
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	AB 320	Hearing Date:	July 2, 2025
Author:	Bennett		
Version:	June 18, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Lynn Lorber		

Subject: Public social services: eligibility: income exclusions.

SUMMARY

This bill prohibits any compensation awarded to a student member of a county board of education or school district governing board from being considered as income or an asset for the purposes of determining eligibility for award for means-tested programs.

BACKGROUND

Existing law:

- 1) Authorizes the submission to the county board of education or governing board of a school district a student petition requesting the board to appoint one or more student members to the governing board. (Education Code (EC) § 1000 and § 35012)
- 2) Authorizes a county board of education or school district governing board to award a student member either or both of the following:
 - a) Elective course credit is based on the number of equivalent daily instructional minutes for the student member's services provided.
 - b) Monthly financial compensation as determined by the governing board. (EC § 1090 and § 35120)
- 3) Establishes the federal Temporary Assistance for Needy Families (TANF) program, which provides block grants to states to develop and implement their own state welfare-to-work programs designed to provide cash assistance and other supports and services to low-income families. (United States Code (USC), Title 42, § 601 et seq.)
- 4) Establishes under federal law the Supplemental Nutrition Assistance Program (SNAP) to promote the general welfare and to safeguard the health and wellbeing of the nation's population by raising the levels of nutrition among low-income households. (7 USC § 2011 et seq.)
- 5) Limits SNAP to households whose income limits their access to nutritious foods and defines what is considered income for the purposes of SNAP eligibility.

(Code of Federal Regulations, Title 7, § 273.9)

- 6) Establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program to provide cash assistance and other social services for low-income families through the federal TANF program. Under CalWORKs, each county provides assistance through a combination of state, county, and federal TANF funds. (Welfare and Institutions Code (WIC) § 11200 et seq.)
- 7) Establishes income, asset, and real property limits used to determine eligibility for the CalWORKs program, and CalWORKs grant amounts, based on family size and county of residence. (WIC § 11150-11160 and § 11450 et seq.)
- 8) Exempts the following from being considered as income for purposes of CalWORKs eligibility:
 - a) Income that is received too infrequently to be reasonably anticipated.
 - b) Income from a college work study program.
 - c) An award or scholarship provided by a public or private entity to or on behalf of a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition. (WIC § 11157)

ANALYSIS

This bill:

- 1) Exempts, to the extent permitted by federal law, any compensation awarded to a student member of a school district governing board or county board of education from being considered as income or assets when determining eligibility and benefit amount for any means-tested program, including, but not limited to, CalWORKs, CalFresh, General Assistance, Medi-Cal, and Cash Assistance Program for Immigrants, and any scholarships for public colleges and universities, including, but not limited to, Cal Grant awards, Chafee grant awards, Middle Class Scholarship Program awards, California College Promise Grants, California State University Educational Opportunity Program grants, Community College Extended Opportunity Programs and Services grants, and grants from the University of California or the California State University.
- 2) Exempts from consideration as income and resources, for purposes of determining eligibility for CalWORKs, CalFresh, General Assistance, Medi-Cal, and Cash Assistance Program for Immigrants, to the extent permitted by federal law, any compensation awarded to a student member of a school district governing board or county board of education.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 320 expands on the provisions of AB 824 (2021), which allowed high school students to petition for a seat on their

local County Boards of Education and Charter School Governing Boards. We have since discovered that compensation earned by student board members is considered 'income' in means-tested programs, making some students ineligible for the aid they had previously qualified for. AB 320 ensures that any compensation awarded to a pupil member of a county board of education is not counted as income for means-tested aid programs, such as Cal-Works and Medi-Cal."

- 2) **CalWORKs and CalFresh.** As described in the Senate Human Services Committee's analysis of this bill, CalWORKs is California's version of the federal TANF program. CalWORKs provides temporary cash assistance aimed at moving children out of poverty and helping qualified low-income families meet their basic needs, such as rent, clothing, utility bills, food, and other items needed to ensure children are cared for at home and safely remain with their families. Eligibility for CalWORKs is based on family size, income level, and region. Families must show economic hardship through income and asset tests.

CalFresh is California's version of SNAP, an entitlement program that provides eligible households with federally-funded monthly benefits to purchase food. CalFresh food benefits are 100% federally funded. Monthly benefits per household vary based on household size, income, and deductible living expenses - with larger households generally receiving more benefits than smaller households and relatively higher-income households generally receiving fewer benefits than lower-income households.

Under current federal and state laws, certain types of income are considered exempt in the CalWORKs program, which means they are not counted when calculating a person's program eligibility for the program and cash benefit amount they receive. Exempt income includes:

- a) Income that is received too infrequently to be reasonably anticipated.
- b) Income from college work-study programs.
- c) An award or scholarship provided by a public or private entity to or on behalf of a dependent child.
- d) Federal pandemic unemployment compensation.
- e) Income or stipends paid by the United States Census Bureau, a governmental entity, or a non-profit organization for temporary work related to improving participation in the decennial census that is earned in the year preceding a decennial census and during the year of the decennial census.
- f) Income from specified Guaranteed Income programs.

This bill creates an exemption in the section of the Welfare and Institutions Code governing CalWORKs for the income student representatives receive for serving on the governing board of a school district or county board of education. This bill

also creates an overall exemption for this income source from consideration for eligibility for any means-tested program including CalFresh, scholarships, and education related grants, to the extent allowed by federal law. While this is likely allowable for CalWORKs, the fact that the income is paid with county or school district funds means it will likely continue to be considered for CalFresh eligibility determinations (pursuant to federal law).

- 3) **Related legislation.** AB 42 (Bryan, 2025) would make any grant, award, scholarship, loan, or fellowship benefit from a private source given for educational purposes exempt from consideration as income or resources for the purposes of CalWORKs and CalFresh eligibility and award determination. AB 42 is pending in the Senate Human Services Committee.

SUPPORT

Los Angeles County Office of Education (Sponsor)
County of Los Angeles Board of Supervisors
County Welfare Directors Association of California
Junior Leagues of California State Public Affairs Committee

OPPOSITION

None received

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