
FOOD AND NUTRITION SERVICES CERTIFICATION
ELIGIBILITY REQUIREMENTS
FNS 235 STUDENT OF HIGHER EDUCATION

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Change #X-2021
July 12, 2021

235.01 DETERMINING A STUDENT OF HIGHER EDUCATION

- A. An individual is defined as a student of higher education if they meet the following conditions:
 - 1. Enrolled in an institution of higher education (235.02); **and**
 - 2. Enrolled at least half time as defined by the institution of higher education.
- B. Individuals that do not meet both of these conditions are not considered students of higher education and the policy in FNS 235 Students of Higher Education does not apply.

235.02 INSTITUTION OF HIGHER EDUCATION

An institution of higher education includes online and traditional classroom studies, those include but are not limited to the following:

- A. College or university that offers degree programs regardless of whether a high school diploma is required.
- B. Business, technical, trade, or vocational school that normally requires a high school diploma or equivalent for enrollment in the curriculum which normally requires high school graduation or an equivalency certificate to enroll.
- C. Students attending an institution under special circumstances are considered enrolled in an institution of higher education. Some institutions make exceptions for students who the institution feels can benefit from the program offered, even though the student has not graduated from high school. If courses offered provide college level credit or the credit is transferable to other degree programs, it is considered higher education.

Note: These individuals must be enrolled in the institution of higher education at least half time.

235.03 ENROLLMENT IN INSTITUTION OF HIGHER EDUCATION

- A. Enrollment begins the first day of the school term at the institution of higher education. Enrollment status during vacations and recess is determined based on the student's status just prior to the school break.

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- B. Enrollment ends when the student graduates, is suspended, expelled, drops out, or decides not to register for the next normal term (except summer school).

235.04 STUDENT OF HIGHER EDUCATION EXEMPTIONS

An individual who is a student of higher education is ineligible to participate in the FNS Program unless the individual meets one of the exemptions listed in this section.

A student of higher education is eligible and may be included in the Food and Nutrition Services (FNS) unit if any one of the following exemptions is met.

- A. Age 17 or younger or age 50 or older.

NOTE: The age requirement for ongoing cases begins the month after the month of the 18th or 50th birthday. The age requirement for applications is determined by the individual's age on the date of application.

- B. Physically or mentally unfit (as defined for work registration).
- C. Employed for either an average of 20 hours per week or a total of 80 hours per calendar month and paid for that employment.
- D. Self-employed for an average of 20 hours per week, or a total of 80 hours per calendar month. At a minimum, earnings must at least equal minimum wage multiplied by 20 hours per week or minimum wage multiplied by 80 hours per month.

NOTE: You cannot round up the weekly average. However, consider the student to have met the 80 hours per month rule when the hours worked are greater than 79 hours. (i.e., 79 hours, 15 minutes; 79 hours, 30 minutes, etc.).

- E. Responsible for the care of a dependent FNS Unit member under the age of six (If there are two parents and two or more children under six, both parents can claim this exemption. If there is only one child in the home, then only one parent can claim this exemption.).
- F. Be a single parent enrolled in an institution of higher education on a full-time basis (as determined by the institution) and be responsible for the care of a dependent child under age 12.
1. This provision applies in those situations where only one natural, adoptive, or stepparent (regardless of marital status) is in the same food stamp household as the child.

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2. If the natural, adoptive, or stepparent does not live with the child, another full-time student in the same FNS Unit with the child may qualify for eligible student status under this provision if he or she has parental control over the child and is not living with his or her spouse.

Parental control means the individual is responsible for the day-to-day decisions and care of the child. (Babysitting does not meet this definition.)

- G. Be responsible for the care of a dependent FNS Unit member who has reached the age of six and is under age 12 if adequate child care is not available to enable the student to attend class and work 20 hours each week (not averaged) or participate in a State or federally financed work-study program. In a two-parent household, both parents may claim the exemption if there are two or more children who meet this definition.

- H. Work First Family Assistance recipient.

- I. Assigned to or placed in an institution of higher education through:

1. A program under the Workforce Investment Act (WIOA); or

NOTE: WIA Programs are operated under the auspices of local Workforce Development Boards.

2. The Food and Nutrition Services Employment and Training Program or a government sponsored employment and training program for low-income households equivalent to an employment and training component; or
3. A program under Section 236 of the Trade Act of 1974; or
4. Work First Employment Services; or
5. A training program under the North American Free Trade Agreement (NAFTA).

Self-initiated placements during the period of time the student is enrolled in one of these employment and training programs shall be considered to be in compliance with the requirements of the employment and training program in which the person is enrolled provided that the program has a component for enrollment in an institution of higher education and that program accepts the placement. A student who voluntarily participates in one of these employment and training programs and is placed in an institution of higher education through or in compliance with the requirements of the program will also qualify for the exemption.

- J. Participating in an on-the-job training program.

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1. An on-the-job training program for Food and Nutrition Services purposes is one in which a participant is hired by a private or public employer and while engaged in productive work receiving training that provides knowledge or skills essential to the full and adequate performance of that job.
2. The student is considered to be participating in on-the-job training only during the period of time the person is being trained by the employer. During the period of time that the person is attending classes, he or she would have to meet one of the other eligible student criteria to be eligible for the program.

EXAMPLE: A person is in a program which requires that he or she attend classes full-time at an education institution for ten weeks and, subsequently, be trained by an employer for an additional ten weeks. Only the latter ten-week period would be considered participation in an on-the-job training program for purposes of the student provision. During the ten-week period the person is only attending classes, he or she would be ineligible unless he or she meets one of the other eligible student criteria.

- K. Be participating in a State or federally financed work-study program during the regular school year.
 1. The student must be approved for work-study at the time of application or will be added as a change when the work-study is approved; and
 2. The work study must be approved for the school term; and
 3. The student must be working to earn this exemption.
 4. This exemption begins with the month the school term starts or the month the work-study is approved, whichever is later. The exemption continues until the end of the month in which the school term stops.
 5. Do not continue this exemption if the student refuses a work-study assignment.
 6. Do not continue this exemption between school terms when the break is more than a month unless the student participates in work-study during the break.

235.05 STUDENT OF HIGHER EDUCATION VERIFICATION

- A. Client statement is acceptable verification of student status for online and/or traditional classroom studies unless questionable.

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- B. If questionable and verification is necessary, accept **any** document that reasonably establishes the individual's student status. This includes but is not limited to:
1. Documentary evidence from the school.
 2. Verbal contact with a school official.
 3. Student verification form.
- Note:** Do not require a student verification form unless enrollment information is questionable or to verify reported student income and expenses.
- C. Request missing verification using the DSS-8650 FNS Notice of Information Needed. Do not request a specific type of document, such as a student verification form, accept any verification that reasonably verifies necessary information.