



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

August 28, 2012

ALL COUNTY LETTER NO. 12-41

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
 ALL TRIBAL TANF ADMINISTRATORS
 ALL CalWORKs PROGRAM SPECIALISTS
 ALL COUNTY REFUGEE COORDINATORS
 ALL COUNTY CONSORTIUM PROJECT MANAGERS
 ALL CALIFORNIA WELFARE ADVOCATES
 ALL CALFRESH PROGRAM COORDINATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM: CLARIFYING THE EXCLUSION OF AMERICORPS PAYMENTS AS INCOME

REFERENCES: MANUAL OF POLICIES AND PROCEDURES (MPP) SECTIONS 44-111.6.61(f), 63-502.134, AND 63-507(a)(17); ALL COUNTY INFORMATION NOTICES (ACIN) I-70-02 and I-34-05; 42 U.S.C. §12637(d), 42 U.S.C. §12651, 7 CFR § 273.9(c)(10)

The purpose of this All County Letter (ACL) is to instruct County Welfare Departments (CWDs) to exclude any payments or Income-In-Kind from AmeriCorps programs as income for the purposes of determining CalWORKs eligibility and grant amounts and certain AmeriCorps payments as exempt from CalFresh benefit calculations.

Background

A previous All County Information Notice (ACIN) I-70-02 was released on September 23, 2002 that issued directions to CWDs to exclude AmeriCorps Volunteers In Service To America (VISTA) payments from consideration as income and that letter did not instruct CWDs to exempt other types of AmeriCorps payments. This letter supersedes ACIN I-70-02 and is instructing CWDs that CalWORKs regulations (Manual of Policies and Procedures [MPP] Section 44-111.6) exempts payments from all three AmeriCorps

branches (AmeriCorps VISTA, AmeriCorps National Civilian Community Corps [NCCC], and AmeriCorps State and National) from consideration as income.

AmeriCorps

AmeriCorps VISTA is a government corporation that was initially established as Volunteers in Service to America in 1965, in an effort to fight national poverty. Since its inception, AmeriCorps expanded into three main branches in an effort further reduce poverty, improve community welfare, provide disaster relief and improve youth development. AmeriCorps VISTA, AmeriCorps State and National, and AmeriCorps National Civilian Community Corps (NCCC) are administered by the Corporation for National and Community Service (CNCS), which is a federally assisted program.

Payments from organizations funded under 42 U.S.C. § 12651 shall not be considered income when determining eligibility or grant amount in federally funded needs-based programs. Members of all three AmeriCorps programs may receive a living allowance for housing, meals, member uniforms (sometimes referred to as a stipend), limited medical benefits, an education award, and childcare benefits in certain circumstances.

CWDs may contact the California Office of the CNCS at (310) 235-7421 or by email at ca@cns.gov for assistance in determining whether a client is an AmeriCorps VISTA participant. For other AmeriCorps members, CWDs can contact the California Volunteers headquarters at (916) 323-7646 or by email at reception@californiavolunteers.gov if further verification is needed for program participants.

CalWORKs

Because payments received from the three AmeriCorps programs are excluded as income by federal law, existing regulations related to payments made to Vista Volunteers currently encompasses all AmeriCorps payments. Such payments, when received by recipients from any of the three AmeriCorps branches are exempt as income [MPP Section 44-111.6.61(f) and 42 U.S.C. § 12637(d)]. CDSS finds that existing regulations adequately address the exemption of income from these AmeriCorps programs and do not require modification.

CalFresh

As a reminder, AmeriCorps VISTA payments are not treated like other AmeriCorps payments that are excluded from income for CalFresh. As stated in ACIN I-34-05, the authorizing legislation for VISTA (the Domestic Volunteer Service Act of 1973) requires volunteer payments received by new CalFresh applicants, who were not receiving public

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assistance or food stamps at the time they joined VISTA, to be counted as earned income (MPP Section 63-502.134), in accordance with 7 CFR § 273.9(c)(10). However, MPP Section 63-507(a)(17) exempts AmeriCorps State and National and AmeriCorps NCCC payments from consideration as income for food stamp eligibility and benefit determination.

Please direct questions regarding the treatment of AmeriCorps payments in CalWORKs to your CalWORKs County Consultant at (916) 654-1322 or for CalFresh contact Shawn Mainville at (916) 657-3418.

Sincerely,

Original Document Signed By:

TODD BLAND
Deputy Director
Welfare to Work Division

c: CWDA
CSAC