

DATE: November 19, 2024

SUBJECT: Final Rule: Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program Monitoring, Oversight and Reporting Measures

TO: All SNAP State Agencies
All Regions

The final rule, Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program Monitoring, Oversight and Reporting measures, was published in the Federal Register on November 18, 2024. This final rule makes changes to the SNAP regulations implemented through the interim final rule. The provisions of this final rule are effective January 17, 2025. However, to allow sufficient time for State agencies to make necessary modifications to their collection and reporting processes, State agencies must implement all provisions of this rule no later than October 1, 2025.

Attachment 1 provides an overview by regulatory citation of the changes between the current regulation and the provisions of this final rule. Each of the provisions in the final rule is discussed below.

E&T State Plan (7 CFR 273.7(c)(6)(xviii))

State agencies are required to include in the annual E&T State Plan a reporting measure for each component that is expected to include 100 or more participants. Reporting measures may include:

- The number and percentage of program participants who received E&T services and are in unsubsidized employment after receipt of those services;
- The number and percentage of participants who obtain a recognized credential, registered apprenticeship, or a regular secondary school diploma, or it's recognized equivalent, while participating in, or within one year after receiving E&T services;
- The number and percentage of participants who are in an educational or training program that is intended to lead to a recognized credential, a registered

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apprenticeship, an on-the-job training program, a regular secondary school diploma, or its equivalent, or unsubsidized employment;

- Measures developed to assess the skills acquisition of E&T program participants that reflect the goals of the specific components, such as the percentage and number of participants who are meeting program requirements or are gaining skills likely to lead to employment; and
- Other indicators approved by FNS.

Annual E&T Report (7 CFR 273.7 (c)(17))

The final rule requires State agencies to submit an annual E&T report by April 15th each year that consist of the following information:

- Employment and earnings reporting measures;
- Educational reporting measures;
- Employment, earnings and educational measures by participant characteristics;
- Reporting measures for State agencies operating a mandatory E&T program;
- Characteristics of E&T participants;
- State component measures; and
- Able-bodied adults without dependents (ABAWD) Pledge State reporting measures.

Employment and Earnings Reporting Measures (7 CFR 273.7(c)(17)(i)):

State agencies are required to report four (4) consecutive quarters of data from the two previous Federal fiscal years (FFY) ending the preceding September 30th for the following measures:

- Number and percentage of E&T participants and former participants who are in unsubsidized employment during the second quarter after completion of participation in E&T;

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- Median quarterly earnings of the E&T participants and former participants who are in unsubsidized employment in the second quarter after completion of participation in E&T; and
- Number and percentage of the E&T participants and former participants who are in unsubsidized employment during the fourth quarter after completion of participation in E&T.

State agencies should be aware of the following definitions as provided in 7 CFR 271.2:

- *Completion of participation in E&T* means that an E&T participant has not received any E&T services for at least 90 days and no future services are planned.
- *Employment and Training (E&T) participant* means an individual who meets the definition of a mandatory or voluntary participant who is referred to E&T and begins at least one part of an E&T program, including orientation, assessment, case management services or a component.
- *Former E&T participant* means an individual who is no longer participating in E&T services because the individual is no longer receiving SNAP benefits.

Educational reporting measures (7 CFR 273.7(c)(17)(ii)):

State agencies are required to report data for the FFY ending the preceding September 30 for the following measures:

- *Attainment of a credential or certificate:* the number and percentage of E&T participants enrolled in an education or training program, excluding those in on-the-job training, customized training or transitional jobs, who attain a recognized postsecondary credential, certificate or a secondary school diploma, or its recognized equivalent, during participation in or upon completion of participation in E&T.

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- Measurable skill gains: the number and percentage of E&T participants who, during the preceding FFY, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupation, or other forms of progress, towards a credential or employment.

Employment, earnings and educational measures by participant characteristics (7 CFR 273.7(c)(17)(iii)):

State agencies are required to report the employment, earnings and educational measures for each of the following participant characteristics:

- By race and/or ethnicity;
- Voluntary E&T participants;
- Mandatory E&T participants;
- E&T participants who obtained high school diploma or equivalency prior to participation in E&T; and
- Able-bodied Adults without Dependents (ABAWDs)

State agencies operating a mandatory E&T program are required to report employment, earnings and educational measures for mandatory E&T participants deemed ineligible due to failure to comply with mandatory E&T requirements.

Reporting measures for State agencies operating a mandatory E&T program (7 CFR 273.7(c)(17)(iv)):

State agencies operating a mandatory E&T program are required to report for the FFY ending the preceding September 30 an unduplicated count for the following:

- The number of SNAP participants who were required to participate in E&T;
- Of those required to participate the number and percentage referred to E&T; and

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- The number and percentage of SNAP participants that were determined ineligible for failure to comply with E&T requirements.

Characteristics of E&T Participants (7 CFR 273.7(c)(17)(v)):

State agencies are required to report the number and percentage of E&T participants for the FFY ending the preceding September 30 who:

- Are voluntary E&T participants;
- Are mandatory E&T participants;
- Have received a high school diploma or equivalent prior to being provided with E&T services;
- Are ABAWDs;
- Are English language learners;
- By Gender identity;
- Are within each of the following age groups: 16-17, 18-35, 36-49, 50-59, 60 or older; and
- By Race and/or Ethnicity

State component measures (7 CFR 273.7(c)(17)(vi)):

State agencies are required to report on the measures identified in the approved State's E&T plan for any component that was designed to serve at least 100 participants a year.

ABAWD Pledge State reporting measures (7 CFR 273.7(c)(17)(vii)):

State agencies who committed in their E&T State Plan to offer all at-risk ABAWDs participation in qualifying activities and received ABAWD pledge funds shall include in the annual report:

- The monthly average number of individuals in the State who met the conditions of an at-risk ABAWD;
- The monthly average number of individuals that the State offers a position in a work program or workfare program as defined in 7 CFR 273.24(a)(3) and (4);

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- The monthly average number of individuals who participate in such programs; and
- A description of the types of employment and training programs the State agency offered to at-risk ABAWDs and the availability of those programs throughout the State.

An at-risk ABAWD, as provided under 7 CFR 273.7(d)(3)(i), is an applicant or recipient who is in the last month of their 3-month time limit, are not eligible for an exception to the time limit, is not a resident of an area of the State granted an ABAWD waiver of the time limit, and is not included in the State agency's discretionary exemption allotment.

State agencies should be aware that the final rule reinstates regulatory language in 7 CFR 273.24(a)(4) for the definition of a workfare program for the purposes of meeting the ABAWD work requirement. This definition was inadvertently removed during a prior rulemaking.

Data Collection and Annual Report Submission

State agencies must be prepared to collect the data specified in these final rule provisions on October 1, 2025. The first annual report under the final rule provisions will be due no later than April 15, 2027. State agencies will continue to submit the annual reports for FY 2024 and FY 2025 no later than January 1st of each year.

Assessing the effectiveness of E&T Programs (7 CFR 273.7(c)(16))

State agencies should be aware that the final rule establishes information sources that the Food and Nutrition Service (FNS) will use for assessing the effectiveness of E&T programs in preparing E&T participants for employment, including obtaining of necessary skills and increasing the number of E&T participants who obtain and retain employment upon completion of participation in E&T. FNS will also assess that program activities are appropriate to meet the needs of individuals referred by the State agency to an E&T program.

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The information sources that FNS will use includes, but is not limited to, E&T State Plans, E&T Program Activity Reports (FNS-583), Annual Reports, Management Evaluations and Corrective Action Plans.

Based on the information collected FNS will assess an E&T program's effectiveness across various categories, including but not limited to, intentional program design, integrated eligibility, deliberate program operations and meaningful outcomes.

The final rule also specifies the authority of FNS to require a State agency to make modifications to its SNAP E&T State Plan to improve outcomes if FNS determines through effectiveness assessment that the E&T outcomes are inadequate. When approving a State's E&T plan FNS will consider whether the plan included the identified modifications.

Next Steps

FNS will be hosting a webinar for State agencies on January 9, 2025, additional information on this webinar is forthcoming. In addition, FNS will issue more detailed guidance and Question and Answer (Q &As) on this final rule following the webinar. State agencies may submit questions they would like addressed in the Q&As using the Question form in Attachment 2 submitted via email to SNAPeandTReportingMeasures@usda.gov.

State agencies with questions regarding this memo should contact their respective FNS Regional Office representatives.

Sincerely,

/s/

Marcie Foster
Acting Director
Office of Employment and Training
Supplemental Nutrition Assistance Program

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