

March 3, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 21-11E**

The purpose of this errata is to provide additional guidance and clarification regarding [The Consolidated Appropriations Act, 2021](#) (the Act) as it relates to students of higher education and their eligibility for CalFresh. This errata builds on [All County Letter 21-11](#) and provides additional guidance on the topic based on guidance released by the United States Department of Agriculture after January 22, 2021.



KIM JOHNSON  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

March 3, 2021

ALL COUNTY LETTER NO. 21-11E

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

SUBJECT: CALFRESH CLARIFICATION ON STUDENT ELIGIBILITY: COVID-19 RELIEF PACKAGE

REFERENCE: [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) SECTION 273.5; 7 CFR 273.12\(c\)\(1\)\(ii\) ; MANUAL OF POLICY AND PROCEDURES \(MPP\) DIVISION 63, SECTION 63-406; MPP 63-503.11; ALL COUNTY LETTER \(ACL\) 20-08; ACL 20-114; ACL 17-05; ACL 12-25; WELFARE AND INSTITUTIONS CODE 18901.11; CONSOLIDATED APPROPRIATIONS ACT, 2021; 7 UNITED STATES CODE \(U.S.C.\) 2015\(e\); 20 U.S.C. 1087kk; SNAP STUDENT PROVISIONS IN THE CONSOLIDATED APPROPRIATIONS ACT 2021 – Q&A](#)

The purpose of this erratum is to provide additional guidance and clarification regarding [The Consolidated Appropriations Act, 2021](#) (the Act) as it relates to students of higher education and their eligibility for CalFresh. The policy guidance provided in [All County Letter \(ACL\) 21-11](#), issued on January 22, 2021, stands. This erratum builds on ACL 21-11 and provides additional guidance on the topic based on guidance released by the United States Department of Agriculture after January 22, 2021.

On February 2, 2021, the USDA, Food and Nutrition Service issued a memorandum, [SNAP Student Provisions in the Consolidated Appropriations Act, 2021 – Questions and Answers – Section 702\(e\)](#), addressing common questions related to the student eligibility provisions of the Act. The memorandum provides additional guidance regarding the implementation date of the provision which is addressed in this erratum.

## **BACKGROUND**

The [Consolidated Appropriations Act, 2021](#) authorizes temporary changes to the Supplemental Nutrition Assistance Program student eligibility rule at Section 6(e) of the Food and Nutrition Act of 2008 ([7 United States Code \(U.S.C.\) 2015\(e\)](#)), as amended, to expand student eligibility to students that are enrolled at least half-time in an institution of higher education and who:

- Are eligible to participate in state or federally financed work study during the regular school year, as determined by the institution of higher education, or
- Have an expected family contribution (EFC) of zero dollars in the current academic year as determined in accordance with part F of title IV of the Higher Education Act of 1965 ([20 U.S.C. 1087kk](#)).

## **IMPLEMENTATION DATE**

The temporary changes to the student eligibility rule are effective as of January 16, 2021.

## **IMPLEMENTATION FOR NEW HOUSEHOLDS**

A student who meets one of the temporary exemptions to the student eligibility rule may utilize one of these exemptions beginning January 16, 2021. Benefit issuance to newly eligible students must not occur before January 16, 2021.

The following scenarios illustrate proper implementation of the temporary exemptions to the student eligibility rule for new CalFresh households:

**Example 1:** A household of one student applies for CalFresh on January 5 and is interviewed on January 25. The student is newly eligible due to having a \$0 EFC. The student does not qualify for any other student eligibility rule exemption. The \$0 EFC exemption does not go into effect until January 16. The County Welfare Department (CWD) must change the Beginning Date of Aid (BDA) from January 5 to January 16. A denial Notice of Action (NOA) is not necessary for January 5-15 because the approval NOA will inform the household that benefits were granted as of January 16.

**Example 2:** A household of three applies for CalFresh on January 5 and their application is pending when the temporary exemptions to the student eligibility rule go into effect on January 16. The household consists of two eligible individuals and one student who is newly eligible due to the temporary exemptions to the student eligibility rule. The student is eligible for work study

and does not qualify for any other student eligibility rule exemption. The student reports and verifies timely that they are eligible for work study **before** the CWD authorizes the household's benefits. The CWD must complete a manual budget to calculate the January benefit allotment to reflect a BDA of January 5 for the two eligible individuals and a BDA of January 16 for the newly eligible student.

### **IMPLEMENTATION FOR ONGOING HOUSEHOLDS**

The request to add a newly eligible student to an existing CalFresh household or the report of a previously excluded ineligible student household member being newly eligible, must be treated as a voluntary mid-period report of household composition change. Counties are reminded that a voluntary report of a household composition change may be made verbally or in writing and must be considered verified upon receipt (VUR). However, a student's exemption from the student eligibility rule must be verified.

Per [7 CFR 273.12\(c\)\(1\)\(ii\)](#), if the CWD assesses that the change in household composition will result in an increase in benefits, the CWD must request verification that the student meets an exemption to the student eligibility rule and, if obtained timely, adjust benefits effective no later than the first allotment issued 10 days after the date the change was reported. In accordance with prospective budgeting, there will be no supplement issued for the month of the report.

If the household fails to provide verification within 10 days after the change is reported but provides the verification at a later date, then the timeframe for taking action on the change must run from the date verification is provided rather than from the date the change was reported. If the CWD is not able to increase benefits by the appropriate month, then a supplement must be issued in accordance with [7 CFR 273.12\(c\)\(1\)\(ii\)](#).

The following scenarios illustrate proper implementation of the temporary exemptions to the student eligibility rule for ongoing households:

**Example 1:** A CalFresh household includes a previously ineligible student. On February 7, the student provides a letter from the California Student Aid Commission (CSAC) verifying that they have a \$0 EFC and now meets an exemption to the student eligibility rule. The CWD determines that this change would increase the household's monthly benefit allotment for the March benefit month because the change takes effect on February 17 (10 days after the change is reported) and the next monthly benefit allotment would be the March benefit month. The CWD must increase the household's benefit allotment effective the March benefit month; no supplement is issued for February.

**Example 2:** A student has recently moved into an existing CalFresh household. On February 25, the household reports a household composition change. The household's regular monthly benefit allotment issuance is March 1. The CWD requests verification that the student meets an exemption to the student eligibility rule with a due date of March 7. On March 6, the household provides a completed work study eligibility form as verification. The CWD will increase the household's monthly benefit allotment effective the March benefit month since the verification was received timely. However, because it is too late to issue the increased benefit allotment for the March benefit month, a supplement will be issued no later than the 10th day of the month following the change being reported (March 10) and the increased benefit allotment will be effective the April benefit month.

**Example 3:** A CalFresh household includes a previously ineligible student who is newly eligible due to having a \$0 EFC. On February 25, the household reports a household composition change. The CWD requests verification that the student meets an exemption to the student eligibility rule with a due date of March 7. On March 10, the household provides verification indicating the student has a \$0 EFC. Because the household failed to provide required verification within 10 days (March 7) after the change was reported, the timeframe for taking action on changes must run from the date verification was provided (March 10). The CWD will increase the household's monthly benefit allotment effective the April benefit month. No supplement will be issued for the March benefit month.

### **CLARIFICATION OF ACCEPTABLE VERIFICATION**

As of February 12, 2021, the CSAC letter has been altered to include a bolded statement above the signatory line instructing students to submit the CSAC letter in its entirety. However, failure on the student's part to do so must not be grounds for requesting further verification or denial.

All County Letter No. 21-11E  
Page Five

If you have any questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at [CalFreshPolicy@dss.ca.gov](mailto:CalFreshPolicy@dss.ca.gov).

Sincerely,

***Original Document Signed By:***

JENNIFER HERNANDEZ  
Deputy Director  
Family Engagement and Empowerment Division