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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (Division 9 added by Stats. 1965, Ch. 1784.)

PART 3. AID AND MEDICAL ASSISTANCE [11000 - 15771] (Part 3 added by Stats. 1965, Ch. 1784.)

CHAPTER 2. California Work Opportunity and Responsibility to Kids Act [11200 - 11526.5] (Heading of Chapter 2 amended by Stats. 1997, Ch. 270, Sec. 49.)

ARTICLE 3.5. Cal-Learn Program [11331 - 11334.7] (Article 3.5 added by Stats. 1993, Ch. 69, Sec. 36.)

11331. (a) The Legislature finds and declares that the connection between teenage parenting and long-term welfare dependency has been well documented by recent social science research. An estimated 60 percent of teenage parents who are currently receiving welfare will have 10 or more years of dependency on aid. Average time on aid for teenage parents is significantly longer than for parents who begin families at an older age.

(b) The Legislature finds that teenage parents who receive assistance under the CalWORKs program have unique education, vocational, training, health, and other social service needs that are not specifically provided for as part of the welfare-to-work activities. Research shows that successful programs that help teenage parents achieve self-sufficiency contain the following features:

- (1) A comprehensive range of health and social services.
 - (2) Adequate supportive services.
 - (3) A sympathetic and supportive program atmosphere.
 - (4) Individual attention, especially regarding education pace and plan.
 - (5) An open format and an extended period of program availability.
 - (6) Caring, nonjudgmental staff.
 - (7) Strong case management systems, including followup activities to determine whether a student is progressing in his or her studies.
- (c) The Legislature declares that this article is intended to ensure that the GAIN program does all of the following:
- (1) Provide the education and training services needed by teenage parents to help them earn a high school diploma or its equivalent, including vocational training and preparation that may be available through local education agencies.
 - (2) Link teenagers to other needed health and social services available in the community.

(Amended by Stats. 1998, Ch. 902, Sec. 40. Effective January 1, 1999. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11331.5. (a) Recipients of aid under this chapter who are under 19 years of age, who are pregnant or custodial parents, shall be required to participate in the program, subject to both of the following requirements:

- (1) The teen shall participate in the program until earning a high school diploma or its equivalent.
- (2) The teen shall participate in the program as a student attending school on a full-time basis, as normally defined by the school in which the participant enrolls.

(b) A teen, as defined in paragraph (2) of subdivision (d), may continue to participate in the program provided for under this article. A teen participating under this article pursuant to this subdivision shall be eligible for the same benefits as is any individual required to participate in the program.

(c) Notwithstanding subdivision (a), the county shall exempt a teen from the program, as verified by the county, subject to annual redetermination, when any of the following conditions occur:

- (1) The teen is expelled from school and obtains verification that no other school in the district will permit the teen to attend, and the case manager cannot arrange for enrollment in an alternative school.
- (2) The teen cannot receive payment for childcare or transportation expenses due to lack of program funding.
- (3) Childcare is necessary and unavailable.
- (4) Public or private transportation is necessary and unavailable.
- (5) A foster care payment is made under this chapter on behalf of the teen.
- (6) The teen has an illness, injury, or incapacity, as determined by a doctor's verification, that substantially deprives the teen of the ability to meet program requirements or to be successful in earning a high school diploma or its equivalent, and an alternative education program cannot be arranged.
- (7) The teen is in a situation or a crisis that is destabilizing their family, including, but not limited to, any of the following:
 - (A) Homelessness or imminent risk of homelessness.
 - (B) A lack of safety due to domestic violence.
 - (C) Untreated or undertreated behavioral and mental health needs.
 - (D) The misuse of controlled substances or alcohol.

(d) For the purposes of this article, "teen" or "teenage parent" means either of the following:

- (1) A custodial parent or pregnant person under 19 years of age, who is required to participate pursuant to subdivision (a).
- (2) A custodial parent or pregnant person 19 years of age who, prior to becoming 19 years of age, was participating in the program pursuant to subdivision (a), and who is otherwise eligible for voluntary continued participation in the program.

(Amended by Stats. 2023, Ch. 615, Sec. 5. (SB 521) Effective January 1, 2024.)

11331.7. Counties shall arrange for the provision of education and supportive services that teenage parents need to successfully participate in the Cal-Learn Program. The county shall identify the need of each individual for, and the method of providing, the following services:

- (a) Supportive services, including child care and transportation, as specified in Section 11323.2. Supportive services shall be limited to those that are necessary to enable the teenage parent to attend school regularly.
- (b) Intensive case management services, as described in Section 11332.5.
- (c) Any other services necessary for the teen parent to successfully participate in the Cal-Learn Program, that may include, but not be limited to, mental health services and substance abuse treatment.

(Amended by Stats. 1998, Ch. 902, Sec. 42. Effective January 1, 1999. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11332. (a) Participation by a teenage parent shall be deferred if the county determines that any of the services an individual is assessed as needing pursuant to Section 11331.7 are not available.

(b) Participation by a teenage parent shall be deferred so long as the individual has a special need that directly affects his or her ability to attend school or be successful in earning a high school diploma and the special need cannot be addressed.

(c) Participation by a teenage parent shall be deferred after the birth of a child for a period of postpartum recovery as prescribed by a physician.

(Amended by Stats. 1993, Ch. 1252, Sec. 10. Effective January 1, 1994. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11332.5. (a) Counties shall arrange for the provision of case management services and counseling to teenage parents to assist their participation in the Cal-Learn Program. Case management services shall include all of the following:

(1) Designing a realistic plan that assists in maximizing the ability of each client to graduate from high school or its equivalent and includes referrals to services that:

(A) Reduce the incidence of maternal and child morbidity and mortality, including the incidence of low birthweight infants.

(B) Enhance the teen's parenting skills.

(C) Facilitate an effective ongoing relationship between the teenage parent, the noncustodial parent, and the child where it is in the best interest of the child and the teenage parent.

(D) Assess the suitability of the teenage parent's living situation, including, but not limited to, the physical and emotional health and safety of the teenage parent and the child.

(2) Providing referrals to appropriate community services needed to assist the teenage parent's return to school.

(3) Monitoring each client's progress and making the necessary changes to improve the individual's program.

(4) (A) Acting as a counselor, colleague, and role model so that each teenage parent has someone to trust and to turn to for advice, guidance, and ideas.

(B) Case managers should be prepared to provide intensive counseling during all phases of a teenage parent's progress through the program.

(5) Ensuring that each teenage parent understands the program requirements and the consequences of not making adequate or satisfactory progress required under this article.

(b) Counties shall afford case managers assigned to assist teenage parents sufficient time to provide the needed case management services.

(c) (1) Case managers assigned to assist teenage parents shall possess an expertise in understanding the education, training, and other social and health service needs of teenage parents, as well as the local programs that provide these services.

(2) Each county, in conjunction with the department, shall provide training to persons assigned to work with teenage parents to develop the expertise required by paragraph (1).

(d) The county plan required by Section 11320.6 shall describe the way each county proposes to provide case management services to teenage parents.

(Amended by Stats. 1993, Ch. 1252, Sec. 11. Effective January 1, 1994. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11332.7. (a) Notwithstanding Article 3.2 (commencing with Section 11320), there shall be no limits on the amount of time that a teen under 19 years of age may participate in the initial education components of the program in order to achieve a high school diploma or its equivalent.

(b) A teen who begins participation in the program before 19 years of age may continue to receive needed intensive case management services after 19 years of age until the individual earns a high school diploma or its equivalent.

(c) A month in which a recipient participates in the program pursuant to this section shall not be counted as a month of receipt of aid for the purposes of subdivision (a) of, and paragraph (1) of subdivision (b) of, Section 11454.

(Amended by Stats. 2023, Ch. 615, Sec. 6. (SB 521) Effective January 1, 2024.)

11333. (a) Except as provided in subdivision (b), counties shall contract for the provision of intensive case management services, as described in subdivision (b) of Section 11331.7 and in Section 11332.5, with public or nonprofit agencies or school districts that administer services pursuant to one or more of the following intensive case management models:

(1) The Adolescent Family Life Program (Article 1 (commencing with Section 124175) of Chapter 4 of Part 2 of Division 106 of the Health and Safety Code).

(2) A home visiting model approved by the department for the CalWORKs Home Visiting Program established pursuant to Article 3.4 (commencing with Section 11330.6), with priority on models that have demonstrated relevance serving the Cal-Learn population.

(3) Evidence-based home visiting models as identified by the United States Department of Health and Human Services that serve the specific demographic of Cal-Learn.

(b) In cases where services from contractors administering one or more of the models specified in subdivision (a) are not available or cost effective, counties may contract with other public or nonprofit agencies or school districts for intensive case management services or provide intensive case management services directly if all the following conditions are met:

(1) The department has determined that the proposed intensive case management model conforms with the standards and scope of services of an evidence-based model of the Adolescent Family Life Program, meets the same criteria as an evidence-based model identified by the United States Department of Health and Human Services, HomVEE review, or conforms to an intensive case management model specified or required by the department.

(2) The submitted county plan is determined by the department to sufficiently document that a model specified in subdivision (a) is not available or cost effective.

(3) The county has consulted with applicable local health agencies to assist in the implementation of the provision of services provided in the intensive case management model.

(c) Counties shall include approved contractors pursuant to subdivision (a) or (b) in their planning of the Cal-Learn Program to ensure participation in the county's planning and implementation of the Cal-Learn program.

(d) The department shall consult with the State Department of Public Health to implement the purposes of this program.

(e) It is the intent of the Legislature to review the implementation of the changes to this section enacted by the act that added this subdivision during the course of the 2020–21 fiscal year to determine how these changes impact service delivery and counties' ability to maintain service levels as they existed in 2019–20 and prior to these changes.

(Amended by Stats. 2020, Ch. 11, Sec. 56. (AB 79) Effective June 29, 2020. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11333.5. (a) Counties shall develop linkages with local service providers that serve teenage parents.

(b) The county plan shall specifically describe those required services that are available to teenage parents, as follows:

(1) An identification of available services to teenagers.

(2) The extent to which these programs are currently serving AFDC recipients.

(3) The resources that these programs may make available to GAIN participants.

(4) The linkages established with these programs.

(c) The department shall review each county's plan to determine both of the following:

(1) Whether the intensity of case management services provided by the county meets the requirements of subdivision (b) of Section 11331.7.

(2) Whether the availability of services to teenagers is adequate.

(Amended by Stats. 1998, Ch. 902, Sec. 43. Effective January 1, 1999. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11333.7. (a) A participating or exempt student, as described in Section 11331.5, or a deferred student, as described in Section 11332, shall, not more than four times in a calendar year, receive a one-hundred-dollar (\$100) supplement to the amount of aid paid pursuant to Section 11450.

(b) A participant required to participate pursuant to Section 11333.5 who successfully completes high school or a California high school equivalency examination shall receive a five-hundred-dollar (\$500) supplement. An assistance unit shall not receive a one-hundred-dollar (\$100) supplement when a five-hundred-dollar (\$500) supplement for the same report card or progress report is paid. The five-hundred-dollar (\$500) supplement shall be paid to the teen in the month following submission of the record of completion, if

received by the county no later than the 11th calendar day of the month, or in the second month following submission of the record of completion, if received by the county after the 11th calendar day of the month.

(c) (1) For purposes of this section, in a school that provides periodic report cards with letter grades, satisfactory progress means maintaining a grade point average of at least 2.0 on a scale on which A equals 4.0 points and F equals 0 points, and adequate progress means maintaining a grade point average of at least 1.0 on the same scale.

(2) For purposes of this section, in a school or other educational program that does not provide letter grades indicating student performance, satisfactory progress or inadequate progress shall be determined by the school's regular assessment of periodic progress.

(Repealed and added by Stats. 2023, Ch. 615, Sec. 8. (SB 521) Effective January 1, 2024.)

11334.2. Sanctions and bonuses pursuant to Section 11333.7 shall be applied in the first quarter following participant notification of program requirements.

(Amended by Stats. 1998, Ch. 902, Sec. 46. Effective January 1, 1999. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11334.5. Notwithstanding Sections 11322 and 11322.2, the state shall fund 100 percent of the nonfederal share of case management and supportive services provided under the Cal-Learn program. The net costs of bonuses and sanctions provided pursuant to Section 11330.10 shall be subject to the same financial participation as payment under subdivision (a) of Section 11450, and administrative cost associated with applying these bonuses and sanctions shall be subject to the financial participation specified in Section 15204.2.

(Added by Stats. 1993, Ch. 69, Sec. 36. Effective June 30, 1993. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11334.51. (a) The department shall reduce the allocation of money from Items 5180-151-001 and 5180-151-890 of the Budget Act with respect to any county to which both of the following apply:

(1) The county did not have an approved Cal-Learn county plan pursuant to Section 11333.5 as of April 1, 1995, or subsequently amends the plan in the manner set forth in paragraph (2).

(2) The county has taken action to enter into an agreement with the department for less than full implementation of this article and an agreement is in effect on July 1, 1996.

(b) The amount of the reduction required by subdivision (a) shall be an amount equal to three times the full cost incurred by the department to implement the affected function.

(Added by Stats. 1995, Ch. 307, Sec. 6. Effective August 3, 1995. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

11334.6. (a) The department shall provide to the budget committees of the Legislature, no later than February 1, 2013, and, notwithstanding Section 10231.5 of the Government Code, on February 1 annually thereafter, a report that includes all of the following information:

(1) The number of counties implementing a Cal-Learn Program.

(2) The number of recipients being served in each county with intensive case management services.

(3) Outcomes for recipients, including graduation rates and repeat pregnancies.

(b) The report described in subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(Added by Stats. 2012, Ch. 47, Sec. 22. (SB 1041) Effective June 27, 2012.)

11334.7. The director may provide funds to support this article in an item separate from other welfare-to-work activities, and these funds shall not be subject to Section 11322.4.

(Amended by Stats. 1998, Ch. 902, Sec. 47. Effective January 1, 1999. As prescribed in former Section 11334.8, this section (as part of Article 3.5) resumed full operation on April 1, 2013, after a period of inoperation or limited operation. Note: Former Section 11334.8 was last amended by Stats. 2012, Ch. 439, before its repeal on April 1, 2013.)

