

Date of Hearing: July 8, 2025

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

SB 761 (Ashby) – As Amended May 23, 2025

**[Note: This bill is double referred to the Assembly Committee on Human Services, where the Committee will hear it as it relates to the issues under its jurisdiction.]**

**SENATE VOTE:** 39-0

**SUBJECT:** CalFresh: student eligibility

**SUMMARY:** Expands the definition of a state-approved local educational program that increases employability (LPIE) to include any program offered by a California Community College (CCC), California State University (CSU), or University of California (UC); and, establishes a data-sharing and consent requirement for the sharing of student information from the California Student Aid Commission (CSAC) to the California Department of Social Services (CDSS) for CalFresh outreach to students. Specifically, **this bill:**

- 1) Requires the CSAC by January 1, 2027, to update the Grant Delivery System to enable:
  - a) CSAC to identify students that might be eligible for CalFresh; and,
  - b) Students, who have been identified as being potentially eligible for CalFresh, to provide written consent for the sharing of their personal information with the CDSS. The information shared is only to be used for outreach on CalFresh.
- 2) Permits CSAC to provide student's personal information to CDSS as defined by a data sharing agreement.
- 3) Requires if the Cal Grant Reform Act is initiated for the grant delivery system to be updated to accomplish the requirements of (1) and for CSAC to provide CDSS with specified student information pursuant to the terms a data sharing agreement.
- 4) Repeals Section 18901.12 of the Welfare and Institutions Code.
- 5) Authorizes, to the extent permitted by federal law, any campus-based program of study at a public higher education institution to be considered a LPIE for CalFresh eligibility, if the program has employment and training components similar to those listed in federal regulations.
- 6) Requires the Chancellor's Office of the CCC and the Chancellor's Office of the CSU, and requests the Office of the President of the UC to submit to CDSS a list of campus-based programs of study and for CDSS to approve the programs as qualifying for LPIE for purposes of CalFresh eligibility.
- 7) Authorizes any campus-based program, not on the original list submitted by the public higher education institutions, to submit a certification application to CDSS for approval as an LPIE.

If the program has employment and training components similar to those listed in federal regulations, CDSS is required to approve the program.

- 8) Requires CDSS, by September 1, 2026, and annually thereafter until 2030, to submit a report to the Assembly Committee on Higher Education, the Assembly Committee on Human Services, the Senate Committee on Education, and the Senate Committee on Human Services, containing the following data points:
  - a) The number of state approved campus-based LPIE programs, disaggregated by name and campus;
  - b) The number of pending applications, disaggregated by name and campus;
  - c) The number of applications denied, including the reason for the denial, disaggregated by name and campus;
- 9) Requires CDSS to post the aforementioned report on the department's website.
- 10) Authorizes CDSS to implement the approval of LPIE programs through all-county letters or similar instruction that have the same enforcement authority as regulations and requires CDSS to issue a guidance letter on how to submit programs for approval as LPIE to the Chancellor's Office of the CCC, the Chancellor's Office of the CSU, and the Office of the President of the UC by May 31, 2026.
- 11) Requires CSAC and CDSS to enter into a data-sharing agreement by which CSAC will share student information with CDSS so that CDSS may inform students about the CalFresh program. Authorizes CDSS and CSAC, in consultation with county human service agencies, CCC, CSU, and UC, to enter into a data-sharing agreement by which county human service agencies and public postsecondary institutions may opt into receiving the student information provided to CDSS by CSAC.
- 12) Requires, if a data sharing agreement is in place, beginning in the 2027-2028 academic year for counties, CCC, and CSU, and requests the UC to contact all students, who have opted to have their personal information shared with CDSS, for the purpose of helping the student receive assistance in applying for food benefits, including determining eligibility for CalFresh.
- 13) Establishes, if the Commission on State Mandates determines that this bill contains costs mandated by the state, the state shall reimburse the applicable entities.

**EXISTING LAW:** *Federal law.*

- 1) Establishes the federal nutrition program, Supplemental Nutrition Assistance Program (SNAP), pursuant to the Food Stamp Act of 1964 to provide funding to low-income households for food and essential household items. Requires the federal government to appropriate funds for the nutritional benefits and enables the states to distribute the funds and determine eligibility based on federal regulations (7 United States Code (U.S.C) Section 2011 *et seq.*).

- 2) Restricts any individual, who is enrolled at least half-time in an institutions of higher education, from qualifying for SNAP benefits, unless the individual qualifies for an exception, as specified (7 Code of Federal Regulations (CFR) 273.5(a)).
- 3) Clarifies that a college student, enrolled at least part-time, may qualify for SNAP nutritional benefits if they are:
  - a) Over the age of 50 or under the age of 17; or,
  - b) Physically or mentally unfit; or,
  - c) Receiving Temporary Assistance for Needy Families under Title IV of the Social Security Act; or,
  - d) Enrolled in a Job Opportunities and Basic Skills program under Title IV of the Social Security Act or its successor program; or,
  - e) Employed for a minimum of 20 hours per week and are paid to the equivalent of Federal minimum wage for 20 hours of work per week; or,
  - f) Participating in a State or federally financed work study program during the regular school year; or,
  - g) Participating in an on-the-job training program; or,
  - h) Responsible for the care of a child under the age of six; or,
  - i) Responsible for the care of a child between the ages of six and 12 when adequate child care is not available to enable the student to work 20 hours a week; or,
  - j) A single parent enrolled full-time and are responsible for a child under the age of 12; or,
  - k) Enrolled in a program associated with the Job Training Partnership Act of 1974; an employment and training program funded by Carl Perkins and Technical Education Act of 2006, as defined; a program associated with the Trade Act of 1974 as defined; or an employment and training program for low-income households operated by the State or local government. (CRF 273.5(b)).

*State law.*

- 1) Establishes the statewide, CalFresh program for purposes of distributing federal SNAP benefits to low-income families, as specified. (Welfare and Institutions Code (WIC) Section 18900, *et seq.*).
- 2) Requires the CDSS to issue a guidance letter on the eligibility requirements for a campus-based program to become a LPIE for the purpose of qualifying students for CalFresh; requires qualifying campus-based programs of the CCC and the CSU and requests qualifying campus-based programs of the UC, to apply to become LPIE by September 1, 2022; and requires CDSS to issue a report annually, until 2030, regarding the progress of approving

campus-based local education programs that increase employability, as specified (WIC 18901.12).

- 3) Permits CDSS to identify data-sharing opportunities with state and local entities for the purpose of improving the administration of CalFresh, increasing CalFresh participation, measuring the impact of CalFresh and increasing access to critical health and poverty-alleviating services. Permits as permissible by state and federal law, for the following entities to share data with the Department:
  - a) Public entities related to health and human services;
  - b) Public entities related to education and early childhood programs, including, but not limited to: the California Department of Education, CCC, CSU, and UC;
  - c) Public entities related to employment and financial well-being;
  - d) Public entities related to shelter, utilities, housing, and homelessness;
  - e) Public entities related to justice-involved individuals; and,
  - f) Public entities related to services for veterans (WIC Section 18901.59).
- 4) Establishes the UC as a public trust to be administered by the UC Board of Regents (Regents) and grants the Regents full powers of organization and governance subject only to legislative control as necessary to ensure the security of funds, compliance with terms of its endowments, and the statutory requirements around competitive bidding and contracts, sales of property, and the purchase of materials, goods, and services. (Article IX, Section (9)(a) of the California Constitution)
- 5) Stipulates no provision of the Donahue Higher Education Act shall apply to UC unless the UC Regents adopts the provision. (Education Code (EDC) Section 67400)
- 6) Establishes the CSU system, made of 23 campuses, and bestows upon the CSU Trustees, through the Board of Trustees, the powers, duties, and functions with respect to the management, administration, and control of the CSU system (EDC Section 66606 and 89030, *et seq.*).
- 7) Establishes the CCC under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts (EDC Section 70900).
- 8) Requires each campus of the CCC and the CSU and requests the UC, independents and private universities, as defined, to identify and conduct email outreach to students who may be income eligible for CalFresh based on their Free Application for Federal Student Aid (FASFA) (EDC Section 66023.6).
- 9) Requires CSAC to notify a student of their eligibility for CalFresh if the student's Cal Grant included Temporary Aid to Needy Families funds. Requires CSAC, to the extent permissible

by federal laws, to use information to determine a student's CalFresh eligibility and to then notify the student of their eligibility (EDC Section 69519.3).

**FISCAL EFFECT:** According to the Senate Committee on Appropriations, the fiscal implications of the measure are as follows:

- 1) CDSS estimates additional, unknown administrative costs to the extent it needs to develop a spreadsheet list or form to manually update and provide to the Basic Needs Services Center or county liaison on each college campus or county welfare department office. The CDSS also indicates there would be ongoing costs for contracts to conduct outreach campaigns and for automation to determine whether students referred to CDSS for CalFresh are already receiving aid, and additional, unknown costs to automate the process to share a Cal Grant applicant's information from the CSAC.
- 2) The CSAC indicates that by removing some barriers for college students to access CalFresh benefits, this bill could result in an increase in the millions of dollars in federal funds to help students at institutions of higher education pay for food costs.
- 3) The UC and CSU indicate that any costs resulting from this bill would be minor and absorbable.

**COMMENTS:** *Author's intent.* As articulated by the Author, "many college students, especially those from low income backgrounds are unable to access fresh meals. Half of California's college students experience food insecurity. Students are eligible for CalFresh, but fewer than 25% actually receive benefits. SB 761 addresses food access by streamlining CalFresh benefits. This bill would require the California Student Aid Commission to partner with the California Department of Social Services (CDSS) to notify students of their potential eligibility for CalFresh. SB 761 further addresses the issue of food insecurity by broadening the programs of study that increase eligibility for CalFresh. SB761 ensures greater access to food assistance for all California college students."

As further explained by the author, "California colleges lack a standardized process to submit their programs for LPIE status. There is no uniform approach in colleges applying for their programs to be included in LPIE. This limits access for students, who often do not have access to their university's list of LPIE programs. SB 761 expands the LPIE definition to include students enrolled at least half-time in any program of study at a 2 or 4-year public institution of higher education better ensuring that students at all levels have equitable access to food benefits."

*College student hunger.* The susceptibility of college students to hunger or food insecurity is well-documented. The U.S. Government Accountability Office issued a report in June 2024, which found 23% of students nationwide experience hunger.<sup>1</sup> In May 2023, the California Student Aid Commission (CSAC) conducted a student survey of California college students with the purpose of understanding students' basic needs. 66% of the students surveyed identified themselves as food insecure.<sup>2</sup> The survey indicated that student's food insecurities had increased

---

<sup>1</sup> <https://www.gao.gov/products/gao-24-107074>

<sup>2</sup> <https://www.csac.ca.gov/food-and-housing-survey>

by more than 25% since the 2018-2019 academic year. In January 2025, the UCLA Center for Health Policy Research published a report, “SNAP on College Campuses: Findings and Recommendations to Address Food Insecurity,” the report found, 77% of those surveyed who attend the California Community Colleges (CCC), 53% of those surveyed who attend the California State University (CSU), and 42% of those surveyed who attend the University of California (UC), identified as food insecure.<sup>3</sup>

In May 2025, the Chancellor’s Office of the CCC published the statutorily required annual report, “Basic Needs Services Center Report,” which contained data from the 2023-2024 academic year on students’ use of the basic needs centers on CCC campuses. The report indicated in the spring of 2024, 82,768 accessed the basic needs centers to assist with food insecurity.<sup>4</sup>

On April 4, 2025, the CSU Chancellor’s Office published a statutorily required report on “Student Mental Health and Basic Needs Initiatives Report for the 2023-2024 academic year.” Across all 23 CSU campuses in the 2023-2024 academic year, 79,392 students received food services. Of those receiving food services, 35,962 received assistance in completing their CalFresh application.<sup>5</sup>

The UC Office of the President is also statutorily required to provide an annual report on “Basic Needs, Mental Health, and Repaid Rehousing,” which was published on February 1, 2025. The report found campus basic needs efforts served 73,623 students between July 1, 2023 and June 30, 2024.<sup>6</sup> In March 2025, the UC published the “Basic Needs Annual Report to the UC Regents of the UC.”<sup>7</sup> The report included data on the basic needs programs across all UC campuses and highlighted that 40,593 UC students accessed a campus-based food pantry and 17, 291 UC students submitted a CalFresh application.

*Supplemental Nutritional Assistance Program (SNAP) in California.* In 1964, President Johnson signed the Food Stamp Act of 1964 thereby creating the SNAP, the nation’s most successful anti-hunger program. SNAP is a federal and state partnership in which federal dollars are distributed by state programs to low-income individuals for the explicit purpose of purchasing nutritious food to alleviate hunger. In California, SNAP is known as CalFresh and the California Department of Social Services (CDSS) works in tandem with county human service agencies to distribute the monetary food benefits. According to the CalFresh dashboard, maintained by CDSS, in July 2025, there were 5,407,495 CalFresh recipients in California with 2,355,072 recipients being between the ages of 18 and 59.<sup>8</sup>

---

<sup>3</sup> <https://healthpolicy.ucla.edu/sites/default/files/2025-02/food-insecurity-college-students-calfresh-report-2025.pdf>

<sup>4</sup> <https://www.cccco.edu/-/media/CCCCO-Website/docs/report/202324basicneedscentersreport13a11y.pdf?la=en&hash=10CAFE63AF544C10C7168DE8EF0C691867C3D8B7>

<sup>5</sup> <https://www.calstate.edu/impact-of-the-csu/government/Advocacy-and-State-Relations/legislativereports1/Mental-Health-and-Basic-Needs-Legislative-Report-2025-Signed.pdf>

<sup>6</sup> [https://www.ucop.edu/operating-budget/\\_files/legreports/2024-25/uc\\_basic\\_needs\\_mental\\_health\\_rapid\\_rehousing\\_legislative\\_report.pdf](https://www.ucop.edu/operating-budget/_files/legreports/2024-25/uc_basic_needs_mental_health_rapid_rehousing_legislative_report.pdf)

<sup>7</sup> <https://regents.universityofcalifornia.edu/regmeet/mar25/b3attach.pdf>

<sup>8</sup> <https://public.tableau.com/app/profile/california.department.of.social.services/viz/CFdashboard-PUBLIC/Home>

Since CalFresh utilizes federal funds, there are federal qualifications an individual must meet in order to receive the nutritional benefits. To initially qualify, an applicant must be a citizen or a qualifying immigrant, be income eligible, and meet the work requirement; which specifies that individuals without dependents must work or engage in approved work-related activities of 80 hours per month. The monthly allocation for CalFresh for a family of one is \$292 per month.<sup>9</sup>

*College Student Access to CalFresh.* A college student enrolled in enough semester or quarter units to qualify as full-time, is not eligible for CalFresh unless the student meets one of the 11 secondary eligibility requirements. In a UCLA-CSU Fresno survey on “Student Food Access and Assistance Program”, 30% of community colleges students, 22% of CSU students, and 30% of UC students surveyed use CalFresh.<sup>3</sup> In April 2025, the California Policy Lab published a report on CalFresh participation during and after high school; which included the following key findings:

- 36.7% of students who were eligible for CalFresh benefits in high school retain eligibility in their first year of college;
- 60% of students who appear to be eligible for CalFresh did not participate in the program; and,
- Eligibility for CalFresh differed depending on the higher education system the student attended; with, students attending the UC having higher rates of eligibility than those who attend the CCC.<sup>10</sup>

The additional verification requirement often leads to many students “thinking” they are unqualified for CalFresh despite their ability to meet one of the exemptions. 45% of students, who identified as insecure in a UCLA Center for Policy Research SNAP report, had heard of CalFresh, but had never used it.<sup>3</sup> 28% of students indicated they did not know how to access CalFresh and this was their primary reason for not accessing CalFresh.<sup>3</sup>

As of April 2025, there are 203,268 students receiving CalFresh according to the CalFresh Student Data dashboard.<sup>11</sup> In April 2025, 9,786 students were approved to receive CalFresh and 12,673 were denied. Of those accepted, the most common “second eligibility qualification” used by students to qualify for CalFresh, was participating in a training program. The most common reason for a denial was missing the qualifying interview.<sup>11</sup>

*CalFresh Eligibility Notifications to College Students.* Since the Coronavirus pandemic, a myriad of efforts have been made both at the federal and state level to increase student participation in CalFresh. As part of the FASFA Simplification Act of 2021, Congress authorized State grant agencies and institutions of higher education to use student information from the

---

<sup>9</sup> [https://calfresh.guide/how-much-in-calfresh-benefits-a-household-gets-each-month/#:~:text=As%20of%20October%201%2C%202024,%2D503.325\(QR\).%5D](https://calfresh.guide/how-much-in-calfresh-benefits-a-household-gets-each-month/#:~:text=As%20of%20October%201%2C%202024,%2D503.325(QR).%5D)

<sup>10</sup> <https://capolicylab.org/supporting-young-peoples-food-security-calfresh-participation-during-and-after-high-school/>

<sup>11</sup> <https://public.tableau.com/app/profile/california.department.of.social.services/viz/CFdashboard-PUBLIC/CalFreshStudents>

FASFA for targeted CalFresh outreach.<sup>12</sup> In July 2024, the Federal Student Aid Office within the U.S. Department of Education issued a “Dear Colleague Letter” providing guidance for how higher education institutions and state grant agencies are to utilize FASFA data to help orchestrate outreach to students on their potential eligibility for social services.<sup>12</sup>

California has also passed legislation to increase outreach to students in order to increase their awareness of the food assistance program:

- 1) AB 543 (Davies), Chapter 561, Statutes of 2021 – authorizes all CCC and CSU campuses, and requests the UC to provide CalFresh educational materials during student orientations;
- 2) AB 2810 (Arambula), Chapter 934, Statutes of 2022 - requires each campus of the CCC and the CSU, and requests the UC, independents and private universities, as defined, to identify and conduct email outreach to students who may be eligible for CalFresh based on their FASFA; and,
- 3) AB 214 (Weber), Chapter 134, Statutes of 2017 – requires CSAC to notify Cal Grant recipients who may be eligible for CalFresh.

*Committee staff note students already receive notifications from CSAC and their institution of their potential eligibility for CalFresh. This measure creates another pathway for students to receive additional notifications regarding their potential eligibility for CalFresh from CDSS.*

In response to both Federal and State efforts to establish data sharing agreements for the purpose of enhancing participation in CalFresh, the CCC Chancellor’s Office has been working with CDSS to develop a new state-level data sharing agreement to improve the administration of CalFresh benefits.<sup>13</sup> Additionally, two community colleges have executed data sharing agreements with their county human service agency to improve the administration of public benefits to students.<sup>13</sup>

*Since it appears that existing law already permits colleges to directly partner with county human service agencies and with CDSS for the purposes of improving data sharing, it is unclear why this bill is necessary in achieving the Author’s intended purpose: maximizing CalFresh use by students.*

*Local program that increases employability (LPIE).* In addition to providing a method for data sharing between CDSS and CSAC, this measure also establishes a streamlined pathway for educational programs at the CCC, CSU, and UC to become approved LPIE programs; thereby, providing an approved exemption for students to receive CalFresh.

CDSS’s All County Letter No 22-46 from June 2022, explains LPIEs are a program that is either operated by a state or local government where one or more components of the program are

---

<sup>12</sup> <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-07-29/guidance-means-tested-benefits-outreach-institutions-and-state-grant-agencies>

<sup>13</sup> <https://www.cccco.edu/-/media/CCCCO-Website/docs/report/202324basicneedscentersreport13a11y.pdf?la=en&hash=10CAFE63AF544C10C7168DE8EF0C691867C3D8B7>

Website/docs/report/202324basicneedscentersreport13a11y.pdf?la=en&hash=10CAFE63AF544C10C7168DE8EF0C691867C3D8B7



equivalent to employment and training components as specified in federal regulations.<sup>14</sup> Employment and training components include adult basic education, career and technical education, English language acquisition, work readiness training, and work experience. CDSS ultimately has the authority to determine if a program qualifies as an LPIE.

Prior to the passing of AB 396 (Gabriel), Chapter 461, Statutes of 2021, the “approval” process for campus-based LPIE included having county human services agencies and/or colleges and universities submit programs to CDSS for approval. With the passing of AB 396 (Gabriel) an uniformed procedure was introduced with the CCC, CSU, and UC submitting campus-based LPIE for approval.

The CCC, CSU, and UC all identified two general programs that would qualify as LPIE: Campus Employment Programs and Research and Teaching Assistantships. Campus Employment Programs are educational programs where the student is employed by the campus or in an auxiliary organization and the Research and Teaching Assistantships are programs where a student is hired for as a research or teaching assistant. Additionally as required by AB 396 (Gabriel), CDSS provided a letter to the public higher education institutions providing a guide for how college’s campuses could increase CalFresh participation through the identification of LPIE. The letter included detailed descriptions of how educational programs could meet the educational and training components to qualify as LPIE.<sup>15</sup> As of June 30, 2025, CDSS has approved 9,391 CCC programs, 2,472 CSU programs, and 1,507 UC programs as LPIE for CalFresh eligibility.<sup>16</sup>

The Author states it is her intention to have every two year and four year program offered at public higher education institution qualify as a LPIE. Similar legislation has been codified by other states. Massachusetts currently recognizes all community college programs as LPIE for purposes of SNAP benefits and Oregon recognizes all two year and four year programs if the student is enrolled to receive training and skills for employment.<sup>17</sup> SB 761 (Ashby) contains similar language by identifying all programs offered by the CCC, CSU, and UC as being LPIE if approved by CDSS. The measure has the CCC, CSU, and UC providing the list to the department and the department approving the programs.

*As the measure is currently drafted, it is unclear whether CDSS is able to deny a program identified by the segments as LPIE if the program does not meet the employment and training components required by federal regulations.*

*Arguments in support.* As purported by the Western Center on Law and Poverty, “this bill would help college students that are on financial aid receive CalFresh benefits. SB 761 seeks to address three of the primary obstacles faced by college students by: 1) increasing awareness of the program, 2) providing application assistance, and 3) identifying the exemption to the Student Eligibility Rule they qualify for to receive the food benefit.”

---

<sup>14</sup> <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/ACLs/2022/22-46.pdf?ver=2022-06-07-153933-393>

<sup>15</sup> <https://www.cdss.ca.gov/Portals/9/CalFresh/Students/LPIE%20Letter%20to%20Segment.pdf?ver=2022-06-03-094245-437>

<sup>16</sup> <https://www.cdss.ca.gov/Portals/9/CalFresh/Students/Approved%20LPIE%20List.xlsx>

<sup>17</sup> [https://oregon.public.law/rules/oar\\_461-135-0570](https://oregon.public.law/rules/oar_461-135-0570)

The UC highlights the need for the measure as, “the University has worked in collaboration with the California Department of Social Services CalFresh program leads, as well as with partners at the California State University and California Community Colleges, to increase CalFresh awareness among undergraduate and graduate students, provide application assistance, and assure successful enrollment in benefits. SB 761 would make this process simpler by allowing employment on campus to be considered as meeting the employment requirements to receive benefits. In addition, the bill would require the California Student Aid Commission to identify students who may be eligible for CalFresh.”

The Student Senate for California Community Colleges identify SB 761 as a bill to assist students seeking basic needs supports as “many eligible student, estimated to be at least 400,00 students, remain unaware of CalFresh, hesitate to apply due to stigma, or fail to meet the eligibility criteria outlined under existing Local Programs that Increase Employability (LPIEs). To remedy both challenges, SB 761 would direct the California Student Aid Commission, to add an “opt-in” permission for potentially CalFresh eligible students on their Cal Grant delivery system account, allowing CSAC to share their contact information with the California Department of Social Services (CDSS) and share with their liaison for higher education, and connect with students about their eligibility and assist in applying for CalFresh benefits.”

*Committee comments and amendments.* Addressing student’s basic needs has become a vital component in addressing access and affordability in postsecondary education. CalFresh continues to be an underutilized tool by students in addressing food insecurity. Researchers at the Public Policy Institute of California determined CalFresh benefits significantly reduced the financial burden for students at each public higher education institution.<sup>18</sup> As indicated throughout this analysis, the primary barriers preventing students from accessing CalFresh include 1) awareness of the program; and 2) meeting the secondary eligibility requirements. This measure seeks to address these barriers by having CDSS directly notify students of their potential eligibility and by expanding the definition of LPIE.

Unlike previous attempts to notify students of their eligibility, this measure has CDSS directly contacting students once CSAC has identified the student as potentially eligible for CalFresh. Prior to July 1, 2024, such a notification was deemed as legally impossible due to the limitations of the Family Educational Rights and Privacy Act (FERPA). However, with the passing of the FASFA Simplification Act of 2021 and the issuing of a July 2024 “Dear Colleague Letter”, the federal government has granted institutions and state grant agencies permission to develop a process by which students grant explicit written consent to share FASFA data with Federal, State, or local government agencies to assist such students in applying for and receiving benefits such as CalFresh.<sup>12</sup>

*The current measure has students providing permission for their contact information to be shared with CDSS and then has CDSS potentially sharing said information with county human service agencies and public higher education institutions. It is unclear whether the student is aware of the secondary sharing of the data or if this secondary sharing is in compliance with the “Dear Colleague Letter” and FERPA.*

---

<sup>18</sup> <https://www.ppic.org/publication/reducing-college-costs-for-low-income-students/>

Furthermore, the “Dear Colleague Letter” clarified that the Federal Student Aid Office, limited the use of FASFA information to “what is required to inform their student population about SNAP benefits.”

*The current language of the measure is unclear whether the FASFA information is being shared for outreach about the CalFresh program or for determining their eligibility for CalFresh.*

*To address the concerns listed above and in the LPIE section of this analysis, the Committee has recommended and the Author has accepted the following amendments:*

1) Amends Education Section 69508.5 to read as follows:

(a) ~~The commission shall, on or before January 1, 2027, Upon entering into a data-sharing agreement pursuant to Section 18901.13 of the Welfare and Institutions Code, the commission shall, in compliance with state and federal laws, amend the commission’s Grant Delivery System to ensure both of the following:~~

(1) ~~The commission identifies is able to identify students that might be eligible for the CalFresh program established pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code, through the commission’s Grant Delivery System. Code.~~

(2) ~~Students identified as potentially eligible for CalFresh pursuant to subdivision (a) have the ability to grant their permission to have their contact information shared with the State Department of Social Services for the purposes of direct outreach, as described in Section 18901.13 of the Welfare and Institutions Code.~~

*(2) Students identified pursuant to paragraph (1) shall be able to provide permission to the commission for their contact information to be shared with the State Department of Social Services, and for the State Department of Social Services to further share their contact information with county human services agencies and public postsecondary education institutions, for purposes of direct outreach about the CalFresh program established pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code.*

2) Amends Education Code Section 69408.5, subdivision (b) to read as follows:

(b) ~~The~~ Upon completion of subdivision (a), the commission shall provide the State Department of Social Services with information for students who have granted their permission to have their contact information shared, pursuant to a data-sharing agreement, as described in Section 18901.13 of the Welfare and Institutions Code.

3) Adds to Education Code Section 69408.5, subdivision (c) to read as follows:

*(c) For purposes of this section, “contact information” shall include, but is not limited to, the legal name, email address, physical address, and telephone number of the student.*

4) Amends SEC 4 Section 69432.93 to read as follows:

~~(a) The commission shall, on or before January 1, 2027, Upon entering into a data-sharing agreement pursuant to Section 18901.13 of the Welfare and Institutions Code, the commission shall, in compliance with state and federal laws, amend the commission's Grant Delivery System to ensure both of the following:~~

~~(1) The commission identifies is able to identify students that might be eligible for the CalFresh program established pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code, through the commission's Grant Delivery System. Code.~~

~~(2) Students identified as potentially eligible for CalFresh pursuant to subdivision (a) have the ability to grant their permission to have their contact information shared with the State Department of Social Services for the purposes of direct outreach, as described in Section 18901.13 of the Welfare and Institutions Code.~~

*(2) Students identified pursuant to paragraph (1) shall be able to provide permission to the commission for their contact information to be shared with the State Department of Social Services, and for the State Department of Social Services to further share their contact information with county human services agencies and public postsecondary education institutions, for purposes of direct outreach about the CalFresh program established pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code.*

~~(b) The~~ Upon completion of subdivision (a), the commission shall provide the State Department of Social Services with information for students who have granted their permission to have their contact information shared, pursuant to a data-sharing agreement, as described in Section 18901.13 of the Welfare and Institutions Code.

*(c) For purposes of this section, "contact information" shall include, but is not limited to, the legal name, email address, physical address, and telephone number of the student.*

5) Amends Welfare and Institutions Code Section 18901.12, subdivision (a) to read as follows:

~~(a) To~~ Commencing on or before July 1, 2026, to the extent permitted by federal law, law and regulations, any campus-based program of study at a public institution of higher education shall be considered as a state-approved local educational program that increases employability that has a component that is equivalent to a component specified in Section 273.7(e)(2) of Title 7 of the Code of Federal Regulations, and that qualifies for the student exemption for CalFresh eligibility, as described in Section 273.5(b)(11)(iv) of Title 7 of the Code of Federal Regulations.

6) Amends Welfare and Institutions Code Section 18901.12, subdivision (b) to read as follows:

~~(b) The office of the Chancellor of the California Community Colleges and the office of the Chancellor of the California State University shall, and the office of the President of the University of California is requested to, submit to the department a list of their offered campus-based programs of study. The department shall approve those programs pursuant to subdivision (a).~~ that meet the requirements specified in subdivision (a).

- 7) Amends Welfare and Institutions Code Section 18901.12, subdivision (c) to read as follows:

(c) A campus-based program at a campus of the California Community Colleges, the California State University, or the University of California that is not included in the list described in subdivision ~~(b)~~ (b), *or that is rejected by the department pursuant to subdivision (b)*, may submit a certification application to the department. The department shall approve the certification applications for campus-based programs that meet the requirement specified in subdivision (a).

- 8) Amends Welfare and Institutions Code Section 18901.12, subdivision (d) to read as follows:

(d) (1) On or before September 1, 2026, and annually thereafter, until 2030, the department shall report to the Assembly Committee on Higher Education, the Assembly Committee on Human Services, the Senate Committee on Education, and the Senate Committee on Human Services all of the following information:

(A) The number of state-approved campus-based local educational programs that increase employability that are approved pursuant to ~~subdivision (d)~~, subdivisions (b) and (c), disaggregated by name and campus.

(B) The number of pending applications, disaggregated by name and campus.

(C) The number of applications denied, disaggregated by name and campus, and the reason for the denials.

(2) The department shall also post the report described in paragraph (1) on its internet website.

- 9) Amends Welfare and Institutions Code Section 18901.13 to read as follows:

(a) The department and the Student Aid Commission shall develop a data-sharing agreement meeting the requirements of applicable state and federal law and regulations, under which the commission shall share the student information described in Section 69408.5 or 69432.93 of the Education Code. ~~The department and the commission shall also develop, in consultation with counties and the office of the Chancellor of the California Community Colleges, the office of the Chancellor of the California State University, and the office of the President of the University of California, a data sharing agreement in which county human services agencies and those public postsecondary institutions may opt to receive the student information described in Section 69408.5 or 69432.93 of the Education Code. Code with the department for purposes of providing direct outreach to students about the CalFresh program.~~

(b) *Pursuant to the data agreement established in subdivision (a), the department may share the student information with each county human services agency, the office of the Chancellor of the California Community Colleges, the office of the Chancellor of the California State University, and the office of the President of the University of California for purposes of direct outreach to students about the CalFresh program.*

(b)

(c) Commencing with the 2027–28 academic year, ~~counties, and only if data has been shared by the department pursuant to subdivision (b), each campus of the California Community Colleges, Colleges and the California State University may, and shall, and each campus of the University of California is requested to, if they have entered into a data-sharing agreement pursuant to subdivision (a),~~ contact all students who, pursuant to Sections 69408.5 or 69432.93 of the Education Code, as applicable, opted in to have their contact information shared with the department for the purposes of ~~determining their eligibility for CalFresh and receiving assistance~~ *informing students about the CalFresh program and services available on and off campus to assist the student in applying for the food benefits.*

(d) *Data shared pursuant to this section shall be done in compliance with applicable federal and state laws to protect individual privacy, including, but not limited to, the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g) and Section 1798.24 of the Civil Code.*

*Related Legislation.* AB 593 (Wicks), of 2025, awaiting a hearing in the Senate Committee on Human Services, would permit CDSS to identify data-sharing opportunities with public state and local entities for the purpose of improving the administration of CalFresh, increasing participation in CalFresh, and measure the impact of CalFresh. Additionally, limits the use of data shared to what is necessary for conducting outreach opportunities, facilitating enrollment into public benefits, and measuring the impact of those efforts.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Alliance for a Better Community  
Alliance for a Better Community (UNREG)  
Asian Americans Advancing Justice Southern California  
Association of Pupil Services and Attendance Counselors  
C51a  
California Association of Food Banks  
California Community Colleges, Chancellor's Office  
California Community Foundation  
California Competes: Higher Education for a Strong Economy  
California Opportunity Youth Network  
California Primary Care Association  
California State Student Association  
California State University, Office of the Chancellor  
California Student Aid Commission  
California Teachers Association  
Citrus College  
College Access Plan  
College for All Coalition  
Community College League of California

County of Los Angeles Board of Supervisors  
Fulfillment Fund  
Go Public Schools  
Hispanas Organized for Political Equality (HOPE)  
Innovate Public Schools  
Junior League of Sacramento  
Junior League of San Jose  
Junior Leagues of California State Public Affairs Committee (CALSPAC)  
Los Angeles Regional Food Bank  
Los Angeles Urban Foundation  
Moste  
North Orange County Community College District  
San Diego Hunger Coalition  
San Francisco Rising  
Southern California College Attainment Network  
Student Senate for California Community Colleges  
Swipe Out Hunger  
University of California  
University of California Student Association  
Western Center on Law & Poverty  
Young Invincibles

**Opposition**

None on file.

**Analysis Prepared by:** Ellen Cesaretti-Monroy / HIGHER ED. / (916) 319-3960