

AMENDED IN ASSEMBLY JANUARY 20, 2000

AMENDED IN ASSEMBLY JUNE 1, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1233

Introduced by Assembly Member Aroner

February 26, 1999

An act to amend Sections ~~11155, 11450.019, 11451.5, and 18242~~ 11322.6 and 11325.23 of the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1233, as amended, Aroner. CalWORKs program.

Existing law requires recipients of aid under the CalWORKs program, with certain exceptions, to participate in welfare-to-work activities, which may include educational activities.

This bill would include hours of preparation, as prescribed, within the defined scope of required hours of participation in the educational activities in which a CalWORKs recipient may participate. By expanding the scope of responsibility for the administration of the CalWORKs program by counties, this bill would result in a state-mandated local program.

Existing law continuously appropriates funds from the General Fund for the provision of benefits to eligible recipients through the CalWORKs program. This bill would make certain individuals eligible for the receipt of benefits

under that program if they meet the requirements established by this bill, and, by expanding the scope of eligibility for benefits under the CalWORKs program, this bill would result in an appropriation.

~~Existing law authorizes a recipient or applicant for aid under the CalWORKs program to retain certain income and resources without a reduction in eligibility for aid, and exempts from that calculation of income and resources for purposes of determining eligibility for aid under the CalWORKs program those countable resources in an amount equal to the amount permitted under federal law for qualification for food stamps, and requires a county to determine the value of personal property and automobiles in conformance with methods established under the Food Stamp Program.~~

~~This bill would exempt up to \$7,500 of the equity value of one automobile from consideration as a resource for each household in determining eligibility for aid under the CalWORKs program.~~

~~Under existing law, counties are responsible for the determination of eligibility of applicants and recipients of aid under the CalWORKs program and the food stamp programs. By revising the eligibility standards applicable to the exemption of the full value of an automobile from that determination, the bill would result in an increase in the number of persons eligible for aid, thereby resulting in an increase in county responsibilities in the administration of aid. The CalWORKs program is funded through a continuing appropriation, and, by increasing the level of funding due to the increase in the number of persons eligible for those benefits, this bill would result in an appropriation.~~

~~Existing law provides that, effective the first day of the month following 90 days after a change in federal law that allows states to reduce aid payments under the CalWORKs program without any risk to federal funding under the federal medicaid program, certain reductions in maximum aid payments shall not be applied when all of the parents or caretaker relatives of the aided child living in the home of the aided child meet specified conditions, including the condition that the individual is disabled and receiving benefits under~~



~~the Supplemental Security Program or the In-Home Supportive Services Program.~~

~~This bill would include within the scope of that exemption persons who are disabled and receiving benefits through state disability insurance benefits, private disability insurance benefits, temporary workers' compensation benefits, and social security disability benefits. By limiting the reduction of aid payments under the CalWORKs program, this bill would result in an increase in the payments under the program that are funded through continuously appropriated funds, thereby resulting in an appropriation. By increasing the scope of eligible participation in the program, this bill would increase the responsibilities of the counties in implementing this program, thereby resulting in a state-mandated local program.~~

~~Existing law exempts certain disability-based income from the calculation of income that shall be used to determine the amount of aid grant that shall be paid to a family under the CalWORKs program.~~

~~This bill would revise the definition of disability-based unearned income. By extending the limitation on the amount applied in calculating payments under the CalWORKs program, this bill would result in an increase in the payments under the program that are funded through continuously appropriated funds, thereby resulting in an appropriation. By increasing the scope of participation in the program, this bill would increase the responsibilities of the counties in implementing this program, thereby resulting in a state-mandated local program.~~

~~Existing law authorizes the State Department of Social Services to approve demonstration projects in up to 3 counties to test models of child support assurance, and specifies that one of the projects shall conform to a specified design, and provides for the funding of the projects from funds continuously appropriated for the CalWORKs program.~~

~~This bill would authorize the approval of child support assurance demonstration projects in up to 5 counties, and would eliminate the requirement that one of the projects conform to a specified design. To the extent this elimination of the limitation on the number of demonstration projects, this~~



~~bill would result in an increase in funding through the use of funds continuously appropriated for the CalWORKs program; this bill would result in an increase in a continuing appropriation, thereby resulting in an appropriation.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 11155 of the Welfare and~~
- 2 *SECTION 1. Section 11322.6 of the Welfare and*
- 3 *Institutions Code is amended to read:*
- 4 11322.6. The welfare-to-work plan developed by the
- 5 county welfare department and the participant pursuant
- 6 to this article shall provide for welfare-to-work activities.
- 7 Welfare-to-work activities may include, but are not
- 8 limited to, any of the following:
- 9 (a) Unsubsidized employment.
- 10 (b) Subsidized private sector employment.
- 11 (c) Subsidized public sector employment.
- 12 (d) Work experience, which means public or private
- 13 sector work that shall help provide basic job skills,
- 14 enhance existing job skills in a position related to the
- 15 participant's experience, or provide a needed community
- 16 service that will lead to employment. Unpaid work
- 17 experience shall be limited to 12 months, unless the
- 18 county welfare department and the recipient agree to
- 19 extend this period by an amendment to the
- 20 welfare-to-work plan. The county welfare department



1 shall review the work experience assignment as
2 appropriate and make revisions as necessary to ensure
3 that it continues to be consistent with the participant's
4 plan and effective in preparing the participant to attain
5 employment.

6 (e) On-the-job training.

7 (f) Grant-based on-the-job training, which means
8 public or private sector employment or on-the-job
9 training in which the recipient's cash grant, or a portion
10 thereof, or the aid grant savings resulting from
11 employment, is diverted to the employer as a wage
12 subsidy to partially or wholly offset the payment of wages
13 to the participant. Grant-based on-the-job training shall
14 include community service positions pursuant to Section
15 11322.9.

16 (g) Supported work or transitional employment,
17 which means forms of grant-based on-the-job training in
18 which the recipient's cash grant, or a portion thereof, or
19 the aid grant savings from employment, is diverted to an
20 intermediary service provider, to partially or wholly
21 offset the payment of wages to the participant.

22 (h) Work-study.

23 (i) Self-employment.

24 (j) Community service.

25 (k) Adult basic education, which shall include reading,
26 writing, arithmetic, high school proficiency, or general
27 educational development certificate of instruction, and
28 English-as-a-second-language. Participants under this
29 subdivision shall be referred to appropriate service
30 providers that include, but are not limited to, educational
31 programs operated by school districts or county offices of
32 education that have contracted with the Superintendent
33 of Public Instruction to provide services to participants
34 pursuant to Section 33117.5 of the Education Code.

35 (l) Job skills training directly related to employment.

36 (m) Vocational education and training, including, but
37 not limited to, college and community college education,
38 adult education, regional occupational centers, and
39 regional occupational programs.



1 (n) Job search and job readiness assistance, which
2 means providing the recipient with training to learn job
3 seeking and interviewing skills, to understand employer
4 expectations, and learn skills designed to enhance an
5 individual's capacity to move toward self-sufficiency.

6 (o) Education directly related to employment.

7 (p) Satisfactory progress in secondary school or in a
8 course of study leading to a certificate of general
9 educational development, in the case of a recipient who
10 has not completed secondary school or received such a
11 certificate.

12 (q) Mental health, substance abuse, and domestic
13 violence services, described in Sections 11325.7 and
14 11325.8 and Article 7.5 (commencing with Section 11495),
15 that are necessary to obtain and retain employment.

16 (r) Other activities necessary to assist an individual in
17 obtaining unsubsidized employment.

18 Assignment to an educational activity identified in
19 subdivisions (k), (m), (o), and (p) is limited to those
20 situations in which the education is needed to become
21 employed. *Hours of participation for purposes of Section*
22 *11322.8 shall include preparation time as described in*
23 *subparagraph (C) of paragraph (3) of subdivision (a) of*
24 *Section 11325.23.*

25 *SEC. 2. Section 11325.23 of the Welfare and*
26 *Institutions Code is amended to read:*

27 11325.23. (a) (1) Except as provided in paragraph
28 (2), any student who, at the time he or she is required to
29 participate under this article pursuant to Section 11320.3,
30 is enrolled in any undergraduate degree or certificate
31 program that leads to employment may continue in that
32 program within the time period specified in subdivisions
33 (a) and (d) of Section 11454 if he or she is making
34 satisfactory progress in that program, the county
35 determines that continuing in the program is likely to
36 lead to self-supporting employment for that recipient,
37 and the welfare-to-work plan reflects that determination.

38 (2) Any individual who possesses a baccalaureate
39 degree shall not be eligible to participate under this
40 section unless the individual is pursuing a California



1 regular classroom teaching credential in a college or
2 university with an approved teacher credential
3 preparation program.

4 (3) (A) Subject to the limitation provided in
5 subdivision (f), a program shall be determined to lead to
6 employment if it is on a list of programs that the county
7 welfare department and local education agencies or
8 providers agree lead to employment. The list shall be
9 agreed to annually, with the first list completed no later
10 than January 31, 1998. By January 1, 2000, all educational
11 providers shall report data regarding programs on the list
12 for the purposes of the report card established under
13 Section 15037.1 of the Unemployment Insurance Code for
14 the programs to remain on the list.

15 (B) For students not in a program on the list prepared
16 under subparagraph (A), the county shall determine if
17 the program leads to employment. The recipient shall be
18 allowed to continue in the program within the time
19 period specified in subdivisions (a) and (d) of Section
20 11454 if the recipient demonstrates to the county that the
21 program will lead to self-supporting employment for that
22 recipient and the documentation is included in the
23 welfare-to-work plan.

24 (C) If participation in educational or vocational
25 training, as determined by the number of hours required
26 for *attendance at or preparation for* classroom,
27 laboratory, or internship activities, is not at least 32 hours,
28 the county shall require concurrent participation in work
29 activities pursuant to subdivisions (a) to (j), inclusive, of
30 Section 11322.6 and Section 11325.22. *Preparation time*
31 *shall be presumed to be one hour of study for each hour*
32 *of instruction.*

33 (b) Participation in the self-initiated education or
34 vocational training program shall be reflected in the
35 welfare-to-work plan required by Section 11325.21. The
36 welfare-to-work plan shall provide that whenever an
37 individual ceases to participate in, refuses to attend
38 regularly, or does not maintain satisfactory progress in the
39 self-initiated program, the individual shall participate
40 under this article in accordance with Section 11325.22.



1 (c) Any person whose previously approved
2 self-initiated education or training program is
3 interrupted for reasons that meet the good cause criteria
4 specified in subdivision (f) of Section 11320.3 may resume
5 participation in the same program if the participant
6 maintained good standing in the program while
7 participating and the self-initiated program continues to
8 meet the approval criteria. The county shall adjust the
9 completion date of the program, accounting for the time
10 of absence to allow the participant a cumulative
11 timeframe outlined in subdivision (a).

12 (d) Supportive services reimbursement shall be
13 provided for any participant in a self-initiated training or
14 education program approved under this subdivision. This
15 reimbursement shall be provided if no other source of
16 funding for those costs is available. Any offset to
17 supportive services payments shall be made in
18 accordance with subdivision (e) of Section 11323.4.

19 (e) Any student who, at the time he or she is required
20 to participate under this article pursuant to Section
21 11320.3, has been enrolled and is making satisfactory
22 progress in a degree or certificate program, but does not
23 meet the criteria set forth in subdivision (a), shall have
24 until the beginning of the next educational semester or
25 quarter break to continue his or her educational program
26 if he or she continues to make satisfactory progress. At the
27 time the educational break occurs, the individual is
28 required to participate pursuant to Section 11320.1. The
29 time spent in the educational program shall count
30 towards the time limits and community service
31 requirements established for recipients in Sections
32 11320.1 and 11454. A recipient not expected to complete
33 the program by the next break may continue his or her
34 education under the timelines in subdivision (a),
35 provided he or she transfers at the end of the current
36 quarter or semester to a program that qualifies under that
37 subdivision, the county determines that participation is
38 likely to lead to self-supporting employment of the
39 recipient, and the welfare-to-work plan reflects that
40 determination.



1 (f) Any degree, certificate, or vocational program
2 offered by a private postsecondary training provider shall
3 not be approved under this section unless the program is
4 either approved or exempted by the appropriate state
5 regulatory agency and the program is in compliance with
6 all other provisions of law.

7 *SEC. 3. Notwithstanding Section 17610 of the*
8 *Government Code, if the Commission on State Mandates*
9 *determines that this act contains costs mandated by the*
10 *state, reimbursement to local agencies and school*
11 *districts for those costs shall be made pursuant to Part 7*
12 *(commencing with Section 17500) of Division 4 of Title*
13 *2 of the Government Code. If the statewide cost of the*
14 *claim for reimbursement does not exceed one million*
15 *dollars (\$1,000,000), reimbursement shall be made from*
16 *the State Mandates Claims Fund.*

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**All matter omitted in this version of the
bill appears in the bill as amended in the
Assembly, June 1, 1999 (JR 11)**

