

Date of Hearing: April 18, 2023

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Corey A. Jackson, Chair

AB 1514 (Reyes) – As Amended March 23, 2023

SUBJECT: Public social services: student eligibility

SUMMARY: Requires the California Department of Social Services (CDSS) to convene a workgroup of various stakeholders to develop recommendations to allow data from the Free Application for Federal Student Aid (FAFSA) to be released to county welfare departments in order to authorize students to apply to receive public social services based on data collected from their FAFSA application. Specifically, **this bill:**

- 1) Requires CDSS to convene a workgroup comprised of the County Welfare Directors Association of California, the California Student Aid Commission (CSAC), the University of California (UC), the California State University (CSU), and the California Community Colleges (CCC), to develop recommendations to allow data from the FAFSA application to be released to county welfare departments to authorize students to apply to receive public social services based on data collected from their FAFSA application.
- 2) Requires recommendations be submitted to the Legislature by December 31, 2024.
- 3) Requires, upon the submission of the recommendations, CDSS and workgroup members to begin to pursue administrative and statutory changes to make it possible for data from the FAFSA application, or any other student aid application administered by CSAC, to be prepopulated into applications for students to receive public social services.
- 4) Requires CDSS to ensure that the California Statewide Automated Welfare System (CalSAWS) permits all county office eligibility workers, regardless of county, to view, transfer, and process all CalFresh applications via CalSAWS to allow students to be able to apply for benefits in their home county before moving, or in the county of their school.

EXISTING LAW:

- 1) Establishes under federal law the “Supplemental Nutrition Assistance Program” (SNAP) pursuant to the Food Stamp Act of 1964 and establishes, in California statute, the CalFresh program to administer the provision of federal SNAP benefits to families and individuals meeting certain criteria, as specified. (7 United States Code Section [USC] 2011 *et seq.*, Welfare and Institutions Code Section [WIC] 18900 *et seq.*)
- 2) Deems, in federal regulations, an individual who is enrolled at least half-time in an institution of higher education as ineligible for participation in SNAP unless the individual qualifies for an exemption, as specified. (7 Code of Federal Regulations [CFR] 273.5(a))
- 3) Requires, in federal regulations, a student to meet one of the following criteria in order to qualify for an exemption to the prohibition on eligibility for SNAP benefits, including: be age 17 or younger or age 50 or older; be physically or mentally unfit; be participating in a state or federally financed work study program during the regular school year; be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be

employed for a minimum of 20 hours per week and receive weekly earnings at least equal to the federal minimum wage multiplied by 20 hours; or be participating in a state or federally financed work-study program during the regular school year. (7 CFR 273.5(b))

- 4) Establishes the federal “Temporary Assistance for Needy Families” (TANF) program, which permits states to implement the program under a state plan. (42 USC 601 *et seq.*)
- 5) Establishes in state law the “California Work Opportunity and Responsibility for Kids” (CalWORKs) program to provide cash assistance and other social services for low-income families through TANF. Under CalWORKs, each county provides assistance through a combination of state, county and federal TANF funds. (WIC 11120 *et seq.*)
- 6) Establishes the Medi-Cal program, administered by the Department of Health Care Services (DHCS), under which low-income individuals are eligible for medical coverage. (WIC 14000 *et seq.*)
- 7) Requires CDSS to establish and supervise a county- or county consortia-administered program to provide cash assistance to aged, blind, and disabled legal immigrants who are not citizens and who successfully complete an application process. (WIC 18937)
- 8) Establishes the “California Student Aid Commission” and enumerates the roles, responsibilities, and membership of the CSAC for purposes of providing financial aid to college students, as specified. (Education Code Section [EDC] 69510 *et seq.*)
- 9) Defines “FAFSA” as the Free Application for Federal Student Aid. (EDC 69560.5(c))

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Public social services.* In October 2022, the Public Policy Institute of California (PPIC) released a report in which it found that 28.7% of California residents were poor or near poor and 3.3% of families were living in deep poverty, meaning they had less than half the resources to meet basic needs. To address the basic needs of families, children, and individuals living in poverty, California administers several key safety net programs, including, among others:

- CalWORKs, which provides cash benefits to eligible children and families that meet certain income and work requirements.
- CalFresh, which provides food benefits to households that meet federal eligibility requirements for income and household size;
- Cash Assistance Program for Immigrants (CAPI), which provides monthly cash benefits to noncitizens who are aged, blind, and disabled who are ineligible for Social Security Income /State Supplementary Payment (SSI/SSP) solely due to their immigration status; and,
- Medi-Cal, which provides health benefits to qualified individuals who are low-income.

While the PPIC report demonstrates that poverty decreased overall since 2019, the report also demonstrates that without vital social safety net programs, more Californians would live in poverty.

Specifically, “In fall 2021, about 3.9 million more Californians (10.3%), would have been in poverty without safety net programs. CalFresh kept one million Californians out of poverty (2.6%), up from 500,000 families in 2019 due to both temporary and ongoing changes. Through temporary monthly payments to families with children, the federal [Child Tax Credit] lowered poverty by 1.8 points; the [Earned Income Tax Credit] lowered poverty by 1.1 points.” The report also found that in fall 2021, safety net programs kept 19.7% of children out of poverty and that, while poverty rates vary widely across the state, safety net programs most reduce poverty in inland areas, such as the Central Valley and Sierra regions.

College student basic needs: While many of the existing social safety net programs exist to provide supports to children and families, college students in California also face food, housing, and financial insecurity. In February 2019, the California Higher Education Basic Need Alliance released a brief describing a holistic approach to address student basic needs. Among other things, the brief found:

- 50% of CCC students experience food insecurity, compared to 41.6% of CSU students, 44% of UC undergraduates, and 26% of UC graduate students;
- 19% of CCC students have experienced homelessness within the preceding 12 months, 60% of CCC students experience housing insecurity, 10.9% of CSU students are homeless, and 5% of UC students are homeless; and,
- Low-income students spent about half their family income on out-of-pocket costs after grant aid, and each year, over 300,000 eligible applicants don’t receive a state Cal Grant because not enough are available.

While college students may meet the necessary eligibility criteria to access social safety net programs, some programs explicitly exclude college students from participation. For example, CalFresh prohibits college students from accessing the program unless they qualify for an exemption under what is known as the “CalFresh student eligibility rule.” To qualify for an exemption, a student must: be participating in paid work for an average of 20 hours per week or a total of 80 hours per month; be participating in work study; have a child under the age of twelve without adequate child care; be a single parent responsible for a child under twelve; be attending school as part of a CalFresh Employment and Training Program; be attending school as part of a program to increase employment; be receiving CalWORKs cash assistance; or, meet additional qualifying exemptions, as specified in current law.

In 2022, AB 641 (Skinner), Chapter 874, Statutes of 2022, required CDSS, in collaboration with various stakeholders, to convene a workgroup and identify the steps necessary to establish a CalFresh student application submission process. The report, submitted to the Legislature earlier this month, recommended that, among other things, changing student eligibility criteria at the federal level, specifically by eliminating the student eligibility rule altogether. The report states “Federal law is a direct cause of low participation rates in CalFresh. Arguments to support federal changes to student eligibility include that there are antiquated and outdated perceptions of familial student support that no longer apply today and that allowing for greater eligibility would lead to a: reduction of stigma and barriers for students seeking assistance; decrease in student hunger by making CalFresh more accessible; and, reduction of the administrative burden on counties.”

Free Application for Federal Student Aid. In order to receive financial assistance for college expenses, students are encouraged to fill out the FAFSA in order to determine eligibility for various

financial aid supports, such as grants, federal work-study, student loans, and scholarships. Information collected on the FAFSA can often overlap with information required to qualify for CalFresh, such as an expected family contribution of zero dollars. In the fall of 2020, CSAC convened a statewide workgroup to examine how to increase college students' access to CalFresh benefits, and in February 2022, the CSAC released the workgroup's report. Among other findings, the report found that data used by the FAFSA was not used for CalFresh and that pre-populating CalFresh applications with data from the FAFSA would decrease the burden on students to re-enter information they have already provided for the FAFSA. To implement the recommendation, the workgroup suggested identifying applicable data for the FAFSA from the California Longitudinal Pupil Achievement Data System and codify a data-sharing agreement between the California Department of Education and CDSS. The workgroup also suggested that "Further supports for students could be provided by high school guidance counselors who could help students who receive [free and reduced-price meals] to complete the CalFresh application the semester before graduation and potentially in tandem with their FAFSA application."

The provisions of this bill require CDSS to convene a workgroup to develop recommendations to allow data from the FAFSA to be released to county welfare departments to authorize students to apply to receive public social services, and, further, would require a report with the recommendations be submitted to the Legislature no later than December 31, 2024.

California Statewide Automated System. Prior to 2021, counties used three separate systems to determine an individual's eligibility for services and store data related to client cases: Consortium IV (C-IV), LEADER Replacement System (LRS), and the CalWORKs Information Network (CalWIN); in 2019, however, counties came together to create a Joint Powers Authority to initiate the CalSAWS project to combine the existing systems into a single system, referred to as the CalSAWS. The ultimate goal of CalSAWS is to combine eligibility determination, benefits calculation, benefits issuance, and information management for various public social services, including CalWORKs, CalFresh, Medi-Cal, foster care, Refugee Assistance, County Medical Services Program, and General Assistance/General Relief, into one system that is used by all 58 counties. In September 2021, 39 counties utilizing C-IV merged with Los Angeles County, which utilized LRS, to create a single, 40-county CalSAWS. Beginning in October 2022, the remaining 18 CalWIN counties are set to migrate to CalSAWS, and the full 58-county CalSAWS is expected to be complete in October 2023.

The provisions of this bill require CDSS to ensure that the CalSAWS allows all county office eligibility workers, regardless of county, to view, transfer, and process all CalFresh applications via CalSAWS in order to permit students to be able to apply for benefits in their home county before moving, or, in the county of their school.

Author's Statement: According to the author, "It is critical that college students have access to basic needs in order for them to be successful in school, including early access to programs such as CalFresh. [This bill] ensures that the CalSAWS allows all county office eligibility workers, regardless of county, to view, transfer, and process all CalFresh applications. This would also help students moving to and from different counties to easily access benefits. This bill would also require that CDSS convene a workgroup to develop recommendations to allow data from FAFSA to be released to county welfare departments. This would make it possible for students to apply to receive public social services based on the data they provide in FAFSA applications for financial aid. [This bill] sets a timeline to ensure that the department begins to pursue changes to make it possible for

FAFSA data to be prepopulated into applications for social services. [This bill] will help make it easier for students to access public benefits.”

Need for this bill: The provisions of this bill seek to increase access to public social services for college students facing issues of food and housing insecurity. Building on the recommendations of the CSAC workgroup report, this bill would require CDSS to convene a workgroup to develop recommendations to allow data from the FAFSA to be released to county welfare departments to authorize students to apply to receive public social services. This bill would also require CDSS and workgroup members to begin to pursue administrative and statutory changes to facilitate recommendations of the workgroup. Finally, in order to ensure college students who attend school in a county different than the one in which they reside are able to apply for CalFresh in either county, this bill would require CDSS to ensure the CalSAWS allows all county office eligibility workers, regardless of county, to view, transfer, and process all CalFresh applications.

Equity Implications: The provisions of this bill seek to address equity by removing barriers to public social services that college students may experience as a result of providing redundant data on various applications, including the FAFSA and applications for social safety net programs. Specifically as it applies to food insecurity and CalFresh, an April 2019 report by the Legislative Analyst’s Office found that 44% of undergraduates and 26% of graduate students in California experience food insecurity, and data from the UC demonstrated that students who experience food and/or housing challenges have lower grade point averages (GPA) and graduation rates compared to students who have their basic needs met. GPA and graduation gaps were found to be larger for students with intersectional identities across first-generation, LGBT+, underrepresented ethnic minorities, and community college transfers. By facilitating greater access to public social services programs for which they may be eligible, the provisions of this bill seek to aid college students, many of whom struggle financially to meet their basic needs.

Policy Considerations: The provisions of this bill seek to implement recommendations of the CSAC report that would use FAFSA data to facilitate college student applications for various public social services programs. While recent efforts to address college student basic needs has focused on increasing access to CalFresh, particularly in light of the CalFresh student eligibility rule and recent temporary flexibilities permitted due to the COVID-19 pandemic, the provisions of this bill refer to “public social services,” rather than just the CalFresh Program. While it is certainly worthwhile to ensure that college students have access to all social safety net programs for which they are eligible, “public social services” can encompass a large variety of programs, including CalWORKs, Medi-Cal, SSI/SSP, in home supportive services, and General Assistance or General Relief, among others. Because these various programs have a number of program-specific eligibility criteria, it is unclear whether information provided on the FAFSA will be directly relevant to applications for other programs.

Additionally, current CalFresh program rules prohibit a person from participating in the program in more than one county in any month. Counties may use an inter-county transfer process when a CalFresh recipient household moves from one county to another, however, in instances where a benefits recipient’s move is not permanent, counties do not transfer the case due to the temporary nature of the absence. The provisions of this bill would require CDSS to ensure that CalSAWS allows all county eligibility workers, regardless of county, to view, transfer, and process all CalFresh applications via CalSAWS to allow students to apply for benefits in their home county before moving, or in the county in which their college is located. It is unclear how the provisions of this bill would interact with the existing inter-county transfer process or whether college students,

particularly those who return to their home county over school breaks, would be considered as temporarily absent. Should this bill move forward, the author may wish to consider including application for CalFresh benefits among college students who may cross county lines as a topic to be discussed and considered by the workgroup created by the provisions of this bill.

RELATED AND PRIOR LEGISLATION:

SB 641 (Skinner), Chapter 874, Statutes of 2022, required CDSS to convene a workgroup to identify the necessary changes to improve access to CalFresh for college students.

AB 1326 (Arambula), Chapter 570, Statutes of 2021, required a county human services agency to designate at least one employee as a staff liaison to serve as a contact for academic counselors and other professional staff at a campus of an institution of public higher education within the county to provide information on available public social services. Also required the agency to develop protocols for engagement between the staff liaison and a campus of an institution of public higher education.

AB 775 (Berman), Chapter 942, Statutes of 2022, as introduced, would have required CCCs, no later than July 1, 2022, to establish the position of Basic Needs Coordinator to identify, support, and link students with campus housing, food, mental health, and other basic needs. *AB 775 was later amended to address issues related to campaign finance.*

SB 77 (Committee on Budget and Fiscal Review), Statutes of 2019, Chapter 53, required CDSS's CalFresh and Nutrition Branch to convene the CalFresh Student Data Workgroup to compile statewide data on college student participation in CalFresh and to provide recommendations for improving CalFresh access among college students.

AB 2933 (Medina) of 2018, would have required county health and human service agencies to designate an agency liaison for higher education and encouraged agencies to consult with community colleges, as specified. *AB 2933 was held on the Senate Appropriations Committee suspense file.*

REGISTERED SUPPORT / OPPOSITION:

Support

California Student Aid Commission
Coalition of California Welfare Rights Organizations
Community Action Partnership of San Bernardino County
San Bernardino Community College District
uAspire

Opposition

None on file

Analysis Prepared by: Alexandria Smith / HUM. S. / (916) 319-2089