



October 22, 2019

Dear PUSD Families,

You may have heard of changes to the federal Public Charge rule which took effect on October 15, 2019. The term Public Charge is used in immigration law to refer to a person who is primarily dependent on the government for support. The changes to the existing rule could make it more difficult to apply for permanent residency or earn a visa if an applicant is dependent on government aid such as the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), housing assistance, and Medicaid.

We want to ensure you know that K–12 public education is not impacted by the Public Charge rule. Neither is your child's ability to receive nutritious meals and snacks, before, during, and after school. All of the students in Pittsburg Unified School District are allowed to participate in the school nutrition program available at their school site, and participation in the nutrition program does not impact immigration status.

It is important that all parents continue to complete meal applications and other forms requested by your child's school. We will be contacting you if you have not turned in a meal application for the school year.

Our school nutrition programs play a vital role in ensuring that students are eating nutritious meals that can help them concentrate during the school day and reach their full academic potential.

For more information about the Public Charge rule, please see attached summary and FAQs. You may also visit the California Department of Education's Safe Havens Initiative webpage at <https://www.cde.ca.gov/eo/in/safehavens.asp>.

If you have questions about PUSD's Child Nutrition program or the meal application process, please contact Ms. Culcasi, Child Nutrition Supervisor at kculcasi@pittsburg.k12.ca.us or call (925) 473-2364. For help filling out a meal application, please contact your school's Parent Liaison.

Sincerely,

A handwritten signature in cursive script that reads 'Angelia Nava'.

Angelia Nava
Director, Child Nutrition Department
Pittsburg Unified School District



New Public Charge Rules Summary & Frequently Asked Questions (FAQs) for School Communities

Students and families may have expressed fear about signing up for school lunch and/or other services in light of the federal government's recent announcement in regards to public charge. Public Charge is the government's term for determining if an individual will become dependent on government benefits. This is considered when an individual applies for permanent residency ("green card") or entry into the U.S. with a visa.

Here are a few important points regarding the new public charge rule:

- The new Public Charge rule **WILL NOT** apply to participation in free or reduced price school nutrition program.
- This rule only applies to individuals seeking admission into the U.S. or applying for adjustment of status, i.e., permanent residency. This provision of the law **DOES NOT** apply to refugees, asylees, special immigrant juvenile visa holders, victims of trafficking, victims of crime, and other special categories of immigrants. It also **DOES NOT** apply to the naturalization process through which legal permanent residents apply to become U.S. citizens.
- The State of California has a webpage called [California Immigrant Guide](#) with information about Public Charge, Governor Newsom's Statement on Trump Administration's Public Charge rule, and helpful links.
- The California Department of Social Services has a [Public Charge contact list](#) with organizations that can provide legal consultation and/or education and outreach services specifically related to Public Charge.
- The following FAQs are from the [Immigrant Legal Resource Center](#) and will provide you with additional information on the new Public Charge rule.

1. What is current law?

Currently, immigration officers decide Public Charge by evaluating whether an applicant for a green card or an individual seeking to enter the U.S. on certain visas is likely to become primarily dependent on the government for support.

2. How is this currently decided?

To decide this, immigration officers rely on multiple factors. They may also rely on the "affidavit of support," which is a contract signed by the immigrant's sponsor, indicating that the sponsor will financially support the immigrant.

Under existing policy, immigration officers also consider whether an immigrant



applying for a green card or entry into the U.S. has used cash aid (such as TANF, also known as “welfare” or SSI) or long-term institutionalized care. Immigrants who have used cash aid are more likely to be denied admission on public charge grounds. However, use of publicly-funded health care, nutrition, and housing programs are not considered negative factors for purposes of public charge because our current policies recognize that these programs are vital to keeping our communities healthy and safe and individuals productive.

3. What does the new public charge rule say?

The new rule sets a stricter test for people to show they will not depend on public benefits in the future. An immigration officer will consider different factors, including family income, receipt of certain public benefits, and how likely the applicant is to be employed.

4. What types of benefits are included in the new rule?

The rule expands the list of publicly-funded programs that immigration officers may consider when deciding whether someone is likely to become a public charge. Under the new rule, Medicaid, the Supplemental Nutrition Assistance Program (SNAP, formerly known as Food Stamps), Section 8 housing assistance and federally subsidized housing will be used as evidence that a green card or visa applicant is inadmissible under the public charge ground.

The proposal also considers that all use of cash aid, including not just TANF and SSI, but also any state or local cash assistance program, could make an individual inadmissible under the public charge ground.

5. Are all public benefits part of the new rule?

No. School lunch programs, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Medi-Cal for pregnant women and children under 21, Head Start, and other benefits are not part of the public charge rule and will have no impact. Eligible families should continue to receive these important benefits.

6. If I apply to become a U.S. citizen, will it hurt my case if I use benefits?

No. There is no public charge test for naturalization, which is the process to become a U.S. citizen. Permanent residents who travel outside the U.S. for more than 180 days could be subject to public charge rules.