemental Nutrition Assistance Program Bureau 518-473-1469
Attachments:	
Attachment Available On – Line:	<input type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
09-ADM-08		18 NYCRR 387.1(ii), 387.9(a)(3), 385.3(a)(1) (viii)	7 CFR 273.5	SNAP Source Book Section 5	

Section 2

I. Purpose

The purpose of this Informational letter (INF) is to replace 11-INF-06 and to provide further information on:

- Eligibility for the Supplemental Nutrition Assistance Program (SNAP) of a student who is in receipt of Unemployment Insurance Benefits (UIB) **and** enrolled at least half-time in an institution of higher education in an approved Unemployment Insurance Benefits (UIB) Educational Program: “599” Educational Training Programs, Workforce Investment Act (WIA), or Trade Act Programs; and
- Clarify student eligibility rules for an applicant or recipient enrolled in correspondence school or on-line courses at least half-time in an institution of higher education; and
- Exclusion of work/study income when determining eligibility for SNAP benefits.

II. Background

The OTDA/CEES/SNAP Bureau has received inquiries from social services districts (SSDs) on each of these related student eligibility topics, and we are providing the following clarifications of current SNAP policy to address these questions. Since the original release of 11-INF-06, further clarification was received from the United States Department of Labor (DOL) regarding students who are in receipt of UIB **and** enrolled at least half-time in an institution of higher education in an approved UIB Educational Program.

III. Program Implications

UIB and Student Eligibility Requirements:

An applicant or recipient for SNAP benefits age 18 through 49, physically and mentally fit, enrolled at least half time in an institution of higher education and in receipt of UIB is considered to be an eligible student for SNAP purposes, if the DOL has approved their program as participation in a “599” educational training program. If approved for an UIB Educational Program, the student will have received a TCC 316.1 document. A person who has misplaced or lost their TCC 316.1 can call the Special Operations Unit at the DOL office and request a copy of the form.

SSDs should also note that an applicant or recipient age 18 through 49, physically or mentally fit who has been assigned to or placed in an institution of higher education through one of the following programs is considered eligible for SNAP purposes, provided that the SNAP household meets all other eligibility requirements.

- The Workforce Investment Act (WIA) - Participants in a WIA funded program may or may not be 599 approved. A participant's WIA involvement and approval may extend beyond their 599 approval. If they are also approved for the 599 program, verification is the TCC 316.1. Absent the coincidental 599 approval, there is no easy way to confirm approval to participate in a WIA program if the person has lost or misplaced their original WIA approval.

Approved participants in the Trade Act program would have received a document called "Request for TAA Funds for Training/Training Plan Details." The bottom of the document would note whether or not the person is approved/disapproved and whether it is full or part time participation. For SNAP, it does not matter if it is full or part time, as long as they are approved. Participants in the Trade Act program are entered into DOL's "Trade Tracker" system, and if they have lost or misplaced their "request for TAA funds, etc." document, they should be able to get a document from the DOL confirming participation.

- A SNAP Employment and Training (SNAP E&T) program, or
- A Safety Net Assistance employment program activity which is comparable to a SNAP E&T activity and included in the biennial local employment plan approved by OTDA.

Such students do not have to meet any further student eligibility work requirement or work exemption criteria, such as working an average of 20 hours per week, or participation in an approved work/study program or providing care to a child under the age of 6 or being physically or mentally unable to work.

Note: Students who are receiving Family Assistance or Federally Funded SNA are eligible to participate in SNAP if otherwise eligible.

Correspondence and On-line Courses:

An individual age 18 through 49 years of age, physically and mentally fit that 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 federally approved exemptions. An individual is considered to be enrolled in an institution of higher education if the individual is enrolled in a business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum, or if the individual is enrolled in a regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required.

An applicant or recipient enrolled in correspondence or on-line courses, at least half time as defined by the institution and enrollment requires a high school diploma or equivalent, is considered to be a full-time student for SNAP purposes and is ineligible

to participate in SNAP unless the individual meets one of the federally approved exemptions (see 18 NYCRR 387.1).

Note: A student that is enrolled at least half-time in any recognized school, training program or institution of higher education and has been determined to have met the student eligible criteria in 18 NYCRR 387.1 is exempt from the requirement to participate in SNAP employment and training activities. Such a student remains exempt during normal periods of attendance, vacation and recess, unless there is a break in the student's enrollment status due to graduation, suspension, expulsion or intent not to return to a recognized school, training program or institution of higher education.

Work Study Income:

Work study income is income that is earned by a student as part of a financial aid or educational assistance package, and should not be considered when evaluating eligibility or benefit amount for SNAP. It is excluded as income because it is considered to be part of the grant or scholarship package. The policy regarding the treatment of educational assistance was described in Section IV.A.3.a of 02 ADM-07:

“Educational grants, loans or scholarships for educational purposes other than general living expenses. Previously, districts applied complex criteria to exclude portions of educational income after evaluating funding sources, earmarking, and student expenses. ... This change categorically exempts educational grants, loans and scholarships...”

Student employment, whether on or off campus that is **not** part of a financial aid or educational assistance package is **not** excluded as income. If the SSD is unable to determine if the employment and earnings in question are work/study, the Financial Aid Offices of institutions of higher learning usually can provide verification of work/study participation.

For further information regarding student eligibility see 09-ADM-08, 18 NYCRR 387.1(ii), 387.9(a)(3) and 385.3(a)(1)(viii), 7 CFR 273.5 and the SNAP Source Book, Section 5 – Students.

Issued By

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