



## UNITED STATES DEPARTMENT OF EDUCATION

TO: Interested Parties

FROM: Amy Loyd, Ed.L.D. /s/  
Assistant Secretary for Career, Technical, and Adult Education

RE: End of the Public Health Emergency and Impact on Student Eligibility for Supplemental Nutrition Assistance Program (SNAP)

DATE: March 30, 2023

The U.S. Department of Education (ED) is committed to student success and understands that addressing students' basic needs is paramount for students to complete postsecondary education. It is important that students understand the resources available to them and have the support that they need to access these services and benefits. As the public health emergency (PHE) sunsets, institutions of higher education (IHEs) and State higher education agencies play an important role in helping students to access basic needs supports and public benefits for which they may be eligible, like the Supplemental Nutrition Assistance Program (SNAP); Temporary Assistance for Needy Families (TANF); Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); Affordable Connectivity Program (ACP); and Medicaid, which can help to ensure that students have the resources that they need to complete their education. This is especially important as postsecondary students are increasingly older and more likely to be balancing school with work and family responsibilities.<sup>1</sup> Support for students to meet their basic needs is also critical to achieve the goals of the Biden-Harris Administration's National Strategy on Hunger, Nutrition, and Health.<sup>2</sup>

### End of the PHE and the Effects on Student SNAP Access

The COVID-19 PHE [will end](#) on May 11, 2023. The lifting of the PHE will begin to end flexibilities related to student eligibility for federal benefit programs including SNAP and Medicaid. The U.S. Department of Agriculture (USDA) has released guidance outlining the forthcoming changes to [student SNAP eligibility](#) and clarifying some of the rules [around student SNAP exemptions](#) that will continue to apply after the PHE ends.

As a reminder, the [temporary student exemptions](#) authorized under the Consolidated Appropriations Act, 2021 (CAA, 2021) expanded SNAP eligibility for students enrolled at least half-time in an IHE who either: (1) were

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<sup>1</sup> Perception vs. Reality: The Typical College Student (newamerica.org).

<sup>2</sup> White House, "Biden-Harris Administration National Strategy on Hunger, Nutrition, and Health," September 2022, <https://www.whitehouse.gov/wp-content/uploads/2022/09/White-House-National-Strategy-on-Hunger-Nutrition-and-Health-FINAL.pdf>.

eligible to participate in a State or federally financed work study program during the regular school year, as determined by the IHE; or (2) had an expected family contribution (EFC) of 0 in the current academic year. As outlined below, these exemptions will begin to end 30 days after the lifting of the PHE on May 11, 2023.

### **What can IHEs do to help students meet their basic needs?**

#### *Support Students in Applying or Recertifying for SNAP Before the End of the Temporary Exemptions*

Most immediately, IHEs should continue to help students enrolled at least half-time who meet the temporary student exemptions outlined in the CAA, 2021 to enroll in SNAP and, as applicable, to recertify their SNAP application, before the temporary exemptions end.

Per [guidance](#) released by USDA on February 10, 2023, once the PHE declaration is lifted on May 11, 2023, the temporary student exemptions will remain in effect for initial SNAP applications for an additional 30 days. State SNAP agencies must continue to apply the temporary exemptions to initial applications filed on or before **June 9, 2023**. State SNAP agencies must also process SNAP recertification applications submitted through **June 30, 2023**, using the temporary exemptions.

As such, IHEs should conduct immediate and targeted outreach to their students enrolled at least half-time who are either eligible for work study or have an EFC of 0 and provide them with information about SNAP and assistance applying. Students applying for SNAP for the first time may qualify under the temporary exemptions if they submit their SNAP application to their SNAP State agency on or before **June 9, 2023**. IHEs should also support students enrolled at least half-time who are already participating in SNAP to submit a recertification application prior to **July 1, 2023, if their SNAP certification period ends in April, May, or June**.

After the PHE sunsets, State SNAP agencies must process initial applications filed on or after June 10, 2023, as well as recertification applications submitted on or after July 1, 2023, using only the student exemptions in Section 6(e) of the Food and Nutrition Act of 2008 and [7 CFR 273.5\(b\)](#). For more information on the end of the temporary student exemptions, please refer to USDA's memo "[End of Temporary Student Exemptions in the Consolidated Appropriations Act, 2021](#)."

#### *Help Students Understand Eligibility for SNAP*

Even though these temporary exemptions are ending, students may still be eligible to receive SNAP benefits. Students who are enrolled at least half-time in an IHE and who meet one of the student exemptions in Section 6(e) of the Food and Nutrition Act of 2008 and [7 CFR 273.5\(b\)](#) will remain eligible for SNAP benefits. IHEs are permitted to use Free Application for Federal Student Aid (FAFSA®) data to aid in the administration of several federal benefits, including SNAP, per previously issued [guidance](#) by ED related to designations under Section 483(a)(3)(E) of the Higher Education Act of 1965, as amended (20 U.S.C. 1090(a)(3)(E)), specifically:

- IHEs may use FAFSA® data to conduct electronic outreach (e.g., email, text) to potentially eligible students. For instance, IHEs may use FAFSA® data or other administrative records to prioritize outreach

to students who meet one of the more common exemptions in [7 CFR 273.5\(b\)](#), to apply for SNAP benefits, such as students who:

- Are age 17 or younger or age 50 or older;
- Receive TANF under Title IV of the Social Security Act;
- Are employed for a minimum of 20 hours per week and are paid for such employment;\*
- Participate in a State or federally financed work study program during the regular school year;\*
- Are responsible for the care of a dependent household member under the age of 6;
- Are responsible for the care of a dependent household member who has reached the age of 6 but is under age 12 and lack adequate childcare;\* or
- Are a single parent enrolled in an IHE on a full-time basis (as determined by the institution) and responsible for the care of a dependent child under age 12.\*

A full list of student exemptions can be found on the [SNAP student webpage](#). Students must also meet other SNAP financial and non-financial eligibility criteria to receive benefits. For example, students under age 22 who live with their parents must be included in the parents' SNAP household. Also, students who receive the majority of their meals through a meal plan are not eligible to participate in SNAP. The Food and Nutrition Service (FNS) recommends that students contact their SNAP State agencies or local SNAP office for questions about how SNAP eligibility rules apply to their specific circumstances.

In many States, students can apply for SNAP benefits online, in-person, by phone, or by mail. IHEs and students can find resources related to SNAP through their local SNAP office or the State SNAP webpage at [SNAP State Directory of Resources](#). ED also encourages IHEs to examine their student work policies to support student success and avoid limiting public benefits eligibility. Some IHE policies for student work, while an important consideration for student success, may create unintentional barriers for students to receive public benefits.

- IHEs may also use FAFSA® data to help streamline the SNAP application process for students and to verify that students meet eligibility requirements directly with the State SNAP agency. To do so, the IHE must obtain the prior written consent of the student under the Family Educational Rights and Privacy Act (FERPA) regulations (*see* 34 CFR 99.30) and any other applicable privacy law to disclose the student's FAFSA® data to the State SNAP agency. Under 34 CFR 99.30(d), written consent may include "a record and signature in electronic form that—(1) Identifies and authenticates a particular person as the source of the electronic consent; and (2) Indicates such person's approval of the information contained in the electronic consent." IHEs should set up a process to gather this type of consent from students who may be interested in receiving public benefits.

IHEs must limit their FAFSA® data use to what is required to inform their student population about these benefits and, as needed, to help students verify their eligibility for these benefits. For more information about student eligibility and other student exemptions, visit the [SNAP Students webpage](#).

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\* See [7 CFR 273.5\(b\)](#) for additional provisions related to this exemption.

## What can State higher education agencies do to help students meet their basic needs?

### *Partner with State SNAP Agencies and IHEs on Outreach and Application Process Improvement*

State higher education agencies should work with their State SNAP agency and IHEs to plan for the sunset of the PHE and to increase student SNAP enrollment, both through outreach and by streamlining the SNAP application process for students.

Students are a priority area for targeted SNAP outreach. Many students who are at risk of food insecurity and potentially eligible for SNAP do not report receiving SNAP benefits, indicating that these students may be unaware of or misinformed about their potential eligibility.<sup>3</sup> ED encourages State higher education agencies to partner with State SNAP agencies and IHEs to support student enrollment in SNAP and to share best practices.<sup>4</sup> These types of partnerships can be supported through a SNAP outreach plan. Some State higher education agencies and SNAP agencies have also partnered successfully to jointly develop verification forms that students can use when applying for SNAP and to align policies for administrative simplicity.

State higher education agencies interested in conducting student outreach or exploring administrative streamlining should reach out to your State SNAP agency or to the FNS Regional Office for your State. Additionally, a full list of USDA program resource materials and policy memos to support the end of the PHE are available [here](#).

### *Work with State SNAP Agencies and IHEs to Identify Programs as IHEs*

State higher education agencies should work with their State SNAP offices and IHEs to clarify whether an individual is enrolled in an IHE for SNAP eligibility purposes. It is important to understand that SNAP does not consider all individuals enrolled in postsecondary education to be students in an IHE. Only individuals considered to be a student in an IHE for SNAP purposes are subject to the student eligibility restrictions. Recent [guidance](#) issued by USDA clarifies which individuals are considered enrolled in an IHE and, therefore, subject to the student eligibility rules at [7 CFR 273.5\(a\)](#), and which students are exempt from the SNAP work requirements at [7 CFR 273.7\(b\)\(1\)\(viii\)](#).

Whether an individual is enrolled in an IHE for SNAP eligibility is defined by three criteria: enrollment status, the type of school, and the type of curriculum. An individual enrolled at least half-time in an IHE is eligible for SNAP only if they meet certain exemptions, listed at [7 CFR 273.5\(b\)](#). However, the school must determine a student's enrollment status (i.e., less than half-time, half-time, full time) and:

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<sup>3</sup> Government Accountability Office, "Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits," December 2018, <https://www.gao.gov/assets/gao-19-95.pdf>.

<sup>4</sup> For more information on students and SNAP, visit the [SNAP Students](#) webpage. [Students | Food and Nutrition Service \(usda.gov\)](#)

- Only individuals enrolled in an IHE **half-time or more** are required to meet a student exemption at [7 CFR 273.5\(b\)](#) to be eligible for SNAP.
- Individuals enrolled **less than half-time** do not have to meet a student exemption to be eligible for SNAP.

To support States, FNS developed a [flowchart](#) to assist in determining whether a student is enrolled in an IHE for SNAP eligibility purposes. The flowchart helps to distinguish between enrollment in a *business, technical, trade, or vocation school or a college or university degree program* as well as the type of curriculum.<sup>5</sup> Individuals eligible for SNAP benefits are exempt from the SNAP work requirements in accordance with [7 CFR 273.7\(b\)\(1\)\(viii\)](#) if they are enrolled at least half-time in: (1) an IHE, and meet one of the exemptions under [7 CFR 273.5\(b\)](#); or (2) a recognized school or training program.

ED encourages State higher education agencies to collaborate with State SNAP agencies to determine which schools and which curricula within schools should be considered IHEs for SNAP purposes and to create statewide policies and standardized screening processes, rather than examining each student's unique circumstance. State higher education agencies are also encouraged to implement training on this subject to ensure State policies and processes are applied appropriately and consistent with federal law.

We recognize the importance of this issue and encourage collaboration between State higher education agencies, State SNAP agencies, and IHEs to support student basic needs and to increase SNAP enrollment. ED and USDA continue to expand their relationship to support State agencies and students, and we seek to continue to build partnerships with the field. To that end, we encourage State higher education agencies and IHEs to share information on best practices as well as to raise any questions. State higher education agencies and IHEs may submit information, best practices, and questions to [studentbasicneeds@ed.gov](mailto:studentbasicneeds@ed.gov). State agencies with questions may also contact their respective [FNS regional office](#) representatives.

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<sup>5</sup> Many colleges offer special programs that are not part of the regular curriculum. These can include remedial education, continuing or community education, professional development, English for Speakers of Other Languages, and workforce development/training programs.