



Coalition of California Welfare Rights Organizations, Inc.
1111 Howe Ave • Suite 635 • Sacramento • CA 95825-8551
Telephone (916) 736-0616 • Fax (916) 736-2645

June 2024

CCWRO New Welfare News 2024-06

In Brief

A student who will graduate at the end of the term is exempt from the student 20-hour work rule and state regulation, violates federal law. On 2/24, Butte County asked CDSS CalFresh Division whether a student can receive CalFresh benefits if they do not plan to go back to school next term? CDSS responded in PI#24-10 “yes” based on 7 CFR 273.5(c) that provides if the student is participating is going to graduate at the end of the semester, then they are exempt from the student rule.

§273.5(c) The enrollment status of a student shall begin on the first day of the school term of the [institution of higher education](#). Such enrollment shall be deemed to continue through normal periods of class attendance, vacation and recess, unless the student graduates, is suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer school).

PRACTICE NOTE: There a glaring violation of 7 CFR §273.5(c) that is reflected in MPP 63-406.22 that states: *“The enrollment status of a student shall begin on the first day of the school term of the institution of higher education. Once a student enrolls in an institution of higher education, such enrollment shall be deemed to continue through normal periods of class attendance, vacation and recess unless the student graduates, is suspended or expelled or drops out.”*

What is missing here? *“... or does not intend to register for the next normal school term (excluding summer school).”*

Thus, under federal law if a student enrolls in college for autumn semester and states that they do not intend to register for the next semester, under state law they are not eligible for CalFresh, but under federal they are.

Cont'd on Page 2.

The Impact of CalSAWS on Low CalWORKs Enrollment

CalSAWS has been the lynch pin to the barriers experienced by CalWORKs families and children enduring deep poverty which disproportionately impacts families of color.

On February 14, 2023, the California Legislative Analyst office released a report entitled [Comparing CalWORKs TakeUp Rates Across Demographic Groups](#) showing that 60% of California’s families living in deep poverty can navigate the trouble waters of “58 different county business practices” and enroll in CalWORKs that pays an average grant that is less than 50% of the federal poverty level. These county business practices pop up in various forms, various times, based on the management of the office in a county or a particular county. These business practices viewed as “evil” by applicants and recipients of CalWORKs are not “beneficiary centered”, rather they are totally “county-centered”. Before CalSAWS the denial and procedural denial rates in California were below 50%.

(cont'd on pg 3)

In this issue

- In Brief
- The Impact of CalSAWS on Low CalWORKs Enrollment
- New Federal Food Stamp Student Bill
- CalSAWS wants near \$1.1 million. For what?? AB 2150

(cont'd from pg 1) -In Brif

It appears the CDSS regulation author's intentionally left out "does not intend to register for the next normal school term" to make more students ineligible and more student food insecure.

Can an application be denied for failure to provide verification as a recipient? Many Counties unlawfully deny applications for failure to provide verification when the assistance unit or household were recipients. This has been a long-time illegal process of many counties. On 3-14-24, Shasta County asked the CDSS CalFresh Division that following the process when processing a IFDS and client does not provide, employer does not provide and information is not available via The Work Number, the regulations instruct the county to discontinue the CF program. The question from Shasta county was "...when client re-applies for CalFresh after the discontinuance for not cooperating in the IFDS process, are they eligible to receive CalFresh without providing verification requested? Is there a period of time that they would not be eligible until they comply with the requested IEVS information?"

The CDSS answer in PI#24-11 states: "*In this scenario provided there would not be a period of time they would not be eligible. Per MPP 63-300(m)(1), the county shall not delay determination of eligibility pending receipt information if other information established the individual's eligibility.*"

CalSAWS programmed to allow counties to reduce or terminate benefits without a due process compliant timely notice. Ms. B559746, a CalSAWS victim, received a notice of action issued by the California's multibillion dollar CalSAWS system, dated 6/3/24, stated that, "As of 05/31/2024 the county is stopping your CalFresh benefits. Here is why. You did not give us proof of the following earned income: Salary, Wages."

Why is the County asking for verification of income? Ms. B559746's daughter got a job at a Pizza House back in July 2023 and worked for 15 hours. She received a check for \$233.26 and has not worked since. Moreover, according to this CalSAWS victim she has already given the county a copy of this one and only check that her daughter earned in 2023. Ms. B559746 had no idea that "working" would lead to food insecurity because of CalSAWS.

Perhaps some readers may opine that due process of law requires an advance notice before an adverse action can be undertaken against beneficiaries of public benefits. True, that has been the law

since March 23, 1970 in the case of [Goldberg v. Kelly, 397 U.S. 254 \(1970\)](#), but then came CalSAWS to find a way to accommodate the termination or reduction public social service benefits in blatant violation of due process of law.

Some other readers may add, "but doesn't that violate federal laws and regulation? How about 7 C.F.R. § [273.13\(a\)\(1\)](#) or California state regulation MPP § [63-504.213](#)? Are those for real?" True. There are state and federal laws that accord Due Process of Law to California's impoverished persons and families, but counties, in concert with CalSAWS, in broad daylight, have a found a way to subvert the Due Process right of California's impoverished persons and families. Ms. B559746 is a victim of CalSAWS subversion of Due Process in broad daylight. We have written about many other CalSAWS victims and to date-cricket from the federal and state government. When will this subverting the Constitutional Due Process rights of California's impoverished persons and families stop?

What is the solution? Very simple. Today in Region 2 a family of two can get a maximum of \$927. CalSAWS can be programmed not to issue a notice of action (NOA) that does not provide a 10-day advance notice, unless the notice meets one of the rare exceptions for not issuing a NOA 10 days in advance embodied in MPP 22-072.2, such as: the beneficiary states in writing that they no longer want the benefits or the beneficiary is in a nursing home. CalSAWS has been aware of this blatant obstacle to the Due Process Rights of California's impoverished persons and families and has never lifted a finger to address the issue. One wonders why?

New Federal Bill - [H. R. 4456](#)

Overcoming Higher Education Hunger Through the Supplemental Nutrition Assistance Program (OHH SNAP) Act. This legislation would allow independent students and students with an expected family contribution (EFC) of \$0 to be eligible to participate in the Supplemental Nutrition Assistance Program. *The OHH SNAP Act* would also make it easier for students to access SNAP benefits by excluding financial aid used for living expenses from personal income and counting time spent attending an institution of higher education towards SNAP work requirements. CONTACT PERSON: Nick Pennington - nick.pennington@mail.house.gov – Phone [\(202\) 225-3801](tel:(202)225-3801)

(cont'd from pg 1) -CalSAWS

Starting with July of 2019, when CalSAWS was formed, the CalWORKs application denial rates and CalWORKs application procedural denial rates shot up from less than 50% to 68% and, 59% of the cases were denied because the applicants were not able to meet the 58 different county business practices or navigate their applications through the often-malfunctioning CalSAWS system. See TABLE #1 below.

TABLE #1
CalWORKs Applications Denied and Number of Denials due to Procedural Requirements

	Cal-WORKs Applications Approved	Cal-WORKs Applications Approved	Cal-WORKs Applications Procedural Denials	% Cal-WORKs Applications Denied	% Cal-WORKs Applications Procedural Denials
15-Jul	20686	19693	8270	49%	42%
15-Oct	19388	19162	8032	50%	42%
16-Jan	17048	16408	6866	49%	42%
CalSAWS Starts					
19-Jul	14492	17230	8872	54%	51%
19-Oct	13301	16199	8339	55%	51%
20-Jan	12676	14887	7802	54%	52%
20-Apr	11307	20369	10221	64%	50%
20-Jul	6272	13554	7264	68%	54%
20-Oct	7278	15179	7881	68%	52%
21-Jan	8244	16936	9387	67%	55%
21-Apr	5985	12918	7070	68%	55%
21-Jul	7064	13181	7215	65%	55%
21-Oct	11831	12506	6914	51%	55%
22-Jan	9852	11831	6907	55%	58%
22-Apr	9664	12131	6356	56%	52%
22-Jul	10419	16078	8565	61%	53%
22-Oct	11349	18764	9943	62%	53%
23-Jan	10464	18919	10023	64%	53%
23-Apr	10036	17893	9557	64%	53%
23-Jul	10353	21814	11904	53%	55%
23-Oct	11736	26402	14798	69%	56%
24-Jan	11306	23558	13905	68%	59%

CalSAWS Wants \$1.1 million. For What? AB 2150

Every legislative year, CDSS looks at a bill and robotically seeks a SAWS Cost Estimate Request for Research & Analysis (SCERFRA) that CDSS and DHCS pays for at the rate \$137 a hour. So what is CDSS getting for the \$137? AB 2150 would require CDSS to meet with college student representatives' combating hunger in California and work collaboratively with the Newsom Administration in line with the Newsom Administration guiding principles, one of which provides that:

“CULTIVATE A CULTURE OF INNOVATION- We must courageously take new approaches to solve our most intractable problems. The relentless pursuit of innovation, applied thoughtfully, will catalyze our improvement efforts. We will also design programs and services across departments, including those outside Cal-HHS, in collaborative and partnership.”

Sometime in February or March of 2024, CDSS asked, “Please provide any anticipated costs and implementation time frames related to the following bill.” The response from CalSAWS was that CDSS and anti-hunger advocate meetings would have an impact on automation. In fact, CalSAWS alleged that automation would cost CalSAWS from \$826,500 to \$1,100,000 to do this phantom automation.

CalSAWS States: **“CalSAWS cannot provide a detailed estimate at this time. Student data in the CalSAWS system is often incomplete and reporting on it can produce unreliable results. While we cannot provide a full estimated cost without more information, we anticipate the automation costs alone would exceed \$1,100,000.”**

Nowhere in AB 2150 does it require any new data collection. All it is asking for is existing data. CalSAWS may not like the data that they collect getting \$360 million, but that is data collected with public funds and that is all AB 2150 is asking for.

And why is the Legislature paying County-operated CalSAWS \$360 million if the data that they have is “incomplete and unreliable”. Is this \$1,100,000 estimated cost for AB 2150 reliable or unreliable and incomplete?