



CDSS

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**DEPARTMENT OF SOCIAL SERVICES**

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EDMUND G. BROWN JR.  
GOVERNOR

December 31, 2015

ALL COUNTY INFORMATION NOTICE NO. I-89-15

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

SUBJECT: CALFRESH PROGRAM: STUDENT ELIGIBILITY

REFERENCE: Manual of Policies and Procedures (MPP) Sections 63-406.11, 63-406.111(a), 63-406.2, 63-300.5(a)(2), 63-408.111, 63-502.112 and 93-502.2(e)

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 Information Notice (ACIN) is to remind all counties of the requirement to evaluate any student who is potentially eligible for CalFresh due to an exemption from the student eligibility regulations. As stated in MPP Section 63-406.11, “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 Section 63-406.111(a)), shall be ineligible to participate in the CalFresh program unless that person complies with the eligibility requirements as specified in Section 63-406.2.” It is the responsibility of county eligibility staff to determine if a student satisfies any of the exemptions cited in Section 63-406.2. This letter also provides clarification regarding when a household is required to report a change in student status and how educational assistance is treated.

**Exemptions to Student Ineligibility Rules**

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 exemptions enunciated in MPP 63-406.2. As stated, in order to be eligible to participate in CalFresh, they must satisfy at least one of the following exemption criteria on the date of the interview. The exemptions include the following:

- Be employed for a minimum of twenty hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receive gross weekly earnings at least equal to the federal minimum wage multiplied by 20 hours; (See MPP Section 63-408.111 and 63-502.112).

**\*Note:** Please also refer to Waiver 2120016 dated October 27, 2014. Under this waiver, the 20-hour minimum work requirement would be averaged over the month using an 80-hour monthly minimum.

- 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. The 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 in which 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.

**\*Note:** If a student is approved 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. Additionally, the fact that no jobs are available does not disqualify the student from receiving the exemption. Many students have to wait for a job opening and sometimes no job becomes available. If the student is approved for work study and a job does not materialize, a student is not penalized.

- Be exerting parental control over a dependent household member under the age of six. (See Section 63-102p (1) for definition of parental control.)
- Be exerting parental control over a dependent household member who has reached age six but is under age 12 and the CWD has determined on a case-by-case basis that adequate child care services are not available (See Section 63-406.23) to enable the individual to attend class and work 20 hours per week or participate in a state or federally financed work study program during the regular school year.
- Be a recipient of CalWORKs.
- Be assigned to or placed in an institution of higher education through or in compliance with the requirements of Sections 63-406.216(a) through (e). Self-initiated placements during the period of time the person is enrolled in one of the employment and training programs as specified in Sections 63-406.216(a)

through (e) shall be considered to be in compliance with the requirements of the employment and training program in which the person is enrolled, provided that the program has a component for enrollment in an institution of higher education and that program accepts the placement. Persons who voluntarily participate in one of the employment and training programs as specified in Sections 63-406.216(a) through (e) and are placed in an institution of higher education through or in compliance with the requirements of the program shall qualify for the exemption. These programs are:

- The Workforce Innovation Opportunity Act (WIOA),
  - A CalFresh Employment or Training Program (CFET),
  - Job Opportunities and Basic Skills (JOBS) program under Title IV of the Social Security Act,
  - A program under Section 236 of the Trade Act of 1974, or
  - A state or local government employment and training program, for low-income individuals, determined by the county welfare department to be providing at least one of the components as specified in MPP Section 63-407.841.
- Enrolled full-time in an institution of higher education and be a single parent with responsibility for the care of a dependent child under age 12. This provision applies when only one of the child's natural, adoptive or stepparents, regardless of marital status, is in the same CalFresh household as the child. "Regardless of marital status" means that the parent could be single (never married), a widow or widower, separated, divorced, or married and living in a separate household from the other parent. If no natural, adoptive or stepparent is in the same CalFresh household as the child, another full-time student in the same CalFresh household as the child may qualify for eligible student status if he or she has parental control over the child and is not living with his or her spouse.

### **Student Status**

A student's status is to be reported at application and at recertification. Student eligibility is not a mandatory mid-period reporting requirement and is not considered VUR. If the household reports a student status mid-period, CWDs are not required to take action but are encouraged to document in the case file voluntarily reported changes that do not impact the CalFresh benefit.

### **Dormitory Meals**

CalFresh cannot be used to pay for college cafeteria meal plans. Students who live in dormitories and receive more than half their meals from a meal plan are not eligible for benefits. However, if a student purchases a meal plan that provides them with fewer than half of their meals (i.e., ten meals per week) they may be eligible for CalFresh

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benefits as long as they also satisfy one of the student exemptions (MPP Section 63-406.21), as well as meet all other eligibility requirements.

**Exclusion of Educational Assistance as Income**

As stated in MPP 63-502.2(e), educational assistance (loans, grants, etc.) used for, or intended to be used for, allowable educational expenses is excluded from consideration as income to the household.

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

Sincerely,

***Original Document Signed By:***

KIM MCCOY WADE  
Branch Chief  
CalFresh Branch