

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



May 8, 2003

ALL COUNTY LETTER NO. 03-20

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation Change
 Court Order
 Clarification Requested by One or More Counties
 Initiated by CDSS

SUBJECT: SENIOR PARENT INCOME DEEMING IN CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM

REFERENCE: ASSEMBLY BILL (AB) 444, (CHAPTER 1022, STATUTES OF 2002)
MANUAL OF POLICIES AND PROCEDURES SECTION 89-201.5
COUNTY FISCAL LETTER NO. 02/03-19
ALL COUNTY LETTER (ACL) NO. 02-94

This All County Letter (ACL) transmits changes to the Manual of Policies and Procedures (MPP) regarding the treatment of senior parent income in minor parent cases. These new requirements became effective on October 1, 2002 through ACL 02-94, which implemented the senior parent income deeming provisions of AB 444 (Chapter 1022, Statutes of 2002). The attached regulations were filed with Office of Administrative Law and became effective on March 31, 2003.

Summary of Changes

These regulations implement and make specific changes to the CalWORKs program regarding the treatment of senior parent(s) income in senior parent/minor parent cases. Under these new provisions, the senior parent(s) income is considered available to meet the needs of the minor parent's child(ren) in accordance with current CalWORKs budgeting and income rules.

MPP Section 44-315.37 is amended to repeal the reference to Sections 89-201.5 and .6. These sections previously required that the income of a senior parent could not be made available to his/her minor parent's child(ren) when determining income eligibility and grant amount.

MPP Section 89-201.5 is amended to delete existing language and add new language that requires income eligibility and grant determinations in senior parent/minor parent cases to be done in accordance with current CalWORKs requirements at Sections 44-133.5, 44-207 and 44-315.

Page Two

Specific amendments to MPP 89-201.5 through .576 repeal obsolete language, repeal previous handbook examples, add clarifying language, provide relevant regulation citations, ensure numerical consistency, and provide two new handbook examples.

Examples

In order to clarify how the mandatory inclusion and optional person rules apply, we are including several examples in Attachment A to further illustrate some of the income and eligibility considerations required in making determinations for senior/minor parent cases. Counties are also reminded that these new provisions supercede previous treatment of senior parent'(s) income in regulation and court orders such as Dominika v. Saenz.

Contacts

If you have any questions regarding this letter or the treatment of income, please contact Terry Mallin, at (916) 653-8395 or by e-mail at: terry.mallin@dss.ca.gov. For Assistance Unit Composition questions, contact Shawn Bradley, at (916) 653-8675 or by e-mail at: shawn.bradley@dss.ca.gov.

Sincerely,

***Original signed by
Bruce Wagstaff on 5/8/03***

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachments

c: CWDA
CSAC

NOTICE OF PUBLICATION OF REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 4-99)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 03-0320-01E
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**ENDORSED FILED
IN THE OFFICE OF**

2003 MAR 27 PM 2:28

Kevin Shelley
KEVIN SHELLEY
SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only

2003 MAR 20 AM 11:12

OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
California Department of Social Services

AGENCY FILE NUMBER (if any)
ORD #1202-31

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER ()	FAX NUMBER (Optional) ()
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) CalWORKs Senior Parent/Minor Parent Cases - Income Availability Change	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics-related)

SECTION(S) AFFECTED (List all section number(s) individually)	ADOPT
	AMEND 44-315 and 89-201
	REPEAL MPP

3. TYPE OF FILING

Regular Rulemaking (Gov. Code, § 11346)

Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code, §§ 11349.3, 11349.4)

Emergency (Gov. Code, § 11346.1(b))

Emergency Readopt (Gov. Code, § 11346.1(h))

Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)

Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Government Code §§ 11346.2 - 11346.9 prior to, or within 120 days of, the effective date of the regulations listed above.

Print Only

Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)

Other (specify) _____

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §§ 44 and 45)

5. EFFECTIVE DATE OF REGULATORY CHANGES (Gov. Code, §§ 11343.4, 11346.1(d))

Effective 30th day after filing with Secretary of State

Effective on filing with Secretary of State

Effective other (Specify) 3/31/03

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)

Fair Political Practices Commission

State Fire Marshal

Other (Specify) _____

7. CONTACT PERSON Anthony J. Velasquez, Chief, ORD	TELEPHONE NUMBER (916) 657-2586	FAX NUMBER (Optional) (916) 654-3286	E-MAIL ADDRESS (Optional)
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8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Rita Saenz</i>	DATE 3-13-03
TYPED NAME AND TITLE OF SIGNATORY Rita Saenz, Director	

Amend Section 44-315 to read:

44-315 AMOUNT OF AID (Continued)

44-315

.3 Amount of Grant

The county shall calculate the amount of grant as follows:
(Continued)

.37 Actual Grant Amount

The actual grant amount is the lesser of the potential grant amount or the sum of the MAP plus special needs for the AU only. ~~For minor parent grant computation, see Section 89-201.5 and 6.~~

Authority Cited: Sections 10553, 10554, 11209, 11450, 11450(g), 11450.018(a) and (b), 11452.018(a), and 11453, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11004 (Ch. 270, Stats. 1997), 11017, 11209, 11253.5(d) and (e) (Ch. 270, Stats. 1997), 11254, 11265.8(a) (Ch. 270, Stats. 1997), 11323.4 (Ch. 270, Stats. 1997), 11450, 11450(g), 11450.01, 11450.015, 11450.018(a) and (b), 11451.018(a), 11450.03, 11451.5 (Ch. 270, Stats. 1997), 11452, 11453, and 11453(a) (Ch. 329, Stats. 1998), Welfare and Institutions Code; ~~Federal Terms and Conditions for the California Assistance Payments Demonstration Project as approved by the United States Department of Health and Human Services on October 30, 1992; and Letters from the Department of Health and Human Services, Administration for Children and Families, dated February 29, 1996, March 11, 1996, and March 12, 1996.~~

Amend Section 89-201 to read:

89-201 MINOR PARENT REQUIREMENT (Continued) 89-201

.5 Senior Parent Income ~~When the minor parent lives with his/her parent(s), the senior parent income is considered pursuant to Section 44-133.52. In cases where the minor parent lives with his/her parent(s), the income and needs of the senior parent(s) shall be considered. Eligibility and grant amount for senior parent/minor parent cases shall be determined in accordance with Sections 44-133.5, 44-207 and 44-315 as appropriate, based on the specific circumstances of the case.~~

~~.51 Ineligible Minor When senior parent's income pursuant to Section 44-133.52, results in ineligibility of the minor's AU:~~

~~.511 The minor parent shall be ineligible and excluded from the AU.~~

~~.512 Senior parent income shall not be considered available to the minor parent's child(ren).~~

~~.513 The income eligibility of the minor parent's child(ren) shall be determined pursuant to Sections 44-207.2 and .3.~~

~~.514 The minor parent's income shall be considered available to the child(ren)'s AU using the excluded parent computation, pursuant to Section 44-133.51.~~

~~HANDBOOK BEGINS HERE~~

~~.52 Example: Ineligible Minor Parent Minor Parent is receiving aid on behalf of her dependent child. Minor parent is excluded from AU due to excess senior parent income. Also in the home are two of the minor parent's siblings. Senior parent earns \$1399 per month and minor parent receives \$350 in Social Security Survivor's Benefits. The minor parent is nonexempt and resides in Region 1.~~

~~Eligibility/Grant Computation~~

\$1399	Gross Family Earnings
-225	\$225 Income Disregard (No Disability-Based Income)
\$1174	Subtotal (Nonexempt Earnings)

—587	50% Earned Income Disregard
\$ 587	Net Nonexempt Earned Income
—350	Other Nonexempt Unearned Income
\$ 937	Total Net Nonexempt Income
\$829	Family's Nonexempt MAP for five-Region 4
—937	Net Nonexempt Income
\$—0	Potential Grant (Minor Parent is not eligible to be included in AU)

If the minor has no income, the minor parent is eligible to receive the MAP for the minor's child(ren).

Since the minor parent is ineligible to be included in the AU, the minor parent's income must be treated like an excluded parent (Non-AU member) as follows:

\$—0	Earned Income/Disability Based Unearned Income)
+350	Other Nonexempt Unearned Income
\$ 350	Total Net Nonexempt Income
\$ 493	MAP for two (Minor parent and child)
—350	Total Net Nonexempt Income
\$ 143	Potential Grant
\$ 302	MAP for one (Minor's child)
\$ 143	Aid Payment (Lesser of Potential Grant or MAP for Minor's Child)

*The MAP amounts are subject to change. The MAP amounts assumes that both the senior and minor parents are eligible for the Non-Exempt MAP amounts. See Handbook Section 44-315.311 for currently applicable amounts.

HANDBOOK ENDS HERE

.531 Eligible Minor Senior Parent/Minor Parent Eligibility and Grant Amount

When considering income of the a senior parent'(s) (parents') income, pursuant to Sections 44-133.52, 44-207 and 44-315, and that income does not result in ineligibility of the minor and his/her child(ren), and:

.5311 Minor in Own AU

The minor parent is eligible to be included in his/her own AU (See Section 82-808), or

.5312 Eligible Minor in AU of Senior Parent'(s) AU

The minor parent is eligible to be included in the AU of the senior parent'(s) AU (See Section 82-808), then

.5313 Grant Amount

~~The income of the sSenior parent'(s) income shall be considered and the AU's grant amount shall be the greater of:~~

- ~~(a) The actual grant amount calculated pursuant to Section 44-315.3, or,~~
- ~~(b) The MAP for the minor parent's child(ren) plus any special needs for the minor parent's aided child(ren) and less any overpayment adjustment and/or Cal-Learn sanction.~~

HANDBOOK BEGINS HERE

.54

~~The following computation applies when the minor parent is in his/her own AU or when the eligible minor parent is included in the senior parent's AU.~~

~~Example: Eligible Minor Parent~~

~~Minor parent is receiving aid for herself and her dependent child. Minor parent lives with both her parents and a sibling. One senior parent earns \$900 per month from full-time employment. The other senior parent earns \$400 per month from part-time income and receives \$125 in State Disability Insurance benefits. The minor parent has no income. The minor parent is nonexempt and resides in Region 1.~~

~~Eligibility/Grant Computation:~~

~~\$ 125 ——— Disability Based Unearned Income
— 225 ——— \$225 Income Disregard
-\$100 ——— Net Nonexempt Disability Based
Income~~

~~\$1300 ——— Gross Family Earnings
— 100 ——— Remainder of \$225 Disregard
\$1200 ——— Earnings Subject to 50% Disregard~~

~~\$ 600 ——— Net Nonexempt Earned Income
+ 0 ——— Other Nonexempt Unearned Income
\$ 600 ——— Net Nonexempt Income
\$ 829 ——— Family's Nonexempt MAP for 5 in
Region 1
— 600 ——— Net Nonexempt Income
\$ 229 ——— Potential Grant (Minor Parent is eligible
to be included in AU)
\$ 302 ——— MAP for one (Minor's child)
\$ 302 ——— Aid Payment (higher of Potential Grant
and MAP for Minor's Child)~~

This minor parent living with the senior parent is eligible to receive MAP for the minor's child because it is greater than the potential grant.

.55

Example: Eligible minor parent, senior parent receives SSI.

The persons residing together are the senior parent, her minor son, her minor daughter (minor parent) and her daughter's child. The senior parent receives a monthly SSI/SSP payment of \$712. Neither the minor parent nor her child has any income. The family resides in Region 1 and is nonexempt.

As an SSI recipient, the senior parent is ineligible for CalWORKs, and per Section 44-133.21 none of her income is countable. Therefore, the AU will include only the senior parent's minor son, minor daughter, and daughter's child.

The eligibility/grant computation is as follows:

.551	Determine Family Income	\$ 0	—	Earned Income
		— 0	—	Unearned Income
		— 0	—	Total Net Nonexempt Income

.552	Determine Potential Grant for AU of 3	\$ 679	—	Nonexempt MAP for AU of 3
		+ 0	—	Total Net Nonexempt Income
		\$ 679	—	Potential Grant

.553	Determine AU MAP for Minor Parent's Child	\$ 336		Nonexempt MAP for AU of 1
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.554	Determine Amount of Aid	Compare the Potential Grant computed above (\$679) to the MAP for 1 (\$336) and pay the higher amount: \$679 Grant.		
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Example: Senior parent and minor parent are both eligible. Senior parent receives earned income and minor parent receives unearned income.

The persons residing together are the senior parent, her minor daughter (minor parent) and her daughter's child. The senior parent earned \$600, and the minor parent received a \$350 Social Security Administration payment (unearned income). The family resides in Region 1 and is nonexempt.

The eligibility/grant computation is as follows:

.561	Determine Family Income	\$ 600.00	—	Gross Family Earnings
		— 225.00	—	Disregard (no Disability-Based Income)

~~\$ 375.00 Subtotal Nonexempt Earned Income~~
~~— 187.50 50% Earned Income Disregard~~
~~187.50 Net Nonexempt Earned Income~~
~~+ 350.00 Unearned income (SSA)~~
~~\$ 537.00 Total Net Nonexempt Income~~
~~(Rounded Down)~~

~~.562 Determine Potential Grant for AU of 3~~ ~~\$ 679.00 Nonexempt MAP for AU of 3~~
~~— 537.00 Total Net Nonexempt Income~~
~~\$ 142.00 Potential Grant~~

~~.563 Determine AU MAP for \$ 336.00 Minor Parent's Child~~ ~~Nonexempt MAP for AU of 1~~

~~.564 Determine Amount of Aid~~ ~~Compare the Potential Grant computed above (\$142) to the MAP for 1 (\$336) and pay the higher amount: \$336 Grant.~~

~~.57 Example: Discontinued senior parent for refusal to assign child support; eligible minor parent.~~

~~The persons residing together are the senior parent, her minor daughter (minor parent) and her daughter's child. Senior parent earns \$500 a month and receives \$350 child support for the minor parent that she refuses to assign.~~

~~Per Section 82-506, the county shall deny or discontinue aid to the senior parent for refusal to assign. The family resides in Region 1 and is nonexempt.~~

~~The eligibility/grant computation is as follows: _____~~

~~.571 Determine Family Income~~ ~~\$ 500.00 Gross Family Earnings~~
~~— 225.00 Disregard (No Disability Based Income)~~
~~\$ 275.00 Subtotal Nonexempt Earned Income~~
~~— 137.50 50% Earned Income Disregard~~
~~\$ 137.50 Net Nonexempt Earned Income~~
~~+ 350.00 Unearned Income (Child Support)~~
~~\$ 487.00 Total Net Nonexempt Income (rounded down)~~

~~.572 Determine Potential Grant For AU of 3~~ ~~\$ 679.00 Nonexempt MAP for AU of 3~~
~~— 487.00 Total Net Nonexempt Income~~
~~\$ 192.00 Potential Grant~~

~~.573 Determine AU MAP for 2 since Senior Parent is excluded:~~ ~~\$ 548.00 Nonexempt MAP for AU of 3~~

.574 Determine New Potential Grant Compare the Potential Grant for an AU of 3 (\$192) to the Nonexempt MAP for an AU of 2 (\$548). New Potential Grant is the lesser of the two: \$192

.575 Determine AU MAP for Minor Parent's Child \$ 336.00 Nonexempt MAP for AU of 1

.576 Determine Amount of Aid Compare the New Potential Grant computed above (\$192) to MAP for 1 (\$336) and pay the higher amount: \$336 Grant.

(a) Example:
Eligible Minor
Parent in own AU The persons residing together are the senior parent, her minor daughter (minor parent) and her minor daughter's child. The senior parent is not in the AU. The senior parent earns \$1,025 per month. The minor parent has no income. The family resides in Region 1 and is nonexempt.

The eligibility/grant computation is as follows:

\$1,025	<u>Gross Family Earned Income</u>
- 225	<u>Income Disregard</u>
\$ 800	
- 400	<u>50% Earned Income Disregard</u>
\$ 400	<u>Net Nonexempt Income</u>

\$ 679	<u>MAP for an AU of 3</u>
- 400	<u>Total Net Nonexempt Income</u>
\$ 279	<u>Potential Grant</u>

\$ 548 MAP for an AU of 2

\$ 279 Actual Grant Amount (lesser of potential grant or AU MAP)

(b) Example:
Eligible Minor
Parent in AU
of Senior Parent(s) Minor parent lives with both her parents. The senior parents are in the AU with the minor parent and the minor's child. One senior parent earns \$900 per month. The other senior parent earns \$400 per month and receives \$125 in State Disability Insurance benefits. The minor parent has no income. The AU is nonexempt and resides in Region 1.

The eligibility/grant computation is as follows:

\$ 125	<u>Disability-Based Unearned Income</u>
- 225	<u>Income Disregard</u>
-\$ 100	<u>Net Nonexempt Disability-Based Income</u>

\$1,300	<u>Gross Family Earned Income</u>
- 100	<u>Remainder of \$225 Disregard</u>
\$1,200	

<u>- 600</u>	<u>50% Earned Income Disregard</u>
<u>\$ 600</u>	<u>Net Nonexempt Earned Income</u>
<u>+ 0</u>	<u>Other Nonexempt Unearned Income</u>
<u>\$ 600</u>	<u>Total Net Nonexempt Income</u>
<u>\$ 809</u>	<u>MAP for an AU of 4</u>
<u>- 600</u>	<u>Net Nonexempt Income</u>
<u>\$ 209</u>	<u>Grant Amount</u>

HANDBOOK ENDS HERE

.6 (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11008.14 (~~Ch. 270, Stats. 1997~~), 11254, (Ch. 1022, Stats. 2002), 11451.5 (~~Ch. 270, Stats. 1997~~), and 16506(d), Welfare and Institutions Code and 42 USCA 608(a)(5).

Example #1:

The minor parent and her child live with both senior parents. There are no siblings to the minor parent in the home. One senior parent earns \$800, one senior parent receives \$125 in state disability. The minor parent has no income. The minor parent's child receives a \$300 death benefit (for his/her deceased second parent). The family lives in Region 1 and is nonexempt.

The senior parent (mom) applies for her child, the minor parent, who is CalWORKs eligible. The applicant senior parent has care and control of the minor parent's child, so the minor parent is considered an eligible child and is the applicant child in this example. The mandatory AU is the minor parent, as an eligible 'applicant' child, and both senior parents because their child is the applicant child. The minor parent's child is an optional AU member in this example.

Note: In such situations, the county should first fully explain the options and outcomes to the family for including the minor's child in the AU or excluding him/her from the AU. Normally, aid would be requested for such a child. However, in this example, after the county fully explained the options to the family, they declined aid for the minor parent's child because this child has a separate source of income (death benefit). Therefore, neither the needs nor the income of the minor's child will be considered in this example.

Grant Computation:

\$125	Disability-Based Unearned Income
<u>- 225</u>	Income Disregard
0	Net Nonexempt Disability-Based Income
\$100	Remainder of \$225 Income Disregard
\$800	Gross Family Earned Income
<u>- 100</u>	Remainder of \$225 Income Disregard
\$700	Earnings Subject to 50% Disregard
<u>-350</u>	50% Earned Income Disregard
\$350	Total Net Nonexempt Income
\$350	Net Nonexempt Earned Income
<u>+ 0</u>	Other Nonexempt Unearned Income
\$350	Net Nonexempt Income
\$679	Family MAP for an AU of 3 in Region 1
<u>- 350</u>	Net Nonexempt Income
\$329	Actual Grant Amount

Example #2:

The minor parent and her child live with both senior parents who are married. There is one sibling to the minor parent living with them. One senior parent earns \$1149 and is full time employed. Neither the minor parent, nor his/her sibling has CalWORKs deprivation. The sibling and minor parent have no income. The family lives in Region 1 and is nonexempt.

The senior parent applies for aid for the minor parent's child. It has been determined that the minor parent has care and control of her child. The mandatory AU is the minor parent's child (applicant child), and the minor parent (parent of applicant child). Neither senior parent can opt into the AU because neither has care and control of the minor parent's child and, therefore, cannot be a caretaker relative. The senior parents' income is considered available to meet the needs of the minor parent and the minor parent's child. The needs of both senior parents and the minor parent's sibling are also considered, along with the AU members (minor parent and her child), in the Family MAP computation as illustrated below.

Note: In the situation described above, the county should first fully explain the options and outcomes to the family and then determine, based on representations of the family and other relevant facts, who is the caretaker of the minor's child. This is important because, this determination can effect who may or may not be included in the AU.

Grant Computation:

\$1149	Gross Family Earned Income
- 225	Income Disregard
<u>\$ 924</u>	Earnings Subject to 50% Disregard
- 462	50% Earned Income Disregard
\$ 462	Total Net Nonexempt Income
\$ 920	Family MAP for an AU of 5 in Region 1
- 462	Net Nonexempt Income
<u>\$ 458</u>	Potential Grant

Compare

\$ 548	MAP for an AU of 2
\$ 458	Potential Grant
\$ 458	Actual Grant Amount (Lesser of Potential Grant or MAP AU of 2)

Example #3:

The minor parent, her child and the two senior parents live together. The minor parent does not have CalWORKs deprivation. One senior parent earns \$1100, the other senior parent earns \$100 and the minor parent has no income. The family lives in Region 1 and is nonexempt.

One senior parent applies for the minor parent's child (applicant child). It has been determined that this senior parent has care and control of the minor parent's child (see "Note" in example #2). The mandatory AU is the minor parent's child (applicant child), and the minor parent (as the parent of the applicant child). Since there is no CalWORKs deprivation for the minor parent, he/she is not eligible as a child in the AU. The senior parent with care and control is optional in or out of the AU, and in this example, chooses to be included in the AU. The other senior parent does not have the option to be in the AU since there can only be one nonparent caretaker in this AU. Both senior parents' income and needs are included in the Family MAP calculation, regardless of which senior parent is in the AU.

Grant Computation

\$1200	Gross Family Earned Income
<u>- 225</u>	Income Disregard
\$ 975	Earned Income Subject to 50% Disregard
<u>- 487.50</u>	50% Earned Income Disregard
\$ 487	Total Net Nonexempt Income (round down)

\$ 809	Family MAP for an AU of 4 in Region 1
<u>- 487</u>	Net Nonexempt Income
\$ 322	Potential Grant

Compare

\$ 679	MAP for an AU of 3
\$ 322	Potential Grant

\$ 322	Actual Grant Amount (Lesser of Potential Grant or MAP AU of 3)
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Attachment A
Senior/Minor Parent Cases

Example #4:

The minor parent and her child live with senior parent mom and the senior mom's spouse (stepparent). The stepparent earns \$700, the senior mom receives \$300 in SDI and \$100 in direct child support for the minor parent. In this example, the minor parent meets deprivation requirements and is otherwise eligible for CalWORKs as a child. The family lives in Region 1 and is nonexempt.

The senior mom applies for the minor parent's child (applicant child). It has been determined that the senior mom has care and control of the minor parent's child. Although the senior mom is not requesting aid for herself, the mandatory AU is the senior mom, the minor parent's child (applicant child) and the minor parent. Under mandatory inclusion, the minor parent is initially included in the AU as a parent of an aided child. However, because the minor parent has deprivation, is otherwise eligible for CalWORKs, and does not have care and control of her child, she is deemed to be an aided child, rather than an aided "parent". Therefore, the senior mom would be a required AU member as a parent of an eligible child. Since the senior mom is in the AU, the stepparent's income and needs are counted in the grant calculation. In this example, the stepparent is an optional AU member and chooses not to be in the AU.

Note: In the situation described above, the county should first fully explain the options and outcomes to the family and then determine, based on representations of the family and other relevant facts, who is the caretaker of the minor's child. This is important because, if the minor parent had care and control of his/her child in this example, the senior mom would not be a mandatory AU member and this could result in a different treatment of the family's income.

Grant Computation

\$ 300	Disability Based Unearned Income
<u>- 225</u>	Income Disregard
\$ 75	Nonexempt Disability Income
\$ 700	Gross Family Earned Income Subject to 50% Disregard
<u>- 350</u>	50% Earned Income Disregard
\$ 350	Total Net Nonexempt Earned Income
\$ 350	Net Nonexempt Earned Income
+ 75	Nonexempt Disability Income
-100	Direct Child Support Payment
<u>- 50</u>	Child Support Disregard
\$ 475	Total Net Nonexempt Income
\$ 809	Family MAP for an AU of 4 in Region 1
<u>- 475</u>	Net Nonexempt Income
\$ 334	Potential Grant

Compare

\$ 679	MAP for an AU of 3
\$ 334	Potential Grant
\$ 334	Actual Grant Amount (Lesser of Potential Grant or MAP AU of 3)