



CDSS

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EDMUND G. BROWN JR.
GOVERNOR

February 14, 2017

ALL COUNTY LETTER NO. 17-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM SPECIALISTS
ALL CONSORTIA MANAGERS
ALL QUALITY CONTROL COORDINATORS

SUBJECT: CALFRESH STUDENT ELIGIBILITY

REFERENCE: MPP DIVISION 63, [SECTION 63-406.1](#) and [406.2](#);
[AB 1930, \(CHAPTER 729, STATUTES OF 2014\)](#); 7 CFR
SECTION 273.5(a); ACL [15-70](#); ACINs [I-45-11](#), [I-45-11E](#),
and [I-89-15](#)

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) with additional clarification on current CalFresh student eligibility rules, key definitions, and an expanded list of programs that qualify a student for an exemption from the student eligibility rule. Additionally, this ACL describes verification procedures and provides a sample checklist to identify potential exemptions.

Background

Assembly Bill (AB) 1930 mandated that the California Department of Social Services (CDSS), in consultation with representatives of the California Community Colleges Chancellor's Office, California State University Office of the Chancellor, Office of the President: University of California, the California Workforce Development Board, county human service agencies, and advocates for students and clients, establish a protocol to identify and verify all potential exemptions to the student eligibility rule described in Section 273.5(a) of Title 7 of the Code of Federal Regulations (CFR). It required that this consultation take place, to the extent possible, through the existing student eligibility workgroup, which was established to improve CalFresh access among students in order to reduce the high rate of hunger and food insecurity occurring on college campuses.

As a result of this mandate and the extensive work of the student eligibility workgroup, CDSS is releasing this ACL with additional guidance on student eligibility for CalFresh.

Student Eligibility Rule

The Manual of Policies and Procedures (MPP) 63-406.11 states that: “Any person who is age 18 through 49; physically and mentally fit for employment; and enrolled at least half-time, as defined by the institution, in an institution of higher education (as defined in 63-406.111(a)), shall be ineligible to participate in CalFresh unless that person complies with the eligibility requirements as specified in Section 63-406.2.”

In order to be eligible to participate in CalFresh, a student must be working a minimum of twenty hours per week (averaged over the month using an 80-hour monthly minimum per Waiver 2120016 dated October 27, 2014) or satisfy one of the exemption criteria on the day of the interview. Any household member who is identified as potentially ineligible for CalFresh per MPP 63-406.11 must have their circumstances evaluated to determine if they meet any of the exemption criteria listed in MPP 63-406.2.

References

On September 17, 2015, CDSS issued ACL 15-70 establishing that participation in Workforce Innovation and Opportunity Act (WIOA) and Extended Opportunity Programs and Services (EOPS) programs qualify a student for an exemption from the student work requirement. Additionally, All County Information Notice (ACIN) I-89-15 issued on December 31, 2015 clarified exemptions from the student work requirement and instructed counties how to verify these exemptions.

Receipt of a Cal Grant

Federal regulation 7 CFR Section 273.5(b)(3) provides that a student is eligible for an exemption from the CalFresh student eligibility rule when the student is receiving cash assistance from a program funded under the Temporary Assistance for Needy Families (TANF) block grant under Title IV of the Social Security Act, including Tribal TANF. Additionally, receipt of a TANF-funded non-cash benefit is sufficient to confer the exemption.

Each year, CDSS allocates TANF funds to the California Student Aid Commission (CSAC) for the purpose of issuing Cal Grants to low-income college students that meet the TANF eligibility requirements. Those requirements are that the student is:

- a) Currently unmarried; and
- b) 25 years of age or younger; and
- c) Has parental and/or student income of \$50,000 a year or less.

Cal Grant offers four different types of grants: Cal Grant A, Cal Grant B, Cal Grant B Access and Cal Grant C, only some of which receive TANF funds.

For a student to be determined to be receiving a TANF funded benefit and therefore eligible for an exemption from the student eligibility rule, counties must establish that:

- Students attending a community college are receiving a Cal Grant A and meet the TANF requirements above.
- Students attending a California State University (CSU) or University of California (UC) are receiving a Cal Grant A or Cal Grant B and meet the TANF requirements above.

State or Federally Funded Work Study

MPP 63-406.212 states that a student who is approved for any state or federally financed work study for the current school term, as defined by the institution of higher education, and who can anticipate working during the term is exempt from the CalFresh student eligibility rule. ACIN I-89-15 also provides additional guidance on this topic.

An exemption must be granted on this basis if a student has verified that they have been approved for federal or state work study, as defined by the institution of higher education. The work study exemption is clarified further in ACIN I-89-15, which states that if a student is approved (or awarded or accepted) for state or federally financed work study during a specific school term, anticipates working during that term, and has not refused a work assignment, that student remains eligible for this exemption. The fact that a work study job assignment has not yet begun or is not available does not disqualify the student from receiving the exemption. A student can fairly anticipate that they will be offered a work study job assignment until they receive notice of denial.

State Funded Programs that Increase Employability

Federal regulation 7 CFR Section 273.5(b)(11) provides that a student is eligible for an exemption from the CalFresh student eligibility rule if the student's attendance can be described as part of a program to increase the student's employability. This includes programs for low-income students that are operated by a state or local government where one or more of the components of the program are equivalent to an Employment and Training (E&T) component.

ACL 15-70 establishes that participation in WIOA and EOPS programs qualify a student for an exemption from the student eligibility rule. In addition, participation in the following state funded programs is likely to increase employability and, as such, qualify the participating student for an exemption from the CalFresh student eligibility rule.

Educational Opportunity Program (EOP)

The EOP provides assistance in support of employability by providing first generation college students and students from low-income households and educationally disadvantaged backgrounds with mentorship opportunities, access to academic programs, financial assistance, counseling/advising, and other campus support services. In addition to assisting students through to graduation,

EOP helps prepare students for admission to graduate and professional schools. Please note that EOP at the University of California and California State University is comparable to EOPS at the California Community Colleges.

College Disabled Students Programs and Services (DSPS)

The community college DSPS program provides support services, specialized instruction, and educational accommodations to students with disabilities so that they can participate as fully and benefit as equitably from the college experience as their peers without disabilities. An Academic Accommodations Plan (AAP) is developed for each student which links the student's goals, curriculum program, and academic accommodations to his/her specific disability related educational limitation. The CSU's Student Academic Support (SAS) for students with disabilities program is similarly structured.

Cooperative Agencies Resources for Education (CARE) Program

The CARE program was established by the State of California to support the unique needs of welfare recipients by promoting self-sufficiency and academic success. It is a supplemental component of EOPS that specifically assists students who are single heads of household with dependent children. The CARE program offers supportive services so they are able to acquire the education, training and marketable skills needed to transition from welfare dependency to employment and eventual self-sufficiency for their families. Every CARE student is an EOPS student and must meet the eligibility criteria for both programs.

UC McNair

The University of California McNair Scholars programs are state-funded programs that serve first generation college students from low-income homes. These programs are intended to increase the college completion rate, and therefore, the employability of participating students.

Puente Project

Co-sponsored by the California Community College Chancellor's Office and the University of California, the Puente Project is an academic, mentoring, and counseling program. It is designed to increase the number of underserved students who enroll in four-year colleges and universities, earn college degrees, and eventually return to the community as mentors and leaders for future generations. The Puente Project is recognized for the quality of its staff development and training programs that prepare community college instructors and counselors with effective methodologies for improving the academic achievement of underserved students, working collaboratively across academic disciplines, and increasing community-based support for students and community college staff.

Mathematics, Engineering, Science Achievement (MESA) Program

The California Community College MESA programs serve financially and educationally disadvantaged students seeking majors in math and science based

fields. The MESA program is one of the country's most innovative and successful programs and is nationally recognized. There are 33 California Community College MESA programs; 30 are funded by the California Community Colleges Chancellor's Office and work with thousands of educationally disadvantaged students, helping them excel in math and science and graduate with math-based degrees. The MESA program works closely with industry partners and the University of California, California State University, the California Community Colleges, the Association of Independent Colleges and Universities and the State Department of Education.

Programs that Increase Employability for Current and Former Foster Youth

Federal regulation 7 CFR Section 273.5(b)(11) provides that a student is eligible for an exemption from the CalFresh student eligibility rule if the student's attendance can be described as part of a program to increase the student's employability. This includes programs specially targeted at current and former foster youth:

Guardian Scholars Program

The University of California, California State University and Community College Guardian Scholar Programs are programs that offer educational assistance and support services to current and former foster youth. These programs are intended to increase the college completion rate, and therefore, the employability of participating students.

Foster Youth Success Initiative (FYSI)

The FYSI was introduced in 2007 by the California Community College Chancellor's Office by establishing FYSI liaisons in each of the 113 California Community Colleges. The FYSI liaisons provide ancillary support to foster youth enrolled in community college. Some former foster youth may also be participating in Cooperating Agencies Foster Youth Educational Support which was authorized by Chapter 771, Statutes of 2014.

Cooperating Agencies Foster Youth Educational Support (CAFYES)

The CAFYES is a supplemental component of the existing EOPS program that provides services to current and foster youth who were in foster care on or after their 16th birthdays. Ten community college districts – the maximum permitted by authorizing law (Chapter 771, Statutes of 2014) administer CAFYES programs within 26 colleges.

Chafee Education and Training Voucher (ETV) Program

Current and former foster youth may be participating in the Chafee Education and Training Voucher Program administered by the CSAC who administers the Chafee ETV program in California under an interagency agreement with CDSS.

Extended Foster Care (AB 12/AB 212)

The California Fostering Connections to Success Act was signed into law September 30, 2010 through AB 12 and became effective January 1, 2012. The bill and subsequent legislation allowed foster care for eligible youth to extend beyond age 18 up to age 21. Eligible foster youth are designated as “non-minor dependents” (NMDs). This legislation also recognized the importance of family and permanency for youth by extending payment benefits and transitional support services for the Adoption Assistance Program (AAP) and the Kinship Guardianship Assistance Payment (Kin-GAP) Program. Goals and benefits are that foster youth will be able to maintain a safety net of support while experiencing independence in a secure and supervised living environment. Additionally, this provides youth extended time as “non-minor dependents” to participate in educational and employment training opportunities which assist youth in becoming better prepared for successful transition into adulthood and self-sufficiency.

Process for Approving Local Programs that Increase Employability

The above list is not intended to be exhaustive. In addition to the programs listed, there may be other state-funded programs that are referred to locally by another name or programs that are locally-funded and provide education components with the goal of increasing employability. CWDs should consider working with their local institution of higher education to identify such programs. Once identified, CWDs may contact CDSS for approval. CWDs should submit to their CDSS county consultant the name of the program and a description of the program, including how the program increases the employability of students. CDSS will confirm and track approvals. Once approved, CWDs may consider student attendance in the program as qualifying the student for an exemption from the CalFresh student eligibility rule.

Length of Student Status & Applicability of Exemptions

Length of Student Status

MPP 63-406.22 states that the enrollment status of a student shall begin on the first day of the school term of the institution of higher education. Once a student enrolls in an institution of higher education, such enrollment shall continue through normal periods of class attendance, vacation and recess, unless the student graduates, is suspended, expelled or drops out. Student eligibility rules shall be applied on the date of the interview to all applicants who are students.

Applicability of Exemptions

MPP 63-406.21 states that in order for a student to be eligible to participate in CalFresh, the student shall meet at least one exemption criteria on the date of the interview. Please refer to ACIN I-89-15 for a list of exemption criteria. Once eligibility for an exemption has been established, the exemption will apply through the certification period.

An exception to the general rule described above applies to the work study exemption. MPP 63-406.212, which is specific to work study, states that a student must be approved for state or federally financed work study for the current school term, as defined by the institution, and anticipate working during the term in order to be eligible for the exemption. This exemption begins the month the school term starts or the month work study is approved, whichever is later. The exemption continues until the end of the month the school term ends, or it becomes known that the student refused a work assignment. The exemption shall not continue between terms when there is a break of a full month or longer, unless the student is participating in work study during the break.

If a break between terms is longer than a month and the CalFresh recipient, previously exempted from the student eligibility rule due to work study, is not participating in work study during the break, the CalFresh recipient would not be exempt from the student eligibility rules during the break. Unless the student is otherwise exempt, the student may be ineligible for CalFresh during the break. CWDs are reminded to assess whether a student, who is not participating in work study during the break, meets the criteria for another exemption before taking action to discontinue their CalFresh eligibility.

Verification of Exemption

Per ACIN I-45-11, exemptions are an eligibility factor that must be verified. Generally, if verification is not available, a student may self-certify via a sworn statement or an affidavit. Self-certification should be used in circumstances where the household is not able to provide the necessary verification through documentary evidence or collateral contact.

Other exemptions have specific verification guidance:

Approved for State or Federal Work Study

This exemption is partially based on a student being approved for work study for the current term, as defined by the institution of higher education. Per ACIN I-45-11, acceptable verification of approval for work study may include, but is not limited to, a work study award letter from financial aid.

Receipt of Cal Grant A or B

Verification of receipt of a Cal Grant A or B may include, but is not limited to, a copy of a student's California Aid Report, which is an award letter, provided by the California Student Aid Commission and/or a print out of award confirmation from a student's college or university web grants account.

For purposes of verifying whether a Cal Grant A or B recipient meets two of the three TANF Cal Grant eligibility requirements outlined, including currently unmarried and 25 years of age or younger, CWDs may reference existing case information. To verify whether the student meets the third requirement, parental and/or student income of \$50,000 a year or less, CWDs should reference the student's California Aid Report

(provided by the student) which includes information regarding parental and/or student income at the time the student was deemed eligible for the Cal Grant A or B.

Participation in a Program to Increase Employability

Verification of participation in a program to increase employability may include, but is not limited to, an EOPS/EOP mutual responsibility contract (MRC), which is a formal document that shows participation in one of the programs listed above, or a print out from a student's college or university web-based account indicating participation in such a program.

Sample Verification Checklist

The attached sample verification checklist may be further developed at the local level and used as a reference tool for potentially CalFresh eligible students. The checklist is intended to provide students a comprehensive list of criteria to aid in determining if an exemption may apply to them. The sample checklist includes participation in programs listed in student eligibility ACLs and ACINs and may be updated to include local programs to increase employability identified by the CWD and approved by CDSS.

If you have any questions regarding this letter, please contact your CalFresh county consultant or call the CalFresh Policy Bureau at (916) 654-1896.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

CalFresh Student Exemption Checklist

Student Name: _____ School Name: _____

Current Enrollment Status: Full-Time Half-Time Less Than Half-Time

As often as possible, the county will determine if you qualify for an exemption from the CalFresh student eligibility rule based on information already available. By providing the additional information below, the county may be able to determine whether or not you qualify for an exemption based other criteria for which information may not already be available.

Please check the corresponding box if you:

- Are eligible for or have been awarded work study and anticipate working during the school term.
- Are a Community College student receiving Cal Grant A and the following apply:
 1. You are currently unmarried; and
 2. You are 25 years of age or younger; and
 3. You and your parents had household income of \$50,000 a year or less when you applied for the Cal Grant.
- Are a CSU or UC student receiving Cal Grant A or B and the following apply:
 4. You are currently unmarried; and
 5. You are 25 years of age or younger; and
 6. You and your parents had household income of \$50,000 a year or less when you applied for the Cal Grant.

Please check the corresponding box if you participate in any of the following programs:

- | | |
|--|---|
| <input type="checkbox"/> Workforce Innovation and Opportunity Act (WIOA) | <input type="checkbox"/> Mathematics, Engineering Science Achievement (MESA) Program |
| <input type="checkbox"/> Educational Opportunity Program (EOP) | <input type="checkbox"/> Puente Project |
| <input type="checkbox"/> Extended Opportunity Programs and Services (EOPS) | <input type="checkbox"/> Foster Youth Success Initiative |
| <input type="checkbox"/> College Disabled Students Program and Services/Student Academic Support | <input type="checkbox"/> Cooperating Agencies Foster Youth Educational Support (CAFYES) |
| <input type="checkbox"/> Cooperative Agencies Resources for Education (CARE) Program | <input type="checkbox"/> Extended Foster Care (AB 12/AB 212) |
| <input type="checkbox"/> UC McNair Program | <input type="checkbox"/> Guardian Scholars Program |
| <input type="checkbox"/> CalFresh Employment and Training Program | <input type="checkbox"/> Chafee Educational Training Voucher Program |

If you marked any of the boxes above you may be asked by your County to provide proof, such as an approval or award letter, student aid report or other proof of participation.