STATE PLAN FOR PROVISION OF

PUBLIC ASSISTANCE UNDER

THE PERSONAL RESPONSIBILITY

AND WORK OPPORTUNITY

RECONCILIATION ACT OF 1996

Effective October 1, 2013

STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

HEALTH AND HUMAN SERVICES AGENCY
Diana S. Dooley, Secretary

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES
Will Lightbourne, Director

CERTIFICATION

California will operate a program to provide temporary assistance for needy families so that children may be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work, and marriage; to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and to encourage the formation and maintenance of two-parent families. This program is known as the California Work Opportunity and Responsibility to Kids (CalWORKs) Program.

Executive Officer of the state: Edmund G. Brown, Jr., Governor

The California Department of Social Services, the Department of Child Support Services, the Department of Public Health and the California Department of Health Care Services are the state agencies responsible for supervision of local political subdivisions in the administration of the Temporary Assistance for Needy Families (TANF) Program. These agencies have authority under state law to make rules and regulations that are binding on such political subdivisions. This state plan will be binding on the subdivisions and will be in effect throughout the state.

In administering and operating a program that provides temporary assistance for needy families with minor children under Title IV-A of the Social Security Act, the state will:

1. Assure that local governments and private sector organizations:

   (A) have been consulted regarding the plan and design of welfare services in the state so that services are provided in a manner appropriate to local populations, and

   (B) have had at least 45 days to submit comments on the plan and the design of such services.

2. Operate a Child Support Enforcement program under the state plan approved under part D.

3. Operate a Foster Care and Adoption Assistance program in accordance with part E, and certify that the state will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance.

4. Provide each member of an Indian tribe, who is domiciled in the state and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to assistance under the state program funded under this part attributable to funds provided by the federal government.

5. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of state programs, kickbacks, and the use of political patronage.

6. Make available to the public a summary of the state plan.

7. Exercise the Family Violence Option (FVO) in accordance with Title 42 USC 602 (a)(7). California has established and is enforcing standards and procedures to:

   (A) screen and identify individuals receiving TANF and Maintenance of Effort (MOE) assistance with a history of domestic violence, while maintaining the confidentiality of such individuals;

   (B) refer such individuals to counseling and supportive services; and

   (C) provide waivers, pursuant to a determination of good cause, of normal program requirements to such individuals for so long as necessary in cases where compliance would make it more difficult for such individuals to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.

In accordance with Title 42 of the United States Code, Section 602, Subsection (a), paragraph (4), I certify that the State of California will administer and supervise the CalWORKs program as outlined in this plan as submitted on this date:

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

DECEMBER 19, 2013
DATE

Edmund G. Brown, Jr., Governor

A. GENERAL PROVISIONS

i. Outline how the state intends to conduct a program designed to serve all political subdivisions in the state (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.

Effective January 1, 1998, California enacted its welfare reform program, entitled the California Work Opportunity and Responsibility to Kids (CalWORKs) program. CalWORKs serves all political subdivisions (counties) in the state. This program is supervised by the California Department of Social Services (CDSS) and administered by county welfare departments (CWDs) in accordance with a statewide system of regulations that ensure universal access as well as consistent and uniform eligibility criteria. CalWORKs includes welfare reform measures and services designed to encourage recipients to qualify for and find jobs that will enable families to be self-supporting.

As of October 1, 2006, assistance units that consist of two, aided, nondisabled, natural or adoptive parents of the same aided or Supplemental Security Income/State Supplementary Payment (SSI/SSP) minor child (living in the home), unless both parents are aided minors and neither is the head-of-household, are aided in the Temporary Assistance for Needy Families (TANF) program and not in a separate state program.

Effective July 1, 2011, as a result of Senate Bill (SB) 72 (Chapter 8, Statutes of 2011), the CalWORKs time limit for adults is reduced from 60 months to 48 months. All months on aid received in California since January 1, 1998 will count unless the adult has/had a time limit exemption. The federal TANF 60-month time clock does not change.

Beginning January 1, 2013, as a result of the passage of SB 1041 (Chapter 47, Statutes of 2012), CalWORKs hourly participation requirements are aligned with federal work requirements as follows:

- single parents with a child under six must participate 20 hours per week,
- single parents whose children are six years or older must participate a total of 30 hours per week, and
- two parents must participate a combined total of 35 hours per week

Due to the passage of SB 1041, significant changes were made to the CalWORKs program. A new client-focused Welfare-to-Work (WTW) 24-Month Time Clock was implemented whereby clients are allotted 24 cumulative months to participate in the full array of CalWORKs WTW activities with no hourly core/non-core requirement. Once clients exhaust their WTW 24-Month Time

Clock they are required to meet federal TANF Work Participation Rate requirements. If an adult has exhausted his or her WTW 24-month Time Clock, and are not meeting federal work participation requirements, aid to the family may be reduced by the amount equal to the adult's portion of the grant.

Effective January 1, 2014, Non-Maintenance-of-Effort (MOE) State General Fund (GF) outside of the federal TANF and state MOE funding structure will be used to fund CalWORKs assistance, services, child care and administration costs for current work-eligible cases where the adult in a single-parent family or both adults in a two-parent family has/have reached the 48-month CalWORKs limit for cash aid (Safety Net cases), or is a drug or fleeing felon, who resides with an eligible child that continues to receive assistance.

Beginning January 1, 2014, counties shall start implementing the Work Incentive Nutritional Supplement (WINS) program, with full implementation statewide no later than July 1, 2014. The WINS program provides working families who are receiving Supplemental Nutrition Assistance Program (SNAP) benefits, called CalFresh in California, but not receiving CalWORKs cash assistance, with a ten dollar ($10) supplemental food assistance benefit if there is a work eligible individual, with a child under age 18 in the household, who is working sufficient hours in subsidized or unsubsidized employment to meet TANF work requirements. Effective October 2014, WINS will be a 100 percent TANF/MOE state funded food supplement benefit. It is not a cash payment.

Effective January 1, 2014, family stabilization services will be available to CalWORKs participants, which include intensive case management services, to address immediate crisis situations and needs, such as housing instability or family safety issues. These services will ensure a basic level of stability within the family so that future participation in WTW activities that lead to self-sufficiency may be more successful.

Effective January 1, 2015, a county may grant extensions to the WTW 24-Month Time Clock. A county may provide extensions for the number of assistance units equal to no more than 20 percent of the assistance units in the county in which all adult members have been provided aid for at least 24 months, but not more than 48 months.

ii. Outline how the state intends to require a parent or caretaker receiving assistance under the program to engage in work (as defined by the state) once the state determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier.

California's WTW program is designed to assist CalWORKs recipients in finding employment and/or acquiring the necessary job skills to obtain employment. To

reach that goal, the CalWORKs program established mandatory work participation requirements for aided parents and caretakers as follows:

- At the time of application, the CWD may determine that the individual meets specified criteria for exemption from participation in employment preparation or work activities; otherwise, the CWD will determine an individual's ability to engage in work upon his or her entry into the CalWORKs WTW Program.

- After aid has been granted, recipients who are not exempt are required to participate in an appraisal and, are generally assigned to job search for four weeks as their first work activity upon completion of the appraisal. However, job search may be shortened if the CWD determines that the recipient would not benefit from the activity or it may be lengthened if additional job search would result in employment.

- If the recipient is unable to find unsubsidized employment through job search, the individual will be referred for an assessment. Based upon the assessment, the CWD and the recipient must develop and agree upon a WTW plan, which covers the activities and services that will be provided to an individual, as appropriate and as resources permit.

- The WTW plan will specify the supportive services, which may include childcare, transportation costs, ancillary expenses, or personal counseling that will be provided to the individual. Payments for these services are supplemental, are made separate from any monthly income support payment, and may or may not be in the form of cash to the recipient.

- If necessary supportive services are unavailable, the participant will have good cause for not participating in his or her assigned WTW activity.

- During the WTW 24-Month Time Clock, all current CalWORKs services and WTW activities are available to clients, without a core hourly requirement. The appropriate activities and services are incorporated into a WTW plan, agreed upon by the client and county worker. The WTW activities offered by the CWD, may include, but are not limited to the following:

  (1) Unsubsidized employment – self-explanatory;

  (2) Subsidized private or public sector employment – employment in which the participant's employer is partially or wholly reimbursed for wages and/or training costs;

  (3) Work experience – a WTW training activity in the public or private sector that is performed under close supervision and helps provide basic

job skills, enhance existing skills, or provide a needed community service that will lead to unsubsidized employment;

(4) On-the-Job Training (OJT) – self-explanatory;

(5) Grant based OJT – a voluntary WTW activity that is performed in the public or private sector in which a recipient's cash grant, or portion thereof, or the aid grant savings resulting from employment or both is diverted to the employer as a subsidy to wholly or partially offset the payment of wages so long as the total amount diverted does not exceed the family's maximum aid payment. The wage derived from the diverted cash grant and/or grant savings is considered nonexempt income and is not subject to the earned income disregard specified in Section B iii;

(6) Supported work or transitional employment – both are voluntary WTW activities that are forms of grant-based OJT in which a recipient's cash grant, or portion thereof, or the aid grant savings resulting from employment, is diverted to an intermediary service provider to totally or partially offset the payment of wages to the recipient. The wage derived from diverted cash grant or grant savings is considered nonexempt income and is not subject to the earned income disregard specified in Section B iii;

(7) Work study – programs established by Title IV of the federal Higher Education Act, of Chapter 2 of Part 42 of the California Education Code or the state annual Budget Act;

(8) Self-employment – must meet the definition of employment, which is defined as work that is compensated at least at the applicable federal or state minimum wage. If neither wage rate applies, the work must be compensated in an amount equal to the lesser of the two rates;

(9) Community service – a WTW training activity that is temporary and transitional, which is performed in the public or private nonprofit sector under close supervision, and provides participants with job skills that can lead to employment while also meeting a community need;

(10) Adult basic education – a WTW activity needed by the individual to become employed and may include instruction in reading, writing, arithmetic, high school proficiency, or general educational development (GED) certificate instruction, and English as a second language;

(11) Job skills training directly related to employment – self-explanatory;

(12) Vocational education and training – programs including but not limited to those offered through colleges, community colleges, adult education, and regional occupation centers;

(13) Job search/job readiness – training in basic job seeking and interviewing skills and understanding employer expectations and employee obligations;

(14) Education directly related to employment – self-explanatory;

(15) Programs leading to a GED certificate or satisfactory progress in secondary school as needed by an individual to become employed;

(16) Mental health counseling, treatment and rehabilitation activities necessary to obtain and retain employment;

(17) Substance abuse counseling, treatment, and rehabilitation activities necessary to obtain and retain employment;

(18) Domestic violence services necessary to obtain and retain employment;

(19) In addition, an individual's WTW activity may include the parent's participation required by a school to ensure that a child in the assistance unit attends school as required; and

(20) Other activities necessary to assist an individual in obtaining unsubsidized employment.

- After a total of 24 months of CalWORKs services and activities, unless otherwise exempt, or having received an extension, the federal law requires adults to participate a total of 20 hours per week for single-parents with a child under six years old; 30 hours per week, with 20 hours in core activities, for single parents with children six years old and older; and 35 hours per week, 30 of which are in core activities, combined for two parents. Aided adults must participate in accordance with all requirements of Section 607(c) of Title 42 of the United States Code (USC). The following are post 24-month CalWORKs (federal) core activities (1-8) and non-core activities (9-11):

  (1) Unsubsidized employment;

  (2) Subsidized private or public sector employment including grant-based OJT and work study;

  (3) Work experience;

(4) Community service;

(5) Vocational education (12-month lifetime limit);

(6) OJT;

(7) Job search and job readiness including mental health and substance abuse services;

(8) Providing child care to a community service program participant;

(9) Job skills training directly related to employment;

(10) Education directly related to employment (for individuals with no high school diploma or equivalent); and

(11) Satisfactory attendance in a secondary school or in a course leading to certificate of general equivalence (GED).

iii. Outline how the state intends to ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with Section 407.

California has designed a program that provides parents and caretakers receiving CalWORKs cash assistance the opportunity to participate in employment and training activities that will assist them to become economically self-sufficient (See Section A ii. above). To ensure participants engage in work activities, the state's program also provides necessary supportive services such as assistance with transportation, ancillary, child care expenses, and personal counseling in order for the participant to successfully participate in work or their assigned WTW activities.

However, as another measure to encourage compliance with work requirements, the program also provides for financial penalties for failing or refusing to participate in the program as required.

Any nonexempt recipient of assistance, who refuses to sign his or her WTW plan, refuses to cooperate in meeting program requirements, or fails to fulfill the terms of his or her WTW plan without good cause, shall be removed from the assistance unit incurring a financial sanction until the individual performs the required WTW activity.

The Cal-Learn program assists pregnant and parenting teens, unless exempted or deferred, who have not obtained a high school diploma or its equivalent to graduate and become self-sufficient.

iv. Outline how the state intends to take such reasonable steps, as the state deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the federal government.

Existing state law specifies that information about individuals and families receiving assistance is to be considered confidential. Therefore, except as authorized by federal law, the state will continue to enforce existing confidentiality regulations. These regulations have been developed to protect applicants and recipients against identification, exploitation, or embarrassment that could result from the release of information identifying them as having applied for, or having received, public assistance.

The regulations apply to all records, papers, files, and communications (whether written or oral) pertaining to applicants for, and recipients of, public assistance. They also outline under what circumstances, and to whom, such information may be released.

All information concerning the circumstances of any individual applying for, or receiving, public assistance is confidential and is to be safeguarded. No disclosure of any information obtained by a representative, agent, or employee of the county, in the course of discharging his or her duties, shall be made directly or indirectly other than in the administration of public social service programs, or as provided under federal law. Any disclosure of information that identifies by name or addresses any applicant or recipient of public social services to federal, state, or local legislative bodies and their committees without the consent of such applicant or recipient is prohibited. Both the release and the possession of confidential information in violation of the rules are misdemeanors.

v. Outline how the state intends to establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies.

California has a two-pronged approach to reducing the incidence of teen pregnancy and out-of-wedlock pregnancy. For girls under the age of legal consent (age18), the strategy is pregnancy prevention, and the numerical objective is based on the birth rate for females' age 15-17 years old. For women age 18 and older, the strategy is father involvement, and progress is measured in terms of the proportion of births in which the mother is either married or has a declaration of paternity.

California has set objectives for reductions in the teen birth rate (females age 15-17 years old) for several years. For the years 2009-2012 those objectives are an annual reduction of .3 percent per 1,000 per year. These objectives are submitted to the federal Health Resources and Services Administration as part of

California's Title V Block Grant Annual Report. For most of the last eight years for which actual data are available (2001-2008), California has met and exceeded its teen birth rate objectives. Since 2001, the teen birth rate for females age 15-17 years old has fallen steadily, down to 21.1 in 2003, down further to 20.0 in 2006, and 19.9 in 2007, with 2005 being the only year in which the actual rate is higher, by 0.3, than the objective. California takes great pride in the lowest teen birth rate for females' age 15-17 years old in several decades. In 2008, there were 19.1 births per 1,000 females' age 15-17 years old.

The California Departments of Social Services and Public Health continue to explore various strategies which may be undertaken to discourage out-of-wedlock pregnancies and, in the absence of marriage, to encourage declarations of paternity and involvement of fathers. California programs which may be involved in these efforts include: Cal-Learn; CalWORKs Family Planning Information Project; the Adolescent Family Life Program; Community Challenge Grants; Family Planning, Access, Care, and Treatment (Family PACT) Program; and the Information and Education Program.

California has a stated goal of reducing the incidence of pregnancies among females aged 17 or younger and to reduce absentee fatherhood. The Department of Public Health has undertaken this challenge through continuing efforts in teen pregnancy prevention programs in the Office of Family Planning and Maternal, Child and Adolescent Health Division.

These prevention programs are closely tied with Family PACT Program clinical services to ensure that teens receiving prevention services and who are sexually active have a referral for these clinical reproductive and contraceptive services.

Highlights from these efforts (Cal-Learn; CalWORKs Family Planning Information Project; the Adolescent Family Life Program; Community Challenge Grants; Family Planning, Access, Care, and Treatment (Family PACT) Program; and the Information and Education Program) are embodied in the programs/efforts described below:

- Pregnant or parenting teens will be required to live at home, with good cause exceptions, if they are to receive financial assistance.

- Cash grants will not be increased for additional children born to families who have received aid for the ten months prior to the child's birth unless they meet certain exemption criteria.

- California Mentor Initiative – The state has expanded its mentoring program to help reach the goal of linking 250,000 mentors with at-risk youth.

- Community Challenge Grants – A grant program that supports over 112 private organizations and public agencies to develop and implement innovative, effective community-based strategies to reduce teen and unwed pregnancies in geographic areas with statistically significant higher birth rates to teens.

- Information and Education programs provide a continuum of educational interventions to assist females and males of reproductive age to acquire the knowledge, attitudes, and behavioral skills necessary to make responsible decisions regarding their reproductive health.

- A statewide clinical services program known as Family PACT to prevent unintended pregnancy through expanded access to reproductive health and family planning services for low income women and men, including adolescents. Family PACT undertakes ongoing efforts in the areas of client outreach, provider recruitment, training, and technical assistance, and the addition of new Food and Drug Administration approved contraception methods to the benefits package.

vi. Outline how the state intends to conduct a program designed to reach state and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.

California's Statutory Rape Vertical Prosecution Program (SRVP) program was discontinued on December 30, 2012 due to lack of funding. However, the California Department of Public Health (CDPH) has contractors that implement population-based, Rape Prevention and Education (RPE) Program, which is designed to change social norms that perpetuate sexual violence. The program's mission is to prevent first-time victimization and perpetration of sexual abuse, rather than helping the victim after the fact. The RPE Program targets males and females of all ages, races, and circumstances. Most of the RPE program contractors are working in schools and offer educational sessions that are aimed at promoting healthy relationships.

The CDPH's Rape Prevention and Education (RPE) Program works alongside with the California Coalition Against Sexual Assault (CALCASA) and other state agencies and statewide organizations, including the California Attorney General's Office, which assists district attorneys, local law enforcement, and federal and international criminal justice agencies in the administration of justice. Local partners include rape crisis centers and health departments. The RPE program, through CALCASA, builds the capacity of California's 65 local rape crisis centers to implement prevention strategies to change communities, families, and young

people. CALCASA is also focused on helping member agencies provide access and services to rape survivors. By equipping staff and volunteers with critical knowledge, tools and resources, rape crisis centers have the ability to serve more survivors while also having the ability to prevent these acts from occurring in the future.

B. SPECIAL PROVISIONS

i. Indicate whether the state intends to treat families moving into the state from another state differently than other families under the program, and if so, how the state intends to treat such families under the program.

California does not treat families moving into the state from another state differently from other families under the program.

ii. Indicate whether the state intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, include an overview of such assistance.

California uses TANF funds to serve qualified aliens in accordance with TANF provisions. California also aids some legal aliens who are not eligible for TANF with state-only funds. These are legal aliens who were eligible under the former Aid to Families with Dependent Children (AFDC) Program, and may remain eligible under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) for state-only funded benefits, but who lost federal eligibility with the passage of PRWORA. These aliens must meet the same financial criteria and are subject to the same work requirements as CalWORKs recipients.

iii. Set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the state will provide opportunities for recipients who have been adversely affected to be heard in a state administrative or appeal process.

CalWORKs establishes uniform objective criteria for determination of eligibility for cash aid, diversion services and supportive services to families with (or expecting) a needy child. Eligibility is based upon need as indicated by age, citizenship, deprivation, income, resources, and residency. In addition, continued eligibility is based on compliance with work requirements, the reporting of specific information, and is limited to 48 months. Exemptions to work requirements and time limits are defined. Convicted drug felons and fleeing felons are ineligible for benefits under this program.

An applicant family shall not be eligible for CalWORKs unless the family's income, exclusive of the first ninety dollars ($90) of earned income for each employed person is less than the minimum basic standard of adequate care (MBSAC) as specified in Welfare & Institutions Code (W&IC) Section 11452.

A recipient family shall remain eligible when a needy child or adult is temporarily absent from the home. The time period for temporary absences from the home is one full calendar month of at least 30 days. Exceptions to this rule are defined in state regulations.

Effective January 1, 2014, as a result of AB 419 (Chapter 293, Statutes of 2013), a child who is a patient in a public or private hospital for medical or surgical care shall be considered temporarily absent from the home for the duration of the hospital stay.

A parent or parents of a child(ren) removed from the home and placed in out-of-home care, may be considered living with the needy child(ren) for a period of 180 consecutive days following the removal of the child(ren), if the family was receiving aid at the time the child was removed and the county determines that the provision of CalWORKs services is necessary for reunification of the family. The parent or parents that are subject to the terms of a family reunification plan and require CalWORKs services for the purpose of family reunification shall not be eligible for a cash aid grant during the child(ren)'s absence. The parent who is under a WTW sanction, as described in Section A. iii, shall not be precluded from utilizing CalWORKs services that are necessary for reunification of the family. In addition, a parent may be granted good cause for not meeting WTW participation requirements, if such participation is not consistent with the individual's family reunification plan. CWDs may also elect to utilize the family reunification plan as the WTW plan.

A good cause extension of the 180-day temporary absence period may be granted in cases where reunification occurs or is expected to occur after 180 consecutive days from the date of removal of the child from the home. State regulations require that the basis for the temporary absence be documented in the case file.

A recipient family shall not be eligible for CalWORKs if income, exclusive of amounts exempt under W&IC Section 11451.5, equals or exceeds the maximum aid payment (MAP) specified in W&IC Section 11450. W&IC Section 11451.5 provides that the first $225 of the recipient family's disability-based income (DBI) is disregarded. If disability-based unearned income is less than $225, any remaining portion of the $225 disregard, shall be applied to the family's earned income. After such application, any remaining non-exempt earned income is disregarded at a rate of 50 percent. Any remaining DBI and remaining earned income is treated as part of the recipient family's Net Nonexempt Income.

Child care services will be made available to every cash aid recipient who is working or participating in work activities. Child care payments are paid to the provider of services or the parent in specific situations without the use of income disregards.

California's lump-sum diversion program is designed to assist applicants who are apparently eligible to receive CalWORKs cash assistance and would likely avoid the need for extended assistance beyond the diversion period if the family was provided one-time assistance. The CWD shall determine eligibility for the diversion program at its sole discretion. The applicant may either participate in the diversion program or decline participation. If the applicant chooses to participate, the CWD shall deny the CalWORKs part of the application but will continue to determine eligibility for Medi-Cal and Food Stamps. If the individual reapplies for cash assistance within the diversion period, the CWD shall, at the option of the recipient, either recoup the amount paid from the cash grant over a period of time or count the number of months the diversion period covers towards the 48 month time limit.

Effective October 1, 2012, as a result of SB 1041, most child-only CalWORKs cases in which there is no aided adult in the home, including cases where the adult has reached the 48-month CalWORKs time limit, will transition from Quarterly Reporting (QR) to Annual Reporting (AR). AR cases will also have to report certain changes within 10 days, including household composition changes and certain changes in income. However, if no mandatory mid-year changes occur, such cases will only complete an annual redetermination. Other examples of child-only cases include cases in which:

- The adult(s) is a non-needy relative;
- The adult(s) does not qualify for CalWORKs due to immigration status;
- The adult(s) are sanctioned (other than welfare to work sanctions);
- The adult(s) is excluded because of a disqualifying drug felony conviction, fleeing felon status or has been found by a court to be in violation of probation or parole;
- The adult(s) is receiving Supplemental Security Income;
- The adult(s) has been convicted of an Intentional Program Violation prior to July 1998;
- The adult(s) does not qualify for CalWORKs for failure to provide a Social Security Number; or
- The adult(s) is participating in a labor strike.

This list is not all inclusive. CalWORKs Assistance Units that include either an adult receiving cash aid for themselves or an adult that has been sanctioned due to non-compliance with welfare-to-work requirements are subject to Semi-Annual Report (SAR) requirements, as specified below. Assistance Units that

include either an aided adult or an adult sanctioned due to non-compliance with welfare-to-work requirements are not AR cases.

Effective October 1, 2013, as a result of AB 6 (Chapter 501, Statutes of 2011), California replaced its current Quarterly Reporting/Prospective Budgeting (QR/PB) system with a SAR system for the CalWORKs program. CalWORKs Assistance Units that include an adult receiving cash aid for themselves or an adult sanctioned due to non-compliance with welfare-to-work requirements are subject to SAR reporting requirements.

SAR is similar to QR/PB in most of its reporting requirements and budgeting methodology. Under SAR, the CWDs will still budget prospectively, using reasonably anticipated income; however the treatment of fluctuating income was simplified. Also, under SAR, the Income Reporting Threshold (IRT) is a lower amount and grants may be decreased as well as discontinued based on a report of income over the IRT.

Lastly, under SAR, recipients will be required to submit one Semi-Annual Eligibility Report (SAR 7) once per year followed by a redetermination (RD) form at the time the annual RD is due.

In addition to CalWORKs recipients, California's TANF program will also provide services consistent with the four purposes of the TANF program to the following populations:

To the extent that services are not available from other sources, counties have the option to provide former recipients job retention services, such as case management services and supportive services in order to assist the individual in retaining employment. These services can be provided for up to 12 months for former recipients who received aid within the previous 12 months. Recipients who leave aid may be eligible for up to 12 months of transitional Medi-Cal and/or 24 months of child care.

- Family focused case specific services that were provided to children in the juvenile justice system were eliminated as they are no longer TANF funded.

- The Emergency Assistance Program provides benefits and services to children and families in emergency situations, with eligibility restricted to once in a 12-month period. Individuals may be provided services that were previously funded through IV-A on September 30, 1995. The same eligibility criteria will be applied to this population that was in effect at that time.

- The Kin-GAP Program serves those children exiting the foster care system to enter a guardianship with an approved relative; the children may have been receiving either federal Aid to Families with Dependent Children – Foster

Care (AFDC-FC) or CalWORKs benefits prior to entering the Kin-GAP Program.

To be eligible to receive a Kin-GAP payment, the child must have lived with the approved relative for at least 6 months, and the relative guardianship must be established and juvenile court dependency dismissed. Once the dependency is dismissed, no follow-up services are required and the child welfare services case will be closed.

Effective January 1, 2011, the State is exercising its option to claim Title IV-E funds for kinship guardianship assistance benefits in accordance with Public Law (P.L.) 110-351. The new Kin-GAP program has two components – a federally funded component for children eligible for Title IV-E foster care, and a state funded component funded under the CalWORKs program, for federally ineligible children. Foster children under the age of 19 who are ineligible for federal foster care or Kin-GAP benefits will continue to be served under the CalWORKs program. In addition, effective January 1, 2012, eligibility for CalWORKs benefits is extended to these eligible youth, referred to as non-minor dependents, up to age 21, (phased in over three years). Non-minor dependents meeting the eligibility criteria for extended benefits after age 18 will be served under the CalWORKs state-only program.

- Performance Incentives may be awarded to counties based on specific outcomes. Exclusively for the expenditure of these performance incentives and for purposes of providing nonassistance services pursuant to Section 42 U.S.C. Sec. 601(a) (1) and (2) to families not receiving aid, "needy families" includes any family in which the minor child is living with a parent or adult caretaker relative and the family's income is less than 200 percent of the official federal poverty guidelines applicable to a family of the size involved. No more than 25 percent of performance incentive funds may be expended for these purposes.

- Group repatriation planning is conducted at the county government level and TANF funds are distributed to local government agencies for developing, planning or exercising emergency plans.

- California Department of Education's state subsidized child care programs serve children and families meeting specific eligibility criteria including families who are very low income, are homeless or whose children are at risk of being abused, neglected or exploited. As provided in the state's annual Budget Act, exclusively for the purposes of determining qualified MOE expenditures in California Department of Education's subsidized Child Care programs, an "eligible family" is one with a child(ren) living with a parent or other adult caretaker relative who is financially needy under the CalWORKs income standards established by the state.

- The California Community College Chancellor's Office offers Institution Based Student Aid to low-income students attending any of the state's Community Colleges. The aid, called Board of Governors (BOG) fee waivers, is used to cover the costs of tuition to the college. These state funds can be countable, if eligible, toward the TANF MOE requirement under Purpose Three of TANF (prevent and reduce the incidence of out-of-wedlock pregnancies).

  Effective July 1, 2012, TANF funds are allocated to the California Student Aid Commission for the purpose of funding Cal Grants to help cover part of the expense of college and other approved training programs for TANF eligible recipients. The Cal Grants for California Student Aid is funded with 100% federal TANF funding. The state will not be claiming Cal Grants as TANF MOE, nor include it on the MOE report. This use of TANF funds to help pay for Cal Grants advances the TANF goals of ending the dependence of needy parents on government benefits by promoting job preparation and work that can lead to employment and increased self-sufficiency, as well as prevent and reduce the incidence of out-of-wedlock pregnancies. This serves both TANF purposes 2 and 3.

The state is adopting by reference the federally approved financial eligibility criteria established by each tribal TANF program as the state's financial eligibility criteria when determining eligibility for state funded services provided by tribal TANF programs. The state ensures that the Tribal TANF programs are following the federally approved eligibility criteria included in the Tribal Family Assistance Plan (TFAP) by requiring each Tribal TANF program to:

- Provide a copy of the federally approve TFAP

  - The TFAP must include details of the service delivery area, population to be served, income and resource eligibility standards, and a specific list of the services to be provided.
  - Comply with the Single Audit Act of 1984, including, but not limited to, 42 USC Section 609(a)(7), 45 CFR Section 263.2, 45CFR Section 286, 2 CFR Part 225, and other applicable regulations or regulatory provisions.
  - Provide to the state a copy of their Single Audit Report required by the federal government (45 CFR Section 287.60(b) and .65) on an annual basis.

If there are any actions taken by the Administration for Children and Families (ACF) as a result of the audit findings or other issues inconsistent with federal law, the state Tribal TANF program will take commensurate action consistent with ACF rules.

- All programs or activities that are claimed by the state for MOE purposes either are outlined in this TANF state plan or are incorporated by reference in the Annual Report on State TANF and MOE programs (ACF 204).

Applications for CalWORKs are made on a state-supplied application form that elicits the same information in every case. Applications are processed promptly by CWDs under a system of statewide regulations that ensure fair and humane treatment free of discrimination.

The following policies and principles are in state statute and/or regulations and govern the delivery of public assistance:

- Assistance is to be administered promptly and humanely, with due regard to the preservation of family life and without discrimination on account of race, color, national origin, religion, political affiliation, sex, disability or marital status and age.

- Assistance is to be administered so as to encourage self-respect, self-reliance and the desire to be a good citizen useful to society.

- It is the responsibility of all who are concerned with the administration of aid to do so with courtesy, consideration, and respect toward applicants and recipients and without attempting to elicit any unnecessary information. Administrative duties should be performed in such a manner as to secure for every applicant and recipient the amount of aid to which he or she is entitled under the law.

- The provisions of the law relating to public assistance are to be fairly and equitably construed.

- There are to be no questions, inquiry, or recommendation relating to the political or religious opinions or affiliations of an applicant or recipient.

Existing state law provides that applicants and recipients who have been adversely affected are guaranteed a fair hearing before an administrative law judge. Applicants and recipients can request such a hearing either by filing a written request with the CWD or by calling a toll free number in Sacramento.

CalWORKs provides a grievance procedure for regular employees and their representatives to resolve complaints of displacement by WTW participants. However, any existing grievance procedure that is part of a collective bargaining agreement will be used in lieu of the state's grievance process. In addition, CWDs are required to notify the appropriate labor union of the assignment of WTW participants to a worksite covered by a collective bargaining agreement. Posters informing employees of the displacement grievance process are to be posted at non-union work sites in which WTW participants are placed. The state's grievance process consists of an informal procedure that may be followed with a formal hearing conducted by the State Hearings Division of the California

Department of Social Services, if the informal procedure fails to resolve the complaint. Complaints of displacement are to be made in writing and filed with the CWD. The CWD is responsible for the informal resolution process and notifying the complainant in writing of any offer made by an employer to informally resolve the complaint, the right to request a formal hearing, and the process for filing a request for a formal hearing.

iv. **Indicate whether the state intends to assist individuals to train for, seek, and maintain employment providing direct care in a long-term care facility or in other occupations related to elder care for which the state identifies an unmet need.**

California intends to assist CalWORKs recipients to train for, seek, and maintain employment in the health care industry. This includes, but is not limited to, training for the provision of direct care in a long-term care facility and other occupations related to elder care. Such training may be provided as part of an individual's WTW plan, in accordance with Section (A) (ii), based on an assessment of the individual's skills and abilities and based on labor market need in the local community.

CWDs will coordinate and collaborate with other agencies, such as the Department of Education, the Employment Development Department, One-Stop Centers, and local Workforce Investment Boards, as well as local health care providers, to put clients in programs with training that lead to certifications and licenses that will allow the client to be employed in various healthcare occupations, including at long-term care facilities and in the elder care field. These trainings will occur at community colleges, Regional Occupational Programs, adult vocational schools, private career colleges, the American Red Cross, local hospitals, county health departments, and other training providers. For example, some CalWORKs participants are in an "Earn-as-You Learn" program that is offered directly through local long-term care facilities. Some counties provide mentors, internships and job placements services.

v. **Outline how the state intends to meet requirements specified in the Middle Class Tax Relief and Job Creation Act of 2012, the Welfare Integrity and Data Improvement Act, which requires all states to maintain policies and practices as necessary to prevent TANF assistance from being used in any electronic benefit transfer transaction in (1) liquor stores; (2) casinos, gambling casinos, or gaming establishments; and (3) adult-oriented entertainment establishments. States must report to Health and Human Services the steps they have taken to implement such policies and practices by February 22, 2014.**

Executive Order (EO) S-09-10, issued June 24, 2010, directed CDSS, in part, to take all necessary steps to ensure that CalWORKs recipients may not access state-provided cash benefits from automated teller machines (ATMs) in gambling establishments.

Subsequent to the signing of EO S-09-10, California implemented policies and procedures to prevent access to cash assistance benefits via ATMs located in fourteen different business categories. These categories include: casinos, liquor stores that are not authorized by the Food and Nutrition Service, retail establishments which provide adult-oriented entertainment, bail bonds, bingo halls, cruise ships, smoke shops, cannabis shops, ammunition stores, night clubs/saloons/taverns, psychic reader, race tracks, spa/massage salons and tattoo/piercing shops.

In addition to the deactivation processes, the state implemented other efforts to inform EBT cardholders about restricted locations and the intended purpose of their cash aid benefits. A letter was mailed to all EBT cardholders (in ten languages) in January 2011, informing cardholders of the types of establishments where ATM and point-of-sale (POS) deactivation would occur. The EBT Client website was also revised to include a message about restricted locations. The CalWORKs Rights and Responsibility (SAWS 2) form was revised in August 2010 (All County Letter 10-40) to require recipients to sign an acknowledgement that CalWORKs benefits are intended to help meet the basic needs of the family, i.e., shelter, food and clothing. Additionally, the state has worked with third party processors (TPPs) and the California Department of Justice (Bureau of Gambling Control) to ensure that deactivations are occurring at casinos located on Indian reservations.

In February 2014 California implemented a new POS deactivation procedure. As a result, 619 POS devices have been deactivated from processing EBT transactions at inappropriate locations. The POS deactivation procedure is based largely on ATM deactivation procedures, including identification of POS devices by a team of analysts who manually determine EBT transactions at POS devices located in inappropriate locations.

Another factor that will make it easier to identify POS devices appears in the 2014 Farm Bill (passed February 5, 2014.) One of the Farm Bill provisions requires unique identifiers for POS devices. This requirement will make it much easier to accurately identify POS devices located in inappropriate locations.

The CDSS reviews its counties' cash access plans to ensure that the areas affected by the EO mandate continue to have adequate access points for cash assistance recipients. Moreover, CDSS on a regular basis continues to monitor establishments and remove access to those businesses that meet the criteria for removal.

The state ensures that recipients of assistance have access to their benefits with minimal fees or charges. Here are some ways that recipients are provided information about surcharge free access to their cash benefits:

- Recipients can access surcharge free information on the EBT client website at www.ebt.ca.gov.
- The EBT card sleeve has been redesigned to state, "To find a free ATM location, visit the California EBT Client Website at www.ebt.ca.gov."
- The EBT card mailer, which arrives with every new EBT card, has been redesigned to state: "If you see an ATM with the MoneyPass sign, it will be surcharge free. To find a complete list of free ATMs, go to the California EBT Client Website at www.ebt.ca.gov, or contact your county worker." The definition of "surcharge" is also listed on the new EBT card mailer.
- Counties are encouraged to provide surcharge free information cash aid recipients and post it in their county offices.

The State of California works with Xerox to ensure that ATM and POS deactivation does not prohibit cash-aid recipients in the state from being able to access their benefits at locations near their homes, and where possible, without paying a surcharge fee.