



CALIFORNIA DEPARTMENT OF EDUCATION
TOM TORLAKSON, State Superintendent of Public Instruction



CALIFORNIA DEPARTMENT OF SOCIAL SERVICES
WILL LIGHTBOURNE, Director

June 22, 2015

Dear County and District Superintendents, Charter School Administrators, School Food Service Directors, and County Welfare Directors:

INCREASING PARTICIPATION IN THE ASSEMBLY BILL 402 PROCESS

Effective January 1, 2012, Assembly Bill 402 (Chapter 504, Statutes of 2011) allowed local educational agencies (LEA) to voluntarily implement a process to share select free and reduced-price (F/RP) meal applications with county welfare departments (CWD) for the purpose of qualifying interested households for CalFresh benefits.

On behalf of the California Department of Education (CDE) and the California Department of Social Services (CDSS), we encourage all LEAs and CWDs to participate in the AB 402 process.

For CWDs, the AB 402 process may increase the participation of F/RP meal eligible student households in the CalFresh Program. Receiving CalFresh eases the burden of a limited budget and increases the availability of healthy, nutritious foods during those times that the school nutrition program does not supply meals. Ensuring student access to nutritious foods results in increased attention and information retention.

For LEAs, the increase in CalFresh participation will result in higher Direct Certification rates. This will reduce the administrative burden on parents and LEAs and automatically qualify more children for free meals.

Therefore, we strongly urge CWDs and LEAs to participate in this process and help households to participate in the assistance programs that are available to them, including the School Nutrition Programs (SNP) and CalFresh.

Below are some important facts regarding the AB 402 process. For more information, please refer to the attached summary of the AB 402 process.

- The California Health and Human Services (CHHS) agency has made funding available to any CWD that wishes to participate in the process, including reaching out to LEAs to initiate the process. In addition, LEAs may now use nonprofit school food service (cafeteria fund) account monies to pay for the time it takes to process F/RP meal applications for AB 402 purposes, such as making

copies, purchasing postage, and sending confidential faxes. However, cafeteria funds may not be used for CalFresh outreach.

- LEAs are required to make every effort to keep F/RP meal records confidential, especially during any type of disclosure process where the records are being shared with another department within or outside of an LEA. This includes not leaving applications in public areas or in copy machines, requesting “proof of delivery” for postal mail or e-mail messages, etc.
- The CDE will be releasing a Management Bulletin that explains the AB 402 implementation process for LEAs in June 2015, which will be available on the CDE SNP Management Bulletins Web page at <http://www.cde.ca.gov/ls/nu/sn/mb.asp>.
- The CDSS will be releasing an All County Information Notice (ACIN) that explains the AB 402 implementation process for CWDs in June 2015. The ACIN will be made available through the CDSS County Letter Web page at <http://www.dss.cahwnet.gov/lettersnotices/PG3679.htm>.

If you are an official who represents LEAs, county or district superintendents, or charter school administrators and would like to participate in the AB 402 process, please contact Ras Siddiqui, Staff Services Analyst, by phone at 916-322-8315 or by e-mail at rsiddiqui@cde.ca.gov.

If you represent CWDs or county welfare directors, please contact your CalFresh County Consultant or the CalFresh Policy Bureau by phone at 916-654-1896.

Sincerely,

Original Document Signed By:

Tom Torlakson
State Superintendent of Public Instruction
California Department of Education

Original Document Signed By:

Will Lightbourne
Director
California Department of Social Services

TT/WL:nr
Attachment

SUMMARY OF ASSEMBLY BILL 402 PROCESS

The AB 402 process begins with either a local educational agency (LEA) or county welfare department (CWD) initiating a memorandum of understanding between the LEA and CWD. Participating LEAs are then required to obtain written consent from a parent or guardian in order to share their household's free and reduced-price (F/RP) information with the CWDs. Either entity, the LEA or CWD, may initiate this process.

The existing process outlined in the California Department of Education (CDE) Management Bulletin NSD-SNP-05-2013 requires LEAs to have a separate consent form signed by a parent or guardian. However, it has come to the attention of the CDE and the CHHS that the use of a separate consent form may not work for some LEAs.

Therefore, LEAs will soon have the choice to either:

1. Use a redesigned F/RP meal application that includes an AB 402 parental consent section; this option allows an LEA to directly send a copy of the AB 402 F/RP meal application to the CWD.
2. Continue to include a consent form with every F/RP meal application packet, which a parent or guardian may sign; LEAs will send a copy of the consent form along with a copy of the approved F/RP meal application to the CWD.

CWDs will then verify the information on the F/RP meal application or consent form to see if the family is already participating in the CalFresh Program. If the household is not currently receiving CalFresh benefits, then the CWD will contact the household to let them know that they may be eligible for CalFresh benefits and begin the CalFresh application process.

The CDE has designed an additional F/RP meal application with a parental consent section for LEAs and households to participate in the AB 402 process, which provides the LEA permission to share a copy of a household's meal application with the CWD. This new application will eliminate the need for a secondary consent form, thereby removing additional steps for potential households to participate in the CalFresh Program. However, please note that the original parental consent form and F/RP meal application will remain on the CDE Web site for LEAs that want to use it in their AB 402 process. The original consent form is now available in 15 languages.

For more information, please contact:

- California Department of Education: Ras Siddiqui, Staff Services Analyst, by phone at 916-322-8315 or by e-mail at rsiddiqui@cde.ca.gov.
- California Department of Social Services: CalFresh County Consultant or the CalFresh Policy Bureau by phone at 916-654-1896.