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SB-641 CalFresh for College Students Act. (2021-2022)

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Senate Bill No. 641

CHAPTER 874

An act to amend Section 18901.11 of, and to add Section 18901.14 to, the Welfare and Institutions Code, relating to CalFresh.

[Approved by Governor September 30, 2022. Filed with Secretary of State September 30, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 641, Skinner. CalFresh for College Students Act.

Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Existing federal law provides that students who are enrolled in college or other institutions of higher education at least half-time are not eligible for SNAP benefits unless they meet one of several specified exemptions, including participating in specified employment and training programs.

Existing state law requires, for the purposes of determining eligibility for CalFresh, certain educational programs, as determined by the State Department of Social Services, to be considered employment and training programs, thereby qualifying a student participating in one of those programs for an exemption, unless prohibited by federal law. Existing law requires the department to maintain and regularly update a list of programs that meet the employment and training exemption set forth in federal regulations. Existing law also requires the department to issue and maintain instructions for county human services agencies to verify exemptions to the CalFresh student eligibility rule for specified students.

This bill would also require the department to post on its internet website that program list and those instructions to counties, and would require the instructions to include specific guidance for processing applications, reporting, and recertification for additional students who are exempt from the CalFresh student eligibility rule.

The bill would require the department to convene a workgroup to identify the steps necessary to establish a CalFresh application submission process that accommodates the large influx of CalFresh applications during the beginning of a school term, as specified, and to submit a report, on or before April 1, 2023, to the Legislature on the necessary steps identified by the workgroup and any estimates of costs associated with implementing those steps.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known, and may be cited, as the CalFresh for College Students Act.

SEC. 2. The Legislature finds and declares all of the following:

- (a) Research suggests that one in four college students experience hunger.
- (b) College hunger is linked to harmful consequences for health and academic success.
- (c) Furthermore, college students face a number of barriers in accessing or receiving food assistance, including stigma, lack of information on available resources, ineligibility for assistance, and barriers to seeking assistance, even for those who are eligible.
- (d) Barriers to the Supplemental Nutrition Assistance Program (SNAP), known as CalFresh in California, are especially apparent in the low participation rates in CalFresh as a result of federal law.
- (e) According to one large study in California, only 20 percent of eligible students received CalFresh food benefits.
- (f) Students can receive relevant recommendations for other benefits and services they may qualify for, including health care subsidies, broadband support, and other food assistance, in order to connect them with support to lower additional economic barriers to postsecondary education completion.
- (g) In 2014, California became the first state in the nation to pass a bill to address college student hunger with the passage of Assembly Bill 1930, which created a workgroup to address the issue.
- (h) Since the enactment of Assembly Bill 1930, several of the workgroup's recommendations have been enacted by subregulatory guidance.
- (i) This act will codify the Assembly Bill 1930 guidance, help to document the progress in improving participation among CalFresh eligible college students, and lay the path for next steps.

SEC. 3. Section 18901.11 of the Welfare and Institutions Code is amended to read:

18901.11. (a) For purposes of Section 273.5(b)(11)(ii) of Title 7 of the Code of Federal Regulations, an educational program that could be a component of a CalFresh E&T program described in Section 18926.5, as identified by the department, shall be considered an employment and training program under Section 273.7 of Title 7 of the Code of Federal Regulations, unless prohibited by federal law.

(b) (1) The department shall maintain, regularly update, and post on its internet website the list of state- or locally-funded programs specified in Section 18901.12 and identified by the workgroup established pursuant to Chapter 729 of the Statutes of 2014 that meet the standard set in Section 273.5(b)(11)(iv) of Title 7 of the Code of Federal Regulations.

(2) Upon an appropriation by the Legislature for this purpose, and to the extent permitted by federal law, the department shall include adult education and career technical education programs in the list of programs that are deemed to meet the standard set in Section 273.5(b)(11) of Title 7 of the Code of Federal Regulations.

(c) (1) The department shall issue, maintain, and post on its internet website instructions for county human services agencies that maximize CalFresh eligibility and minimize the burden for applicants and recipients to verify exemptions to the CalFresh student eligibility rule for students. The instructions provided shall include specific guidance for processing applications, reporting, and recertification for all of the following:

- (A) Students who participate in at least one of the programs identified pursuant to subdivision (b) because they offer a program component that is equivalent to a CalFresh E&T program component.
- (B) Students who are approved and anticipate participating in state or federal workstudy.
- (C) Students who meet the qualification for an exemption set forth in Section 69519.3 of the Education Code, or are receiving tribal Temporary Aid to Needy Families (tribal TANF) or CalWORKs benefits.
- (D) Students who are employed 20 hours a week or more on a reasonably anticipated monthly average, with instructions for allowing self-certification of employment and number of hours worked.
- (E) Students with children, as described in Section 273.5(b) of Title 7 of the Code of Federal Regulations.
- (F) Students enrolled in a CalFresh E&T program.
- (G) Students who do not intend to register during the next normal school term.
- (H) Students enrolled in a Workforce Innovation and Opportunity Act (WIOA) funded program, Job Opportunities and Basic Skills (JOBS) program under Title IV of the Social Security Act, or programs under Section 236 of the Trade Act of 1974 (19

U.S.C. 2296) .

(I) Students who are physically or mentally unfit, pursuant to federal law.

(J) Student who are participating in a program of career and technical education, as defined in Section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) designed to be completed in not more than four years at an institution of higher education, as defined in Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(2) To the extent practicable, community colleges and universities shall distribute the standardized state or federal workstudy verification form to all students approved for state or federal workstudy.

(3) For purposes of this subdivision, and to the extent allowed by federal law, a student shall be considered to be "anticipating participation" in workstudy if the student can reasonably expect or foresee being assigned a workstudy job, and a student shall be deemed to be "anticipating participation" in workstudy until the student receives notice from the institution of higher education that the student has been denied participation in workstudy.

(d) (1) This section does not require a county human services agency to offer a particular component, support services, or workers' compensation to a student found eligible for an exemption pursuant to this section.

(2) This section does not restrict or require the use of federal funds for the financing of CalFresh E&T programs.

(3) Except for the information required to complete the form specified in paragraph (2) of subdivision (c), this section does not require a college or university to provide a student with information necessary to verify eligibility for CalFresh.

(e) For the purposes of this section, "student" means an individual who is enrolled at least half-time in an institution of higher education. A person shall be determined to be enrolled in an institution of higher education if the individual is enrolled, as an undergraduate or graduate student, in a business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum or if the individual is enrolled in a regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required.

SEC. 4. Section 18901.14 is added to the Welfare and Institutions Code, to read:

18901.14. (a) The department shall convene a workgroup comprised of the University of California, the California State University, the California Community Colleges, the Student Aid Commission, representatives from student organizations from all three sectors of public postsecondary educational institutions, the County Welfare Directors Association of California, and representatives from CalFresh eligibility workers and CalFresh advocates to identify the steps necessary to establish a CalFresh application submission process that accommodates the large influx of CalFresh applications during the beginning of a school term in counties where large public postsecondary educational institutions with 10,000 students or more are located. The workgroup may be convened as part of an existing workgroup that is comprised of the same members specified in this subdivision.

(b) On or before April 1, 2023, the department shall submit a report to the Legislature on the necessary steps identified pursuant to subdivision (a) and any estimates of costs associated with implementing them. The report shall include an analysis of using regional partnerships between counties and shall only include recommendations that are compliant with Section 10503 of the Welfare and Institutions Code.

(c) The report required by this section shall be submitted in compliance with Section 9795 of the Government Code.