

# CalFresh Handbook :. 63-04.05

## Student Eligibility

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### Update

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This handbook is being updated to inform staff that exemptions from the student eligibility rule are no longer mandatory verifications. Staff shall only require verification that a student meets an exemption when information provided by the household is questionable or when a student's claim of physical or mental unfitness is not evident.

All updates are highlighted in blue.

### Summary

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Assembly Bill 1930 mandated that the California Department of Social Services in conjunction with community colleges, universities, county Social Services offices, student advocates and clients to establish a procedure to both identify and verify any possible exemptions to student eligibility rules.

CalWORKs work study is not considered income to the household. In the CalFresh Program, **all work study income is considered exempt**. Refer to Section VII-B of this handbook.

### I. General

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Student eligibility rules shall be applied on the date of the interview to all applicants who present as students.

#### Begin Date of Student Status

The enrollment status of a student shall begin on the first day of the school term in an institution of higher education. Once a student enrolls in an institution of higher education, such enrollment shall continue through vacations and school breaks unless the student graduates, drops out, is suspended or expelled, takes a leave of absence, stops attending, or does not intend to register for the next normal school term (excluding summer school).

The chart below provides guidance on how to determine the month in which "Student Status" begins for new applicants and continuing households (HH).

IF IT IS	AND THE SCHOOL TERM	THEN "STUDENT" STATUS
A...	BEGINS...	BEGINS...
New Applicant	a. Before the date of application,	a. In the month of application
HH	b. In the application month, butb. after the date of application	b. The month after application,

- |              |  |   |
|--------------|--|---|
|              | c. The first day of the month after application            | c. The month after application.           |
|              | d. The second day or later in the month after application, | d. The month after the school term began. |
| Continuinga. | The first day of the month                                 | a. The same month                         |
| HH           | b. After the first day of the month                        | b. The following month.                   |

#### Example:

Applicant graduates from high school on 6/10, enrolls in college on 8/16, applies for CalFresh on 8/17. College classes begin on 8/30. The applicant would **not** be considered a student from 8/17 through 8/29. On 8/30, the applicant would be considered a student and would have to meet Student Eligibility Criteria to remain eligible. The case should be set up in CalWIN to treat the applicant as a regular participant for August, and as a student in September. Student eligibility screens must reflect student status effective September.

## II. Institutions of Higher Education

To be considered a student at an institution of higher education, a person enrolled in a business, trade, technical or vocational school need only be enrolled at least half-time.

A person enrolled in a college, university or graduate school must be both enrolled at least half-time and enrolled in a **regular curriculum\***.

An **institution of higher education** refers to:

1. A business, trade, technical or vocational school at the post-high school level that normally requires a high school diploma or equivalency certificate for enrollment; or
2. A two- or four- year junior or community college, university or graduate school, regardless of whether a high school diploma or equivalency certificate is required.

**Note:** If a college/university normally requires a high school diploma or equivalency certificate, but does not require it for either a particular course or program, the college/university would not be considered an institution of higher education (e.g. ESL classes, GED classes).

**\* A regular curriculum is defined as the standard requirements that must be completed for graduation, a certification, or for qualification in a particular field of study.**

**Note:** Should the Eligibility Services Technician (EST) encounter an institution that is not listed below, additional research may be needed and/or collateral contact with the institution to verify qualifications.

See [Alameda County Institutions of Higher Education list](#) for a non-exhaustive list of institutions of higher education in Alameda County.

### Institution of Post-Secondary Education

An institution of post-secondary education is defined as any public or private educational institution authorized or recognized by the State of California to provide:

- An educational program beyond secondary (high school) education in the state, or
- A program of training to prepare student for gainful employment

Post-secondary institutions include correspondence schools, schools at any level for physically or mentally handicapped individuals, or vocational education programs.

**Note:** Post-secondary institutions that do **not** normally require a high school diploma or equivalent certificate for enrollment are **not** considered institutions of higher education. Additional research may be needed and/or collateral contact with the institution to verify qualifications.

### Student Meal Plans

CalFresh cannot be used to pay for college cafeteria meal plans. Students who live in dormitories and receive more than half their meals (approximately 21 meals per week) from a meal plan are not eligible for benefits. However, if a student purchases a meal plan that provides them with fewer than half of their meals they may be eligible for CalFresh benefits as long as they also satisfy one of the student exemptions and meet all other eligibility requirements.

### Veteran Students

Like undergraduate and graduate students, students who are veterans are not treated any differently when applying for CalFresh. There are no specific exclusions for students who are veterans.

### Adult Education Programs

The CalFresh student eligibility rules and exemptions do not apply to students who are enrolled in adult education programs. Enrollment in K12 adult schools and community college noncredit classes does not require a high school diploma or equivalency certificate. Therefore, these programs are not considered to be institutions of higher education as defined by CalFresh.

## III. Eligible Student and Exemption Criteria

On the date of the interview, any person who is age 18 through 49; physically and mentally fit for employment; and enrolled at least half-time as defined by the institution of higher education, shall be eligible to participate for the CalFresh Program if the person complies with at least one of the following criteria's listed below:

- Be in receipt of CalWORKs.
- Be employed, and paid for such employment, for a minimum of 20 hours per week or can reasonably anticipate maintaining an average of 20 hours per week or 80 hours per month if work hours fluctuate from week to week.

Note: Under semi-annual reporting, a change in student work hours is not a mandatory mid-period report. If the student does not report a change in work hours during the certification period, the student meets the criteria for an exemption from the student eligibility rule through the length of the certification period.

- If self employed, be employed for a minimum of 20 hours per week and receive gross weekly earnings at least equal to the federal minimum wage multiplied by 20 hours.
- **Students in the following situations do NOT meet the student employment eligibility criteria:**
  - Paid with in-kind benefits (such as free housing, utilities, food, or clothing) instead of cash.
  - Student teaching, or other employment where no pay is received
  - There is no work available from June through August, but the student will return to work in September.
    - There is no student eligibility from June to August, but the student would be eligible from September through May.
- Be exerting parental control over a dependent household member under the age of six. (Only one parent can claim the exemption as the primary person responsible for the care of a dependent child under the age of six).

- Be exerting parental control over a dependent household member between the ages 6 through 12 years **and** the county has determined that adequate childcare services are not available to enable the individual to attend class and work an average 20 hours per week or a total of 80 hours per month, or participate in a state or federally financed work study program during the regular school year. (Only one parent can claim the exemption as the primary person responsible for the care of a dependent child who has reached age six but is under age twelve).
  - Availability of child care shall be determined on a case-by-case basis.
  - Situations where adequate child care services are not available may include the following:
    - Child care provider hours do not coincide with the student's employment hours or potential employment hours, or
    - The distance between the student's home, school, place of employment and child care prevents the student from meeting his/her school or employment schedule, or
    - Available child care services do not meet the age and/or special needs of the child
- Be enrolled full time in an institution of higher education and is a single parent responsible for the care of a child under 12 years. (Only one natural, adoptive or step-parent can be in the home).
- Be participating in a federally or state financed work study for the current school term, as defined by the institution and anticipates working during the term.
- Be enrolled or placed in an institution of higher education through JTPA, CalFresh E&T, JOBS, Section 236 or Trade Act of 1974 or a state or local program as determined by the county.
- Be enrolled in a Workforce Innovation and Opportunity Act (WIOA) activity.
- Be enrolled in the Extended Opportunity Program and Services (EOPS) program.

Additionally, students who are enrolled in one of the programs below will meet the exemption criteria for student eligibility:

### **State Funded Programs that Increase Employability**

Students are eligible for an exemption to the CalFresh student eligibility rule if the student's attendance in a program increases their chances of employability; this includes programs for low-income students administered by state and local government where one or more of the program's components are equivalent to an Employment and Training (E&T) component.

Participation in the state funded programs below, all of which are likely to increase employability, qualify a student for an exemption from the student eligibility rule.

### **Workforce Innovation and Opportunity Act (WIOA)**

The WIOA reauthorized and amended the Workforce Investment Act (WIA) of 1998. The WIA superseded the Job Training Partnership Act (JTPA). The purpose of WIOA funded activities is to promote an increase in the employment, job retention, earnings, and occupational skills improved by participants.

### **Extended Opportunity Programs and Services (EOPS)**

The EOPS assists eligible low-income and educationally disadvantaged student to achieve academic success by offering support services to enhance persistence, retention, graduation, and transfer goals. Supportive services provided by EOPS include, but are not limited to, academic, career, and personal counseling; basic skills instruction; tutoring; textbooks; meal tickets; transportation assistance; and grants.

### **Educational Opportunity Program (EOP)**

The EOP provides employability assistance and support by providing first generation college students and students from low-income households and educationally disadvantaged backgrounds with mentorship opportunities, access to academic programs, financial assistance, counseling/advising, and other campus support services. EOP assistance may continue through graduation and helps students prepare for admission to graduate and professional schools.

**Note:** EOP at the University of California and California State University is comparable to EOPS at California Community Colleges.

### **College Disabled Students Programs and Services (DSPS)**

DSPS is a community college program that provides support services, specialized instruction and educational accommodations to students with disabilities so that they can participate and benefit as equitably from the college experience as their peers without disabilities. An Academic Accommodations Plan (AAP) is developed for each student which connects the student's goals, curriculum program, and academic accommodations to his/her specific disability related educational limitation.

### **Cooperative Agencies Resources for Education (CARE) Program**

The CARE program supports the unique needs of welfare recipients by promoting self-sufficiency and academic success. It is a component of EOPS that specifically assists students who are single heads of household with dependent children. The CARE program offers supportive services to assist them with attaining the education, training and marketable skills needed to transition from welfare dependency to employment and self-sufficiency for their families. All CARE students are EOPS students and must meet the eligibility criteria for both programs.

### **US McNair**

The McNair Scholars Program is a state-funded University of California program that serves first generation college students from low-income homes. This program is meant to increase the college completion rate and employability of participating students.

### **Puente Project**

The Puente Project is an academic, mentoring, and counseling program co-sponsored by the California Community College Chancellor's office and University of California. It is designed to increase the number of underserved students who enroll in four-year colleges and universities, earn college degrees and eventually return to the community as mentors and future generation leaders.

### **Mathematics, Engineering, Science Achievement (MESA) Program**

The California Community College MESA programs serve financially and educationally disadvantaged students seeking majors in math and science based fields. The MESA program works closely with industry partners and the University of California, California State University, the California Community Colleges, the Association of Independent Colleges and Universities and the State Department of Education.

### **Programs that Increase Employability for Current and Former Foster Youth**

A student is eligible for an exemption from the CalFresh student eligibility rule if the student's attendance is part of a program aimed at increasing the student's employability, including the following programs, all of which are targeted at current and former foster youth;

#### **Guardian Scholars Program**

Universities, California State Universities and Community Colleges Guardian Scholar Programs offer educational assistance and support services to both current and former foster care youth. These programs are meant to increase college completion rates and therefore, the employability of students who participate.

#### **Foster Youth Success Initiative (FYSI)**

The California Community College Chancellor's Office established FYSI liaisons in all 113 California Community Colleges. The liaisons provide ancillary support to foster youth enrolled in community college.

#### **Cooperating Agencies Foster Youth Educational Support (CAYES)**

CAYES is a component of the EOPS program that provides services to current and foster youth who

were in foster care on or after their 16th birthday. The CAYES program is administered in 26 community college districts.

### **Chafee Education and Training Voucher (ETV) Program**

Current and former foster youth may be participating in the Chafee Education and Training Voucher Program which is administered by the California State Association of Counties (CSAC) under agreement with the California Department of Social Services.

### **Extended Foster Care (AB 12/AB 212)**

The California Fostering Connections to Success Act (AB 12) allows the age of eligible foster care youth to extend beyond 18 up to age 21. Eligible foster youth are designated as "non-minor dependents" (NMD). Extended benefit payments and transitional support services for the Adoption Assistance Program (AAP) and the Kinship Guardianship Assistance Payment (Kin-GAP) Program were also provided under AB 12. The goals and benefits are that foster youth will have the ability to maintain a safety net of support while experiencing independence in a secure and supervised living environment. Additionally, eligible youth are provided extended time as "non-minor dependents" to participate in education and employment training opportunities that prepare youth for successful transition into adulthood and self-sufficiency.

### **Unaccompanied Refugee Minors (URM) program**

The URM program is a federal foster care program that is funded by the Office of Refugee Resettlement (ORR). Participants of the program may remain in the program up to the age of 24 as long as they continue to meet eligibility criteria for URM. Youth in the URM program have met the following URM criteria:

- Have eligible status (e.g. refugee, asylee, Cuban/Haitian entrant, trafficking victim, Special Immigrant Juvenile Status, or U-Visa)
- Is in the U.S. unaccompanied by an adult
- Have entered the program prior to their 18th birthday

URMs receive the same monthly maintenance payments for placements as other foster youth and Non-Minor Dependents (NMD) and also receive full-scope, free-for-service, no share of cost Medi-Cal under the same aid codes as Title IV-E foster youth and former foster youth.

### **Cal Grants**

CalWORKs funds are allocated to the California Student Aid Commission (CSAC) in order to issue Cal Grants to low-income college students who meet CalWORKs eligibility requirements. **Temporary Assistance for Needy Families (TANF) funded Cal Grant A or B recipients have met the student exemption criteria.**

**The chart below provides further clarification of the type of TANF funded Cal Grants received at community colleges and four-year institutions of higher education.**

College Type	Cal Grant Type
Community College	<ul style="list-style-type: none"> <li>• Cal Grant A</li> </ul>
Four-Year institution of higher education (California State University (CSU), University of California (UC), or other)	<ul style="list-style-type: none"> <li>• Cal Grant A</li> <li>• Cal Grant B</li> </ul>

Cal Grant A provides tuition and fee assistance. Cal Grant B contains two components; Cal Grant B provides tuition and fee assistance, and Cal Grant B Access provides assistance to cover the cost of books/supplies and other college expenses.

Cal Grant C and Cal Grant B Access (available for community college students only) is not CalWORKs funded and **does not** qualify a student for an exemption from the student eligibility rule.

### **Federal or State Funded Work Study**

An exemption shall be granted if a student **states** that they have been approved for federal or state work study, as defined by the institution of higher education, **and is not questionable**. If a student is approved or awarded, or has accepted state or federal work study during the school term, anticipates working and has not refused a work assignment, the student meets the criteria for an exemption, and remains eligible for the exemption during the school term. If a job assignment is not available or has not yet begun, the student is still eligible for the exemption. A student can anticipate that they will be offered a work study job until they receive a denial notice.

The work study exemption starts the month the school term begins, or the month work study is approved, whichever is later, and continues until the school term ends, or it becomes known the student has refused a work assignment. The exemption does not continue between school terms when there is a full month break or longer, unless the student is engaged in work study during the break.

### **Duration of Exemptions**

A student must meet at least one exemption criteria on the date of the interview in order to be eligible to participate in the CalFresh program. Once eligibility for an exemption has been established, the exemption remains through the certification period.

**Additional Qualifying Exemptions: A student who meets one of the following criteria may also qualify for CalFresh:**

- Is 17 years of age or younger, or 50 years of age or older; or
- Is enrolled less than half time; or
- Has a disability; or
- **Is unable** to work because of a physical or mental **unfitness**; or
- Does not expect to be enrolled next term.

### **Special Note on this Exemption**

Disability: Students who have a disability and receive disability-based income, like Social Security Disability, Supplemental Security Income, Veterans' Disability, Worker's Compensation or other disability-based incomes qualify for an exemption. The disability must be expected to last more than 30 days.

### **Inability to work because of a physical or mental **unfitness**:**

Students that do not receive disability-based income but are unable to work due to physical or mental **unfitness meet an exemption from the student eligibility rule if the physical or mental unfitness is evident. If the student's claim of physical or mental unfitness is not evident, the EST shall require verification.** In this scenario, a client statement or affidavit does not suffice.

Verification can be provided by **any** medical or **mental health** professional, including but not limited to a physician, nurse, psychologist, or psychiatrist. Other professionals, who are not medical professionals, but assist clients in case management or other services, such as a Behavioral Health Case Manager or Regional Center Case Manager, may also provide verification.

### **Work Study Exemption**

An exception to the general rule applies to the work study exemption. This exemption begins the month the school term starts or the month the work study is approved, whichever is later. The

exemption continues until the end of the month the school term ends, or it becomes known the student refused a work assignment. The exemption shall not continue between terms when there is a break of a month or longer, unless the student is participating in work study during the break.

If a break between terms is longer than a month, and the CalFresh recipient who was previously exempted from the student eligibility rule due to work study, is not participating in work study during the break, the recipient is not exempt from the student eligibility rules during the break. Unless the student is otherwise exempt, the student may be ineligible for CalFresh during the break. The EST should determine whether a student, who is not participating in work study during the break, meets the criteria for another exemption before taking action to discontinue their CalFresh benefits.

**Note:** Work Study income is exempt and shall not be requested. However, if received, the income shall be entered in the **Display Student Financial Aid Detail** window in the **Display Student Summary** window CalWIN.

### Process for Approving Local Programs that Increase Employability

It is important to note that the above list is not meant to be exhaustive. There may be other state or locally funded programs that are not listed, or that may be referred to by another name and that provides education components with the goal of increasing employability. If an individual presents evidence of participation in a state or locally funded program that is not on the above list, the Supervising Eligibility Technician (SET) shall contact the CalFresh Program Specialist who will in turn contact the state for approval. Once approved, the student's attendance in the program must be considered as qualifying the student for an exemption from the CalFresh student eligibility rule.

For a list of approved local educational programs that increase employability, see the [California Department of Social Service's \(CDSS's\) CalFresh Resource Center Policy Guidance webpage](#).

### Entering Exemption Reasons in CalWIN

Appropriate exemption reasons should reflect in the **Collect Student Detail** page. The following exemptions, with the exception of employment hours/wages, are determined solely by using the Exemption Reasons drop down in the **Other Information** tab in CalWIN:

- Meeting required employment hours/wages
- Parental control of a child/children under 6
- Parental control of a child under 12 and adequate child care is unavailable
- A single parent enrolled full-time with responsibility for a child under age 12
- Participate in an education program specified per AB1930

### For Ongoing CalFresh cases:

When making a change for an ongoing CalFresh case, ESTs should determine if the change could impact student eligibility and if there is a student in the household. The exemptions on the **Collect Student Detail** page on the **Other Student Information** tab should be updated prior to evaluating benefits if there is an impact to student eligibility.

Refer to [CalWIN 37 Release Notes](#)

## IV. Exceptions to Higher Education

A college that normally requires a high school diploma or equivalent certificate, but does not require either of these for a particular program or course, enrollment in such a program or course does not constitute enrollment in an institution of higher education. Student eligibility rules do not apply to the following individuals:

- An individual who is physically or mentally unfit;
- An individual who is in high school or post-high school institution less than half time;
- An individual who is age 17 and under, or 50 and over; or,
- An individual who is enrolled exclusively in non-credited courses such as GED, ESL or other special programs at a college or university.

## V. Student Verification

California no longer requires verification of exemptions from the student eligibility rule unless questionable or in cases where a student's physical or mental unfitness is not evident.

To be considered questionable, the information on the application must be inconsistent with statements made by the applicant and/or inconsistent with other information received. When verification is required to resolve questionable information, the EST shall document why the information was considered questionable, where in the case file the inconsistency exists, and what documentation was used to resolve the questionable information.

If **exemptions are questionable and requested** verification is not available, a sworn statement or an affidavit is acceptable. The sworn statement and/or affidavit should only be used in situations where the household is unable to provide verification of the exemption through documentation or collateral contract. **As a reminder, a sworn statement and/or affidavit is not an acceptable form of verification when a student's physical or mental unfitness is not evident. Refer to Section III. Eligible Student and Exemption Criteria, subsection Inability to work because of a physical or mental unfitness for verification requirements.**

If **verification of an exemption is requested**, some exemptions have specific verification guidelines:

### **Approved for State or Federal Work Study**

Acceptable verification may include but is not limited to a financial aid department work study approval or award letter.

- A financial aid work study award letter.

### **Receipt of Cal Grant A or B**

- A copy of a student's California Aid Report (CSAC), which is an award letter provided to students by the California Student Aid Commission, and/or
- A printout of the award confirmation from a student's college web grant account. Attached [TANFC1 Sample 4.18](#) is a sample copy of the TANF-funded Cal Grant A or B award letter provided by CSAC.

NOTE: Not every student who receives a Cal Grant A or B receives TANF-funded Cal Grant A or B. If a student's Cal Grant A or B is not TANF-funded, CSAC will not provide the written notification.

### **Participation in Programs to Increase Employability**

- An EOPS/EOP mutual responsibility contract (MRC); it is considered a formal document that shows the students participation in the program.
- A printout from the student's college web-based account indicating participation is also considered acceptable verification.
- For URM program participants, an ORR approval letter or CDSS refugee verification letter is considered acceptable verification.

### **Verifications of Grants and Loans**

Obtain written verification of the student financial aid from either the student's financial aid award letter or the attending schools financial aid office **if the student exemption claim is questionable**. The verification must include the following information:

- Verification of the type of grants and loans
- Verification of the amount of the grants and loans;
- Verification of the expenses it is intended to cover; and,
- Verification of the period the grants and loans are intended to cover.

If grants and loans are verified, but the deductions are not available, the non-exempt grants and loans should be prorated over the period they are intended to cover and applied as income to the CalFresh budget.

## VI. School Expenses

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School expenses from an institute of higher learning are verified on the award letter received from the school for the student. Each school uses a standard student expense budget which has set allowances related to the students status, i.e. single, married or dependent, self-supporting or not and living on or off campus. Expenses for living such as rent, food or clothing are not an allowable deduction for CalFresh. Allowable expenses include:

- Tuition
- Mandatory fees
- Insurance/loan origination fees and premiums
- Transportation
- Books and supplies (Including the rental or purchase of any equipment, material and supplies related to the course of study.)
- Dependent Care

## VI. Calculating Educational Income

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Once the institution has set the term, the period the grants, loans and scholarships are intended to cover is never changed even if the student quits school and/or has exhausted their funds. Use the following to calculate the educational income of a student:

- Total all non-exempt loans, grants or scholarships awarded to the student.
- Total all the allowable school expenses and subtract from total non-exempt income.
- Pro rate the remainder of educational income over the period that they are intended to cover.

**Note:** Count any portion of a month as a full month i.e. school term August 28<sup>th</sup> - May 29<sup>th</sup> = 10 mos.

## VIII. Educational Income

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Educational income may be in the form of loans on which payment is deferred, scholarships, grants, work-study, fellowships, veterans educational benefits, and the like. The following are the various types of educational assistance available and instructions for the treatment of such benefits.

### A) Federally Funded Title IV Grants and Loans Exempt as Income:

All educational income received under Federal Title IV, and from the Bureau of Indian Affairs, is exempt as income regardless of how it is earmarked, used or intended to be used.

- **Pell Grant aka BEOG - Basic Educational Opportunity Grant**
- **Federal Early Outreach and Student Services Program not limited to:**

Federal Trio Program

Talent Search

Upward Bound

National Early Intervention Scholarship and Partnership Program

Presidential Access Scholarship

Model Program Community Partnership and Counseling Grants

National Student Savings Demonstration Project

Technical Assistance for Teachers and Counselor

- **SEOG - Federal Supplemental Education Opportunity Grants including:**

Cal Grant A - California State Scholarship

Cal Grant B - California Opportunity Grant

Cal Grant C - Occupational Educational and Training Grant

- **Federal Family Education Loan Program not limited to:**

Stafford Loans formally Guaranteed Student Loans

CGSI - California Guaranteed Student Loans

Class - California Loans to Assist Students

Plus - Federal Parent Loans for Student Program

SLS - Federal Supplemental Loans for Student Program

Federally Insured Student Loan Program

- **BIA - Educational income received from the Bureau of Indian Affairs.**

**B) College Work Study Exempt as Income:**

**All work study income is now considered exempt and shall be excluded in its entirety. However, if received, the income shall be entered in the Display Student Financial Aid Detail window in the Display Student Summary window in CalWIN.**

**C) Grants & Loans Considered Income:**

Federal Non-Title IV grants and loans and Non-Federal grants and loans are considered income that is legally obligated to the student and whether paid to the student or school is considered unearned income.

- **Non Federal Grants and Loans**

CCPG - California Promise Grant (formerly BOGG - Board of Governor's Grant)

Note: CCPG fee waiver (\$46 per unit enrollment fee) must be treated as exempt in CalFresh budgeting.

Doyle Grant/Scholarship

EOPG - Educational Opportunity Programs

EOPS - Extended Opportunity Program and Services

Soroptomists Grant

SUG - State University Grant

- **Federal Non-Title IV Grants and Loans**

Title VII Bilingual Education Program

Veteran's College Work Study

## IX. Veteran's Educational Benefits

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The type of Veteran's Assistance (VA) educational benefit must be verified. Information about a veteran's benefit may be obtained through a regional office. The following is a list of various types of veteran's educational benefits currently available and instructions for treatment of such benefits.

### A) Veterans Educational Assistance Program (VEAP), Post Vietnam Era

- Funds contributed by the veteran are treated as a resource.
- If the money were used for educational expenses, only the matching government funds would be considered educational income.
- If funds are not used for education expenses, the VA provides no matching funds.
- The check does not distinguish between the veteran's contribution and VA's contribution.

### B) US Dept. of Veterans Affairs Vocational Rehabilitation Program

- Benefits for educational assistance less excludable expenses are counted as income.
- VA pays the institution directly for tuition, books supplies and tutorial or special needs.

### C) Montgomery GI Bill

- Individual's are in a pay reduction program where they agree to serve for reduced wages.
- The education benefit is not directly related to the funds withheld from their wages.
- The educational assistance less the excludable expenses are counted as income.

### D) Reservists Montgomery GI Bill

- Does not require a contribution by the service member.
- Any educational assistance received less the excludable expenses are counted as income.

### E) Vietnam ERA GI Bill

- The Veteran makes no contributions.
- Any educational assistance received less the excludable expenses are counted as income.

## X. Ineligible Students

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Any student who does not meet the eligibility criteria as described in section II, shall be considered an ineligible student and an excluded household member. The eligibility of remaining household members shall not be affected by the exclusion of an ineligible student. The following shall be used to determine eligibility when an ineligible student lives with other household members:

### A) Eligibility and Benefit Level

The income and resources of an ineligible student shall not be included when determining the household size for the purposes of:

- Assigning a benefit level to the household;
- Comparing the household's monthly income with the income eligibility standards;
- Comparing the household's resources with the resource eligibility limits; or,
- Determining the categorical eligibility of the remaining household members.

### B) Shared Shelter Expenses

When a household shares shelter expenses with an ineligible student, only the amount actually paid or contributed to the household shall be deducted as a household expense. If the payment cannot

be differentiated, the expenses, with the exception of SUA, shall be prorated evenly among the persons actually paying or contributing to the expense and only the household's pro-rata shall be deducted.

## STUDENT ELIGIBILITY FLOW CHART

Is the student age 17 and under or 50 and over?	If yes	Student eligibility rules do not apply; student may participate if otherwise eligible.
If no		
Is the student physically or mentally unfit? (Verification shall be required)	If yes	Student eligibility rules do not apply; student may participate if otherwise eligible.
Note: The disability must be expected to last more than 30 days.		
If no		
Is the student attending high school or post-high school institution less than half time?	If yes	Student eligibility rules do not apply; student may participate if otherwise eligible.
If no		
Is the student enrolled exclusively in non-credit courses such as GED, ESL or other special programs at a college or university?	If yes	Student eligibility rules do not apply; student may participate if otherwise eligible.
If no		
Is the student a recipient of CalWORKs?	If yes	*Student meets the student eligible rules and may participate if otherwise eligible.
If no		
Is the student exerting parental control over dependent H/H members under the age of 6?	If yes	*Student meets the student eligible rules and may participate if otherwise eligible.
(Only one parent can claim the exemption as the primary person responsible for the care of a dependent child under the age of six)		
If no		
Is the student exerting parental control over a dependent H/H member ages 6 thru 11 years old and adequate childcare services	If yes	*Student meets the student eligible rules and may participate if otherwise eligible.

are not available to enable the individual to attend class and work an average 20 hours per week or a total of 80 hours per month, or participate in a state or federally financed work study program during the regular school year? (Only one parent can claim the exemption as the primary person responsible for the care of a dependent child who has reached age six but is under age twelve)?

If no

Is enrolled full time in an institution of higher education and is a single parent responsible for the care of a child under 12? (Only one natural, adoptive or step-parent can be in the home.)

If yes \*Student meets the student eligible rules and may participate if otherwise eligible.

If no

Is the student employed at least 20 hrs. per week, or can reasonably anticipate maintaining an average of 20 hours per week or 80 hours per month if work hours fluctuate from week to week, or self employed 20 hrs. per week and receives gross weekly earnings at least equal to federal hourly minimum wage?

If yes \*Student meets the student eligible rules and may participate if otherwise eligible.

If no

Has the student been approved for a federally or state financed work-study program during the current school year and anticipates working during the term?

If yes \*Student meets the student eligible rules and may participate if otherwise eligible.

If no

Is the student assigned to or placed in an institution of higher education through WIOA, CalFresh E&T, JOBS, Section 236 of Trade Act of 1974 or a state funded or local E&T program as determined appropriate by the county?

If yes \*Student meets the student eligible rules and may participate if otherwise eligible.

If no

Is the student currently attending <sup>If yes</sup> \*Student meets the student eligible

a community college and in receipt of a Cal Grant A or B and meeting TANF requirements?

If no

Is the student currently attending a California State University (CSU) or University of California (UC) and in receipt of a Cal Grant A or Cal Grant B and meeting TANF requirements?

If no

THE STUDENT IS NOT ELIGIBLE

Their income is excluded.

Cash contributions made to the HH shall be considered income under normal income standards.

rules and may participate if otherwise eligible.

\* Student meets the student eligible rules and may participate if otherwise eligible.

Student eligibility continues through vacations and school breaks unless the student graduates, is suspended, expelled or drops out.

### Attachment:

[TANFC1 Sample 4.18](#)

### References:

MPP Sections 63-406.1; 63-406.13; 63-406.111(a); 63-406.22; 63-406.221; 63-406.2169(a)

ACIN I-45-11E: Verification of Requirement in CalFresh

ACL 12-37: CalFresh Waiver to Average Student Work Hours

ACL 15-70

ACL17-05

ACL 18-27

ACL 19-32

ACL 20-08

[ACL 21-58](#)

[CalWIN 37 Release Notes](#)