

362.400: Student Status

(A) Definition

A student is an individual age 18 through 49 who is enrolled at least half-time in an institution of post-secondary education, a vocational or technical school at any level, a program that provides for completion of a secondary school diploma or the equivalent, or a school at any level for persons who have disabilities. A student shall be ineligible to participate in SNAP unless he or she meets one of the eligibility requirements in 106 CMR 362.410.

An institution of post-secondary education is any public or private educational institution that admits persons who are beyond the age of compulsory school attendance in the state in which the institution is located or normally requires a high school diploma or equivalency certificate for enrollment. The institution must be legally authorized or recognized by the state to provide an educational program beyond secondary education in the state or to provide a training program that will prepare students for gainful employment. This includes, but is not limited to, colleges, universities, and correspondence schools.

This student definition does not apply to individuals who are:

- (1) under age 18 or 50 years of age or older;
- (2) physically or mentally unfit for employment;
- (3) attending high school;
- (4) participating in on-the-job training programs during the period training is actually being conducted by the employer;
- (5) enrolled full-time in schools and training programs that are not institutions of higher education; or
- (6) enrolled for the exclusive purpose of obtaining training in English as a Second/Other Language (ESOL), provided that the courses are not taken for credit as part of a total program.

(B) Verification

If mental or physical unfitness for employment is claimed and the unfitness is not evident, verification may be required. Appropriate verification may consist of:

- (1) receipt of temporary or permanent disability benefits from a government or private source;
- (2) a statement from a physician or licensed or certified psychologist stating that the person is physically or mentally unfit for employment; or
- (3) participation in a Massachusetts Rehabilitation Commission program or other Massachusetts approved vocational rehabilitation programs.