

**MEMORANDUM**

**DATE:** May 2, 2005 **TRANSMITTAL NO: C-05-05-0005**

**TO:** Myrna Laborda, Senior Human Services Program Specialist  
Suncoast Region  
Economic Self-Sufficiency Services

**FROM:** Jennifer Lange, Chief, Program Policy  
**(Signature on File)**  
Economic Self-Sufficiency Services

**SUBJECT:** Food Stamp Student Exemption

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**Reason for Clearance:**

This clearance is being requested to clarify food stamp student exemption policy as we have received conflicting verbal clarification. Due to its' general application, the response is being distributed statewide as a clarification.

**Background Information:**

On February 6, 2004, Suncoast received verbal clarification regarding the exemption of student status for a case where both parents were students with a child under the age of 6 in the household. The clarification stated that since both parents would be exempt from FSET work registration, we could apply the same exemption for students.

On 11/10/03, policy clearance "FS Exemption from Work Registration" was posted. In situation #2 of memo, it stated that for parents with children under the age of 6, both parents may claim the FS work registration exemption if they have more than one child under the age of 6 in household. It also stated that if there is only one dependent child under the age of 6, only one parent may claim the exemption unless the parents indicate that due to conflicting work schedules, the other parent is needed in the home to provide some of the care.

Policy manual passage 2210.0320.02 lists all the student exemptions in order to determine if the client would be an eligible student. Four of the exemptions are the following:

- Responsible for the care of a dependent household member under age 6.
- Responsible for the care of a dependent household member age 6 or older-but under age 12, for whom adequate childcare is not available.
- Are parents of a child above age 5 but under age 12 for whom adequate childcare is not available to enable the student to attend class and satisfy the 20-hour work requirement or participate in a state or federally financed work-study program during the regular school year.
- Are single parents with the responsibility for a dependent child under age 12 regardless of the availability of adequate childcare.

On 4/14/05 I received verbal clarification for a case where there are two parents. One parent is a student and the other parent cares for the children at home. One child is under the age of 6. I was informed that the parent that is in school is exempt due to having a dependent child under the age of 6, (although there is another parent in the home who is not a student and not employed).

**Statement of Question (s):**

This memo is addressing a number of scenarios for properly determining student exemption criteria for clients attending an institute of higher education.

1. The household has one child under the age of 6 and one parent is a student, the other parent is at home, not employed and cares for the child.
2. The household has 3 children ages, 1, 10 and 13 yrs. old. One parent is a student; the other parent is at home, not employed and cares for all the children.
3. The household has one child under the age of 6 and both parents are students.
4. The household has one child under the age of 6 and one parent is a student and the other parent is employed.
5. The household has one child under age 12 and only one parent who is a student.

In the case scenarios stated above, the students do not meet any of the other student exemptions.

**Program Specialist's Comments:**

Based on the policy clarification received regarding general FSET registration, there is confusion amongst staff on the correct process for student exemption. Assistance from central office is requested.

**Central Office Response:**

When determining whether an individual meets an exemption for students in institutions of higher education, the household circumstances must be assessed separately for each individual that is a student. **The food stamp work registration or participation status does not affect the student exemption.** If both parents are in the home with only one child under the age of 6 and neither parent meets any other student exemption, only one parent meets the student exemption for having the child under age 6. In the scenarios, #3 has only one parent that is an eligible student and the other parent is an ineligible student. In scenarios #1, #2, #4, and #5 the parent that is a student in an institution of higher education is an eligible student.

Different verbal clarifications were given prior to February 2004, regarding two parent households with one child under age 6. The policy at that time was that if both parents had responsibility for one child under age 6 but the parents had different work or school schedules, both parents could claim an exemption both for FSET and for the student exemption. In February 2004, Food and Nutrition Services (FNS) released a clarification that only one parent may claim the exemption both for FSET and for the student exemption when there is only one child in the home under age 6.

If there are any policy questions, district/zone offices should contact Connie Mathers at 850-921-5578 or Suncom 291-5578.

cc: Director (Shavers)  
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FLORIDA Operations (Poirier, Anderson, France, Love)  
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