

DATE: April 7, 2016

TO: Subscribers

SUGGESTED DISTRIBUTION: Commissioners, Employment Coordinators, TA Directors, SNAP Directors, and Staff Development Coordinators

FROM: Phyllis D. Morris, Deputy Commissioner
Center for Employment and Economic Supports

SUBJECT: SNAP E&T/ABAWD Exemption for Students Enrolled in High School

EFFECTIVE DATE: Immediately

CONTACT PERSON: Employment and Advancement Services (518) 486-6106 or
Employment Services Advisor

The purpose of this GIS message is to inform social services districts (districts) of a policy clarification that the Office of Temporary and Disability Assistance (OTDA) received from the United States Department of Agriculture (USDA) on March 30, 2016, regarding students who are enrolled in high school.

USDA has clarified that a student who has documented that he/she is enrolled in high school is exempt from SNAP E&T work requirements, regardless of their age.

The regulations at 7 CFR 273.24(c)(5) provide that anyone who is exempt from SNAP work requirements under section 6(d)(2) of the Food Stamp Act are also exempt from the ABAWD requirement. Therefore, a student who documents that he/she is enrolled in high school is exempt from the ABAWD work requirements, regardless of their age. The individual's status must be re-evaluated at recertification and when a change in the individual's status is reported to the district.

Districts should assign a student who documents that he/she is enrolled in high school a SNAP employability code of "72" (Student enrolled in a recognized school, job skills training or institution of higher education at least half-time and meets student eligibility requirements listed in 18 NYCRR387.1 / Exempt) and an ABAWD indicator code of "N" (Non-ABAWD). Use of this SNAP employability code during the report month will remove the individual from the ABAWD selection process.

Districts who have included the option to exclude individuals who are 18 years old or older and participating in high school in their ABAWD exclusion policy should review their policy and re-program these exclusions for another population. Districts do not need to use an ABAWD exclusion for a student who documents that he/she is enrolled in high school because such an individual is exempt from SNAP work requirements and ABAWD requirements. If applicable, districts should review and re-submit their exclusion policies to OTDA for review.