



CDSS

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GOVERNOR

April 2, 2018

ALL COUNTY LETTER NO. 18-27

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

SUBJECT: CALFRESH STUDENT ELIGIBILITY: IMPLEMENTATION
OF ASSEMBLY BILL (AB) 214

REFERENCE: MANNUAL OF POLICY AND PROCEDURES DIVISION
63, [SECTION 63-406.1](#) and [406.2](#); [AB 1930, \(CHAPTER 729, STATUTES OF 2014\)](#); [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) SECTION 273.5\(b\)](#); ACINs [I-89-15, I-45-11, I-45-11E](#); [ACL 17-05, and 15-70](#); [ASSEMBLY BILL \(AB\) 214, CHAPTER 134, STATUTES OF 2017](#)

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) with guidance regarding implementation of Assembly Bill (AB) 214, also known as the College Student Hunger Relief Act of 2017. Additionally, this letter provides clarification regarding current CalFresh student eligibility rules and a template form to request the California Department of Social Services (CDSS) CalFresh Branch's approval of local education programs that increase employability and therefore qualify a student participating in such a program to be exempt from the student eligibility rule.

Background

Effective January 1, 2018, AB 214, authored by Assembly Member Shirley Weber, established new requirements and clarifies existing policy regarding CalFresh student eligibility. The AB 214 requires that the California Student Aid Commission (CSAC) notify Cal Grant recipients about their potential eligibility for CalFresh. Additionally, the

bill defines an “on campus food vendor” and “food facility” for the purpose of implementing the Restaurant Meals Program (RMP) on college campuses, redefines “half-time enrollment”, and defines “anticipating participation” in work study. Lastly, AB 214 requires that CDSS maintain and regularly update a list of programs to increase employability and maintain and issue instructions for verifying an exemption to the student eligibility rule based on participation in such a program.

As a result of the extensive work of the student eligibility workgroup, CDSS is also providing, within this ACL, additional clarification on student eligibility in CalFresh.

Noticing Cal Grant Recipients

Per ACL 17-05 released on February 14, 2017, recipients of a Temporary Assistance for Needy Families (TANF) funded Cal Grant A or B meet the criteria for an exemption from the student eligibility rule. AB 214 requires that CSAC provide written notification to recipients of Cal Grant A or B awards regarding their potential eligibility for CalFresh. The CDSS has been working in partnership with CSAC to develop a letter that will be provided to students who are CalGrant A or B recipients.

The letter will be provided to the student once the Cal Grant A or B has been awarded. The student may then provide a copy of the letter to the CWD to verify they have been awarded a CalGrant A or B and meet the criteria for an exemption from the student eligibility rule. A copy of the letter should be retained by the CWD as it serves as verification of receipt of a TANF-funded Cal Grant A or B. A sample copy of the letter can be found on the [CalFresh Resource Center Page](#) under “Policy Guidance.”

New Definitions

The AB 214 provides new regulatory definitions for the purpose of implementing the RMP on college campuses and for determining CalFresh student eligibility.

On Campus Food Vendor

For the purpose of implementing RMP on college campuses, an “on campus food vendor” does not include any vendor that does not sell prepared food for onsite consumption or that sells food from a mobile food facility, as defined in the Health and Safety code.

Qualifying Food Facility

For the purpose of implementing RMP on college campuses, a “qualifying food facility” is a facility that sells prepared food for onsite consumption.

Half-Time Enrollment

Currently, the CalFresh 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.”

The AB 214 supersedes current regulations and, for the purpose of determining CalFresh student eligibility, specifies that “a student shall be determined to be attending at least half-time any semester or term in which he or she enrolls in at least half of the number of credits needed each semester or term to graduate within four years of enrollment as a first-time freshman, or within two years of enrollment as a transfer student.” The new definition for half-time enrollment applies to all institutions of higher education. Because the definition may vary by institution, the CWD will need to work with the applicant and/or local institution to determine what number of credits are needed each semester or term to graduate within four years of enrollment as a first-time freshman, or within two years of enrollment as a transfer student.

Anticipating Participation in 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 1-89-15 released on December 31, 2015 and ACL 17-05 released on February 14, 2017 provided further clarification on this topic.

The AB 214 codifies that, for the purpose of determining CalFresh student eligibility a student shall be considered “anticipating participation” in work study if “he or she can reasonably expect or foresee being assigned a work study job, and a student shall be deemed to be ‘anticipating participation’ in work study until he or she receives notices from the institution of higher education that he or she has been denied participation in work study”.

Per AB 214, all of the definitions provided will be incorporated into the CalFresh MPP as soon as administratively feasible, but no later than October 1, 2020.

List of Programs to Increase Employability

The AB 214 requires CDSS to issue guidance and maintain a non-exhaustive list of local education programs that increase employability and therefore qualify a student participating in such a program to be exempt from the student eligibility rule. This required list of approved programs is an addition to the existing list of programs identified in ACL 15-70 and 17-05.

In ACL 17-05, CDSS provided instructions to submit local education programs that increase employability for approval. The list of local programs that have been approved since the release of ACL 17-05 is currently maintained by CDSS and can be found on the [CalFresh Resource Center Page](#) under “Policy Guidance.” The list is updated monthly when new programs have been added to the list.

Verification Guidance

The AB 214 directs CDSS to issue and maintain instructions for CWDs to verify exemptions to the CalFresh student eligibility rule for students who participate in approved programs that increase the student's employability, are approved, and anticipate participation in state or federal work study, or receive a Cal Grant A or B. CDSS has fulfilled this requirement with the issuance of ACIN I-45-11 released on October 28, 2011 and ACL 15-70 released on February 14, 2017. Please reference this notice and letter for additional information and guidance.

Additional Clarification on CalFresh Student Eligibility

Receipt of a TANF Funded Cal Grant

Only Cal Grant A and B are TANF funded. Therefore, only receipt of Cal Grant A or B can be used to determine that a student meets the criteria for an exemption from the student eligibility rule. Cal Grant B Access and Cal Grant C are not TANF funded. Therefore, receipt of Cal Grant B Access and Cal Grant C cannot be used to determine that a student meets the criteria for an exemption from the student eligibility rule.

Students attending community college are only eligible to receive Cal Grant A and Cal Grant B Access. Because low-income community college students receive a Board of Governor's (BOG) fee waiver, Cal Grant B Access does not provide tuition assistance and is not funded by TANF. Therefore, only community college students receiving Cal Grant A receive a TANF funded benefit and qualify for an exemption from the student eligibility rule.

Note: A community college student may be eligible for Cal Grant B, if and when they transfer to a four-year institution of higher education. The student will only receive the Cal Grant B at the time they transfer to the four-year institution. The community college student is therefore not receiving a TANF funded benefit while attending community college.

Students attending four year colleges or universities, including private institutions, have access to both Cal Grant A and Cal Grant B; both provide TANF funded tuition assistance. Therefore, California State University (CSU), University of California (UC) or other four-year college or university students receiving either Cal Grant A or Cal Grant B receive a TANF funded benefit and thus qualify for an CalFresh exemption from the student eligibility rule.

Please note that Cal Grant C is not TANF funded. Therefore, regardless of whether a student attends a community college, CSU, UC, or other four-year college or university, receipt of Cal Grant C does not qualify a student for an exemption from the student eligibility rule.

Private Institutions of Higher Education

All student eligibility rules and exemption criteria apply to students who attend public or private institutions of higher education. There are no exclusions.

Graduate Students

There are no program rules that exclude graduate students from the definition of a student for the purposes of determining CalFresh eligibility. CWDs should apply student eligibility rules and exemption criteria to undergraduate and graduate students alike.

Additional Programs to Increase Employability

In addition to the programs to increase employability identified in ACL 17-05, participation in the Unaccompanied Refugee Minors (URM) Program shall qualify a student for an exemption from the student eligibility rule.

Unaccompanied Refugee Minors (URM) program

The URM program is a federal foster care program that is funded by the Office of Refugee Resettlement (ORR). Youth in the URM program must have an eligible status (e.g. refugee, asylee, Cuban/Haitian entrant, trafficking victim, Special Immigrant Juvenile Status or U-visa), be in the U.S. unaccompanied, and enter the program prior to their 18th birthday. Most youth enter in their later teens and can stay in the program up to age 24 as long as they continue to meet eligibility criteria. CDSS contracts with three Foster Family Agencies to provide the direct services to the clients (e.g. case management, independent living, transitional housing, mental health supports, etc.).

The URM program is required by federal regulation to parallel the services provided by California's Title IV-E foster care program and has URM versions of AB 12, Transitional Housing Program Plus Foster Care (THP+FC), and THP-Plus placements. The URMs receive the same monthly maintenance payments for placements as other foster youth and Non Minor Dependents (NMD) in the state. Also, URMs receive full-scope, fee-for-service, no share of cost Medi-Cal under the same aid codes that are used for Title IV-E foster youth and former foster youth. When applying for Medi-Cal at the counties, URMs provide either an ORR approval letter or a CDSS Refugee Verification letter to show their participation in the URM program.

Template Form to Request Approval of Local Programs to Increase Employability

Per ACL 17-05, federal regulations at 7 CFR Section 273.5(b)(11) provide 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 a CalFresh Employment and Training (E&T) Program component. These programs are considered programs to increase employability.

CWDs should consider working with their local institution of higher education to identify such programs. Once identified, CWDs and/or local institutions of higher education may contact CDSS for approval. Once approved, CWDs may consider student attendance in the program as qualifying the student for an exemption from the CalFresh student eligibility rule.

The attached template form “*Request for Approval of Local Education Program to Increase Employability*” is to be used by CWDs and/or local institutions of higher education to request CDSS approval for local programs that should be recognized as programs to increase employability and for which participation in will qualify a student for an exemption from the student eligibility rule. The template form is intended to guide the CWD and/or other stakeholders in providing CDSS the necessary information to approve a local program as a program that increases employability. The template form asks the requestor to include: (1) the county in which the program is located, (2) the campus in which the program is located, (3) the program name, (4) a detailed program description with specific information regarding how the programs seeks to increase the employability of participants and (5) a link to relevant program reference materials.

To be defined as a program to increase employability, a student must participate in a program which assists in gaining the skills, training, work, or experience that will increase the student’s ability to obtain regular employment. Therefore, CDSS approval is based on an assessment of whether the local program has one or more components equivalent to a CalFresh E&T Program component, such as job retention, job search, job search training, work experience, workfare, vocational training, self-employment training, on-the-job training, and education. Program activities must have a direct link to employment and move the student promptly into employment. Drop-in centers that offer services on an as needed basis are not considered programs to increase employability under this definition.

The updated list of approved local programs to increase employability is located on the CDSS website on the [CalFresh Resource Center Page](#).

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
Family Engagement and Empowerment Division

Attachment



Request for Approval of Local Educational Programs that Increase Employability

County	
Campus Name	
Program Name	
Detailed Program Description	
How it increases employability	
Link of program for reference	