CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:
   - ☑ Policy/Regulation Interpretation
   - ☐ QC
   - ☐ Fair Hearing
   - ☐ Other:

5. DATE OF REQUEST: 06/14/2013

NEED RESPONSE BY: 06/21/2013

6. COUNTY/ORGANIZATION: San Francisco County

7. SUBJECT: Student Eligibility - Summer Vacation

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S): MPP 63-406.2

8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)*
NOTE: All requests must have a regulation cite(s) and/or a reference(s).

I-36-12

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

A full-time student, who participated in federal work study during the 2012-13 school year, is on summer break for several months. He intends to return to school full time during the fall semester of the 2013-14 school year. Financial aid has not been awarded yet.

"Once a student enrolls in an institution of higher education, such enrollment shall be deemed to continue through normal periods of class attendance, vacation and recess unless the student graduates, is suspended or expelled or drops out." (MPP 63-406.22)

Are students who normally are exempt during the school year able to receive CalFresh benefits during their summer break?

10. REQUESTOR'S PROPOSED ANSWER:

** Proposed answer: The student must have an exemption during the summer that fulfills the requirements listed in MPP 63-406.2. **

"The (work study) 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." (MPP 63-406.212)

"If an applicant states that he does not intend to register for an upcoming term at least half time... CWDs may not assume that he will in fact be attending school and determine him to be ineligible." (I-36-12)

11. STATE POLICY RESPONSE *(CFPB USE ONLY)*:

Based on the information provided, the student is not enrolled in class during the summer and does not need to meet the exemptions needed to be on CalFresh during the school year. Per MPP 63-406.12, as the student is not enrolled at least half-time, they would not be subject to the student eligibility requirements listed in MPP 63-406.11.

Updated Response (August 31, 2015). The above response is incorrect. ACIN I-36-12 addresses circumstances in which the applicant specifically states that they do not intend to return to school. In the scenario described above, the applicant has stated his intent to return to school in the fall. Therefore, as stated in MPP 63-406.22 this applicant would be considered an ineligible student unless he satisfies one of the student exemptions listed in MPP 63-406.21.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: David Badal August 31, 2015