

AMENDED IN ASSEMBLY JANUARY 27, 2000

AMENDED IN ASSEMBLY JANUARY 26, 2000

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 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 provide that the provisions which continuously appropriate money from the General Fund for purposes of the CalWORKs program would not apply to fund the changes made by this act. It would, however, provide that ~~these changes the operation of the provisions of the bill would be funded wholly from federal Temporary Assistance for Needy Families block grant funds which would be continuously appropriated from the federal Trust Fund conditioned upon an appropriation in the Budget Act that funds those provisions.~~

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: majority. Appropriation: ~~yes~~ no. Fiscal committee: yes. State-mandated local program: yes.

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

- 1 SECTION 1. Section 11322.6 of the Welfare and
- 2 Institutions Code is amended to read:
- 3 11322.6. The welfare-to-work plan developed by the
- 4 county welfare department and the participant pursuant
- 5 to this article shall provide for welfare-to-work activities.
- 6 Welfare-to-work activities may include, but are not
- 7 limited to, any of the following:
- 8 (a) Unsubsidized employment.
- 9 (b) Subsidized private sector employment.
- 10 (c) Subsidized public sector employment.



1 (d) Work experience, which means public or private
2 sector work that shall help provide basic job skills,
3 enhance existing job skills in a position related to the
4 participant's experience, or provide a needed community
5 service that will lead to employment. Unpaid work
6 experience shall be limited to 12 months, unless the
7 county welfare department and the recipient agree to
8 extend this period by an amendment to the
9 welfare-to-work plan. The county welfare department
10 shall review the work experience assignment as
11 appropriate and make revisions as necessary to ensure
12 that it continues to be consistent with the participant's
13 plan and effective in preparing the participant to attain
14 employment.

15 (e) On-the-job training.

16 (f) Grant-based on-the-job training, which means
17 public or private sector employment or on-the-job
18 training in which the recipient's cash grant, or a portion
19 thereof, or the aid grant savings resulting from
20 employment, is diverted to the employer as a wage
21 subsidy to partially or wholly offset the payment of wages
22 to the participant. Grant-based on-the-job training shall
23 include community service positions pursuant to Section
24 11322.9.

25 (g) Supported work or transitional employment,
26 which means forms of grant-based on-the-job training in
27 which the recipient's cash grant, or a portion thereof, or
28 the aid grant savings from employment, is diverted to an
29 intermediary service provider, to partially or wholly
30 offset the payment of wages to the participant.

31 (h) Work-study.

32 (i) Self-employment.

33 (j) Community service.

34 (k) Adult basic education, which shall include reading,
35 writing, arithmetic, high school proficiency, or general
36 educational development certificate of instruction, and
37 English-as-a-second-language. Participants under this
38 subdivision shall be referred to appropriate service
39 providers that include, but are not limited to, educational
40 programs operated by school districts or county offices of



1 education that have contracted with the Superintendent
2 of Public Instruction to provide services to participants
3 pursuant to Section 33117.5 of the Education Code.

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

5 (m) Vocational education and training, including, but
6 not limited to, college and community college education,
7 adult education, regional occupational centers, and
8 regional occupational programs.

9 (n) Job search and job readiness assistance, which
10 means providing the recipient with training to learn job
11 seeking and interviewing skills, to understand employer
12 expectations, and learn skills designed to enhance an
13 individual's capacity to move toward self-sufficiency.

14 (o) Education directly related to employment.

15 (p) Satisfactory progress in secondary school or in a
16 course of study leading to a certificate of general
17 educational development, in the case of a recipient who
18 has not completed secondary school or received such a
19 certificate.

20 (q) Mental health, substance abuse, and domestic
21 violence services, described in Sections 11325.7 and
22 11325.8 and Article 7.5 (commencing with Section 11495),
23 that are necessary to obtain and retain employment.

24 (r) Other activities necessary to assist an individual in
25 obtaining unsubsidized employment.

26 Assignment to an educational activity identified in
27 subdivisions (k), (m), (o), and (p) is limited to those
28 situations in which the education is needed to become
29 employed. Hours of participation for purposes of Section
30 11322.8 shall include preparation time as described in
31 subparagraph (C) of paragraph (3) of subdivision (a) of
32 Section 11325.23.

33 SEC. 2. Section 11325.23 of the Welfare and
34 Institutions Code is amended to read:

35 11325.23. (a) (1) Except as provided in paragraph
36 (2), any student who, at the time he or she is required to
37 participate under this article pursuant to Section 11320.3,
38 is enrolled in any undergraduate degree or certificate
39 program that leads to employment may continue in that
40 program within the time period specified in subdivisions



1 (a) and (d) of Section 11454 if he or she is making
2 satisfactory progress in that program, the county
3 determines that continuing in the program is likely to
4 lead to self-supporting employment for that recipient,
5 and the welfare-to-work plan reflects that determination.

6 (2) Any individual who possesses a baccalaureate
7 degree shall not be eligible to participate under this
8 section unless the individual is pursuing a California
9 regular classroom teaching credential in a college or
10 university with an approved teacher credential
11 preparation program.

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

23 (B) For students not in a program on the list prepared
24 under subparagraph (A), the county shall determine if
25 the program leads to employment. The recipient shall be
26 allowed to continue in the program within the time
27 period specified in subdivisions (a) and (d) of Section
28 11454 if the recipient demonstrates to the county that the
29 program will lead to self-supporting employment for that
30 recipient and the documentation is included in the
31 welfare-to-work plan.

32 (C) If participation in educational or vocational
33 training, as determined by the number of hours required
34 for attendance at or preparation for classroom,
35 laboratory, or internship activities, is not at least 32 hours,
36 the county shall require concurrent participation in work
37 activities pursuant to subdivisions (a) to (j), inclusive, of
38 Section 11322.6 and Section 11325.22. Preparation time
39 shall be presumed to be one hour of study for each hour
40 of instruction.



1 (b) Participation in the self-initiated education or
2 vocational training program shall be reflected in the
3 welfare-to-work plan required by Section 11325.21. The
4 welfare-to-work plan shall provide that whenever an
5 individual ceases to participate in, refuses to attend
6 regularly, or does not maintain satisfactory progress in the
7 self-initiated program, the individual shall participate
8 under this article in accordance with Section 11325.22.

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

20 (d) Supportive services reimbursement shall be
21 provided for any participant in a self-initiated training or
22 education program approved under this subdivision. This
23 reimbursement shall be provided if no other source of
24 funding for those costs is available. Any offset to
25 supportive services payments shall be made in
26 accordance with subdivision (e) of Section 11323.4.

27 (e) Any student who, at the time he or she is required
28 to participate under this article pursuant to Section
29 11320.3, has been enrolled and is making satisfactory
30 progress in a degree or certificate program, but does not
31 meet the criteria set forth in subdivision (a), shall have
32 until the beginning of the next educational semester or
33 quarter break to continue his or her educational program
34 if he or she continues to make satisfactory progress. At the
35 time the educational break occurs, the individual is
36 required to participate pursuant to Section 11320.1. The
37 time spent in the educational program shall count
38 towards the time limits and community service
39 requirements established for recipients in Sections
40 11320.1 and 11454. A recipient not expected to complete



1 the program by the next break may continue his or her
2 education under the timelines in subdivision (a),
3 provided he or she transfers at the end of the current
4 quarter or semester to a program that qualifies under that
5 subdivision, the county determines that participation is
6 likely to lead to self-supporting employment of the
7 recipient, and the welfare-to-work plan reflects that
8 determination.

9 (f) Any degree, certificate, or vocational program
10 offered by a private postsecondary training provider shall
11 not be approved under this section unless the program is
12 either approved or exempted by the appropriate state
13 regulatory agency and the program is in compliance with
14 all other provisions of law.

15 SEC. 3. (a) The continuous appropriation made by
16 Section 15200 of the Welfare and Institutions Code shall
17 not apply to fund the changes made by the amendments
18 to Section 11322.6 of the Welfare and Institutions Code
19 and subdivision (a) of Section 11325.23 of the Welfare and
20 Institutions Code made by Sections 1 and 2 of this act.

21 ~~(b) The amendments to Section 11322.6 of the Welfare
22 and Institutions Code and subdivision (a) of Section
23 11325.23 of the Welfare and Institutions Code made by
24 Sections 1 and 2 of this act shall be funded wholly from
25 federal Temporary Assistance for Needy Families block
26 grant funds which are hereby continuously appropriated
27 from the Federal Trust Fund.~~

28 *(b) The operation of the provisions of this act is
29 conditioned upon an appropriation in the annual Budget
30 Act that funds the changes made by the amendments to
31 Section 11322.6 of the Welfare and Institutions Code and
32 subdivision (a) of Section 11325.23 of the Welfare and
33 Institutions Code made by this act.*

34 SEC. 4. Notwithstanding Section 17610 of the
35 Government Code, if the Commission on State Mandates
36 determines that this act contains costs mandated by the
37 state, reimbursement to local agencies and school
38 districts for those costs shall be made pursuant to Part 7
39 (commencing with Section 17500) of Division 4 of Title
40 2 of the Government Code. If the statewide cost of the



1 claim for reimbursement does not exceed one million
2 dollars (\$1,000,000), reimbursement shall be made from
3 the State Mandates Claims Fund.

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