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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 3.2. Welfare-to-Work Activities [11320 - 11329.5] (*Heading of Article 3.2 amended (as added by Stats. 1990, Ch. 1568) by Stats. 1997, Ch. 270, Sec. 59.)*

11320. Any reference to the Greater Avenues for Independence program or (GAIN) shall mean the welfare-to-work activities under the CalWORKs program provided for in this article.

(*Repealed and added by Stats. 1997, Ch. 270, Sec. 61. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.*)

11320.1. (a) Subsequent to the commencement of the receipt of aid under this chapter, the sequence of employment-related activities required of recipients under this article, unless exempted under Section 11320.3, shall be as follows:

(1) Orientation and appraisal. Recipients shall, and applicants may, at the option of a county and with the consent of the applicant, receive orientation to the welfare-to-work program provided under this article and receive appraisal pursuant to Section 11325.2.

(2) (A) After orientation and appraisal, if determined appropriate based on the appraisal, the county shall offer the recipient the opportunity to participate in family stabilization pursuant to Section 11325.24, and, if available, substance abuse, mental health, or domestic violence services. If not determined to be appropriate based on the appraisal, or if the county determines that proceeding to assessment pursuant to paragraph (3) would not interfere with those services, the recipient shall participate in the assessment.

(B) A recipient who has not received their high school diploma or its equivalent shall be offered a welfare-to-work plan pursuant to Section 11325.21 to participate in a high school education program or high school equivalency program, as described in Section 11325.3. If the recipient declines to participate in the educational activities described in this subparagraph, and to instead participate in assessment, as provided for in Section 11325.4, the recipient shall make that election in writing. Following assessment, the county and the recipient shall develop a welfare-to-work plan, as specified in Section 11325.21. The plan shall specify the activities provided for in Section 11322.6 to which the recipient shall be assigned, and the supportive services, as provided for pursuant to Section 11323.2, with which the recipient will be provided.

(3) Assessment. After orientation and appraisal, if not exempt pursuant to Section 11320.3, the recipient shall be referred to assessment, as provided for in Section 11325.4. Following assessment, the county and the recipient shall develop a welfare-to-work plan, as specified in Section 11325.21. The plan shall specify the activities provided for in Section 11322.6 to which the recipient shall be assigned, and the supportive services, as provided for pursuant to Section 11323.2, with which the recipient will be provided.

(4) Work activities. A recipient who has signed a welfare-to-work plan pursuant to Section 11325.21 shall participate in work activities, as described in this article.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made to this section by the act that added this subdivision by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2025, Ch. 79, Sec. 8. (SB 119) Effective July 29, 2025. Conditionally inoperative on or after July 1, 2026, as prescribed by its own provisions. Conditionally repealed January 1 following the inoperative date. See later operative version added by Sec. 9 of Stats. 2025, Ch. 79.)

11320.1. (a) Subsequent to the commencement of the receipt of aid under this chapter, the sequence of activities of counties and recipients under this article, unless exempted under Section 11320.3, shall be as follows:

(1) (A) Orientation and appraisal. The county shall provide recipients with a combined appraisal and an orientation to the welfare-to-work program provided under this article, unless the recipient has attended an appraisal in the past 12 months.

(B) The county shall provide the recipient with a blank simplified appraisal form, as set forth in Section 11325.15, and an online link to the form that the individual can return in person, by mail, or electronically. The appraisal shall gather and provide information about the applicant in all of the following areas:

(i) Housing status and stability.

(ii) Language barriers.

(iii) Physical and behavioral health, including mental health and substance abuse issues.

(iv) Child physical and behavioral health and well-being.

(v) Criminal background that may present a barrier to employment or housing stability.

(vi) The individual's assessment of their skills, prior work experience, and employability. The individual may indicate they would like assistance with this assessment.

(vii) Need for supportive services, as described in Section 11323.2.

(viii) Any other barrier the individual chooses to identify.

(C) Orientation shall include all of the following:

(i) A review of the full range of the welfare-to-work activities described in Section 11322.6 and supportive services described in Section 11323.2.

(ii) Information on the bases for exemption described in Section 11320.3, how to request an exemption, and the opportunity to participate and receive supportive services as an exempt volunteer.

(iii) An offer to be screened and evaluated for a learning disability.

(iv) Information regarding the ability to request barrier removal services and referrals at any time.

(v) Provision of a welfare-to-work plan, as described in Section 11325.21, and information on alternative ways to submit the plan, including electronically. The recipient may attend orientation in person, by telephone, or by any alternative mode the county has available that the recipient chooses.

(vi) The county shall ask if the recipient has a physical, mental, or emotional circumstance that would interfere with their participation in welfare-to-work activities. If the recipient discloses a barrier, the county shall review the recipient's case for and provide exemptions pursuant to Section 11320.3 and offer services to assist with barrier removal.

(D) Pursuant to Section 11325.15, the department shall develop a standardized statewide orientation and appraisal, in consultation with stakeholders. Counties may add county-specific information to the standardized orientation.

(2) Initial engagement activities may include other activities, if eligible, such as family stabilization pursuant to Section 11325.24, or substance abuse, mental health, or domestic violence services, as described in paragraph (1). The recipient shall make that election verbally or in writing on the welfare-to-work plan.

(3) Create welfare-to-work plan. After completing orientation and appraisal, the participant may complete and return the welfare-to-work plan to the county.

(4) (A) Assessment and welfare-to-work plan development.

(B) If a recipient has not either completed a simplified appraisal or a welfare-to-work plan within 45 days of being approved for aid, or if a recipient has requested county assistance, as described in paragraph (11) of subdivision (a) of Section 11325.2, the county shall set an appointment, which may include an assessment to collaboratively develop the plan, as described in Section 11325.4. The notice to the recipient of the appointment shall include a blank welfare-to-work plan, as described in Section 11325.21, and information on alternative ways to submit the plan. The assessment shall be conducted in person, by telephone, or by any alternative mode the county has available that the recipient chooses.

(C) The plan development appointment may be in person, by telephone, or by any alternative mode the county has available that the recipient chooses. The recipient may complete and return a welfare-to-work plan in lieu of attending the appointment. The plan, as set forth in Section 11325.21, shall be developed within 90 days of approval of aid.

(5) Work activities. At the completion of the welfare-to-work plan development, the recipient shall sign the plan in person, or by any alternative mode of providing a signature, as available in the county, including, but not limited to, electronic, telephonic, and oral attestation. A recipient who has signed a welfare-to-work plan described in Section 11325.21 shall participate in work activities, as described in this article.

(6) The county shall regularly review the welfare-to-work plan with the participant to ensure that the plan accurately reflects the current services and participation activities the county feels are best suited to support their well-being. During times that the county has personal contacts with the participant, or during other outreach efforts made by the county, the county shall offer to review the welfare-to-work activities. If those contacts or other outreach efforts have not occurred, and no other plan adjustments have been made to the plan within the past six months, the county shall send the participant a written notice along with their current plan and information on how to contact the county to make any plan adjustments.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

(Repealed (in Sec. 8) and added by Stats. 2025, Ch. 79, Sec. 9. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11320.15. (a) After a participant has been removed from the assistance unit pursuant to subdivision (a) of Section 11454, additional welfare-to-work services may be provided to the recipient, at the option of the county. If the county provides services to the recipient after the 48-month limit has been reached, the recipient shall participate in community service or subsidized employment, as described in Section 11322.64.

(b) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement Section 11320.15, as added by the act that added this subdivision, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 43. (AB 79) Effective June 29, 2020. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11320.15. (a) After a participant has been removed from the assistance unit pursuant to subdivision (a) of Section 11454, additional welfare-to-work services may be provided to the recipient, at the option of the county. If the county provides services to the recipient after the 60-month limit has been reached, the recipient shall participate in community service or subsidized employment, as described in Section 11322.64.

(b) This section shall become operative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

(Added by Stats. 2020, Ch. 11, Sec. 44. (AB 79) Effective June 29, 2020. Operative on or after May 1, 2022, as prescribed by its own provisions.)

11320.16. Employment services may be provided to a noncustodial parent of a child receiving benefits under the CalWORKs program, at the option of the county, from the county's CalWORKs single allocation funds described in Section 15204.2.

(Added by Stats. 2017, Ch. 355, Sec. 2. (SB 282) Effective January 1, 2018.)

11320.3. (a) (1) Except as provided in subdivision (b) or if otherwise exempt, every individual, as a condition of eligibility for aid under this chapter, shall participate in welfare-to-work activities under this article.

(2) Individuals eligible under Section 11331.5 shall be required to participate in the Cal-Learn Program under Article 3.5 (commencing with Section 11331) in lieu of the welfare-to-work requirements, and subdivision (b) shall not apply to that individual.

(b) The following individuals shall not be required to participate for so long as the condition continues to exist:

(1) An individual under 16 years of age.

(2) (A) A child attending an elementary, secondary, vocational, or technical school on a full-time basis.

(B) A person who is 16 or 17 years of age who has obtained a high school diploma or its equivalent and is enrolled or is planning to enroll in a postsecondary education, vocational, or technical school training program shall not be required to participate for so long as the condition continues to exist.

(C) For purposes of subparagraph (B), a person shall be deemed to be planning to enroll in a postsecondary education, vocational, or technical school training program if the person or the person's parent, acting on the person's behalf, submits a written statement expressing the person's intent to enroll in a program for the following term. The exemption from participation shall not continue beyond the beginning of the term, unless verification of enrollment is provided or obtained by the county.

(3) An individual who meets either of the following conditions:

(A) The individual is disabled as determined by a doctor's verification that the disability is expected to last at least 30 days and that it significantly impairs the recipient's ability to be regularly employed or participate in welfare-to-work activities, provided that the individual is actively seeking appropriate medical treatment.

(B) The individual is of advanced age.

(4) A nonparent caretaker relative who has primary responsibility for providing care for a child and is either caring for a child who is a dependent or ward of the court or caring for a child in a case in which a county determines the child is at risk of placement in foster care, and the county determines that the caretaking responsibilities are beyond those considered normal day-to-day parenting responsibilities such that they impair the caretaker relative's ability to be regularly employed or to participate in welfare-to-work activities.

(5) An individual whose presence in the home is required because of illness or incapacity of another member of the household and whose caretaking responsibilities impair the recipient's ability to be regularly employed or to participate in welfare-to-work activities.

(6) A parent or other relative who meets the criteria in subparagraph (A) or (B).

(A) (i) The parent or other relative has primary responsibility for personally providing care to a child six months of age or under, except that, on a case-by-case basis, and based on criteria developed by the county, this period may be reduced to the first 12 weeks after the birth or adoption of the child, or increased to the first 12 months after the birth or adoption of the child. An individual may be exempt only once under this clause.

(ii) An individual that received an exemption pursuant to clause (i) shall be exempt for a period of 12 weeks, upon the birth or adoption of any subsequent children, except that this period may be extended on a case-by-case basis to six months, based on criteria developed by the county.

(iii) In making the determination to extend the period of exception under clause (i) or (ii), the following may be considered:

(I) The availability of childcare.

(II) Local labor market conditions.

(III) Other factors determined by the county.

(iv) Effective January 1, 2013, the parent or other relative has primary responsibility for personally providing care to one child from birth to 23 months, inclusive. The exemption provided for under this clause shall be available in addition to any other exemption provided for under this subparagraph. An individual may be exempt only once under this clause.

(B) In a family eligible for aid under this chapter due to the unemployment of the principal wage earner, the exemption criteria contained in subparagraph (A) shall be applied to only one parent.

(7) A recipient who is pregnant. A pregnant recipient may volunteer to participate in welfare-to-work activities.

(c) An individual not required to participate may choose to participate voluntarily under this article, and end that participation at any time without loss of eligibility for aid under this chapter, if the individual's status has not changed in a way that would require participation.

(d) (1) Notwithstanding subdivision (a), a custodial parent who is under 20 years of age and who has not earned a high school diploma or its equivalent, and who is not exempt, or deferred, as described in Section 11332, or whose only basis for exemption is paragraph (1), (2), (5), (6), or (7) of subdivision (b), shall be required to participate solely for the purpose of earning a high school diploma or its equivalent. During the time that Article 3.5 (commencing with Section 11331) is operative, this subdivision shall only apply to a custodial parent who is 19 years of age. Participating, exempt, or deferred custodial parents shall remain eligible to receive case management and supportive services, if available, and are not subject to sanctions.

(2) Section 11325.25 shall apply to a custodial parent who is 18 or 19 years of age and who is required to participate under this article.

(e) Notwithstanding paragraph (1) of subdivision (d), the county may determine that participation in education activities for the purpose of earning a high school diploma or equivalent is inappropriate for a custodial parent who is 18 or 19 years of age only if that parent is reassigned pursuant to an evaluation under Section 11325.25, or, at appraisal is already in an educational or vocational training program that is approvable as a self-initiated program as specified in Section 11325.23. If that determination is made, the parent shall be allowed to continue participation in the self-initiated program subject to Section 11325.23. During the time that Article 3.5 (commencing with Section 11331) is operative, this subdivision shall only apply to a custodial parent who is 19 years of age.

(f) A recipient shall be excused from participation for good cause when the county has determined there is a condition or other circumstance that temporarily prevents or significantly impairs the recipient's ability to be regularly employed or to participate in welfare-to-work activities. The county human services agency shall review the good cause determination for its continuing appropriateness in accordance with the projected length of the condition, or circumstance, but not less than every three months. The recipient shall cooperate with the county human services agency and provide information, including written documentation, as required to complete the review. Conditions that may be considered good cause include, but are not limited to, the following:

(1) Lack of necessary supportive services.

(2) In accordance with Article 7.5 (commencing with Section 11495), the applicant or recipient is a victim of domestic violence, but only if participation under this article is detrimental to or unfairly penalizes that individual or their family.

(3) Licensed or license-exempt childcare for a child 10 years of age or younger is not reasonably available during the individual's hours of training or employment including commuting time, or arrangements for childcare have broken down or have been interrupted, or childcare is needed for a child who meets the criteria of subparagraph (C) of paragraph (1) of subdivision (a) of Section 11323.2, but who is not included in the assistance unit. For purposes of this paragraph, "reasonable availability" means childcare that is commonly available in the recipient's community to a person who is not receiving aid and that is in conformity with the requirements of Public Law 104-193. The choices of childcare shall meet either licensing requirements or the requirements of Section 11324. This good cause criterion shall include the unavailability of suitable special needs childcare for children with identified special needs, including, but not limited to, disabilities or chronic illnesses.

(4) Denial of reasonable accommodations for pregnant or parenting students in violation of Title IX of the federal Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.).

(Amended by Stats. 2023, Ch. 615, Sec. 2. (SB 521) Effective January 1, 2024.)

11320.31. (a) Sanctions shall not be applied for a failure or refusal to comply with program requirements for reasons related to employment, an offer of employment, an activity, or other training for employment, including, but not limited to, the following reasons:

(1) The employment, offer of employment, activity, or other training for employment discriminates on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code.

- (2) The employment or offer of employment exceeds the daily or weekly hours of work customary to the occupation, the recipient provides documentation to the county human services agency that the anticipated hours would be so unpredictable for that specific recipient that they would not allow the recipient to anticipate compliance with program requirements related to the job, or the recipient provides documentation to the county human services agency that the scheduled hours exhibit a pattern of unpredictability for that specific recipient that does not allow the recipient to anticipate compliance with program requirements related to the job.
- (3) The employment, offer of employment, activity, or other training for employment requires travel to and from the place of employment, activity, or other training and a recipient's home that exceeds a total of two hours in round trip time, exclusive of the time necessary to transport family members to a school or place providing care, or, if walking is the only available means of transportation, the round trip is more than two miles, exclusive of the mileage necessary to accompany family members to a school or a place providing care. A recipient who fails or refuses to comply with the program requirements based on this paragraph shall be required to participate in community service activities pursuant to Section 11322.9.
- (4) The employment, offer of employment, activity, or other training for employment involves conditions that are in violation of applicable health and safety standards.
- (5) The employment, offer of employment, or work activity does not provide for workers' compensation insurance.
- (6) Accepting the employment or work activity would cause an interruption in an approved education or job training program in progress that would otherwise lead to employment and sufficient income to be self-supporting, excluding work experience or community service employment as described in subdivisions (d) and (j) of Section 11322.6 and Section 11322.9 or other community work experience assignments, except that a recipient may be required to engage in welfare-to-work activities to the extent necessary to meet the hours of participation required by Section 11322.8.
- (7) Accepting the employment, offer of employment, or work activity would cause the recipient to violate the terms of the recipient's union membership.
- (8) The recipient states that the employment or offer of employment fails to comply with the Healthy Workplaces, Healthy Families Act of 2014 (Article 1.5 (commencing with Section 245) of Chapter 1 of Part 1 of Division 2 of the Labor Code).
- (9) The recipient states that the recipient experienced sexual harassment or other abusive conduct at the workplace. For purposes of this section, "abusive conduct" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 12950.1 of the Government Code.
- (10) The recipient states that the recipient's rights under the Wage Theft Prevention Act of 2011 were violated.
- (11) The recipient states that the recipient's rights under the Domestic Worker Bill of Rights (Part 4.5 (commencing with Section 1450) of Division 2 of the Labor Code) were violated.
- (12) The recipient states that the recipient's rights under the CROWN Act (Section 212.1 of the Education Code and subdivisions (w) and (x) of Section 12926 of the Government Code) were violated.
- (13) The recipient states that the recipient's rights under the California Family Rights Act (Section 12945.2 of the Government Code) were violated.
- (14) The recipient states that the recipient's rights under the Garment Worker Protection Act were violated (Sections 1174.1, 2670, 2671, 2673, 2673.1, 2673.2, and 2675.5 of the Labor Code) were violated.
- (15) The recipient states that the recipient's rights under the Fair Chance Act (Section 12952 of the Government Code) or Section 432.7 of the Labor Code were violated.
- (16) The recipient states that the recipient's rights under the Gender Nondiscrimination Act, as contained in Sections 12926, 12940, 12949, and 12955 of the Government Code, were violated.
- (17) The recipient states that the recipient's rights under Section 432.6 of the Labor Code were violated.
- (18) The recipient states that the recipient's rights under Section 12945.8 of the Government Code were violated.
- (19) The recipient states that the recipient's rights under the Family-School Partnership Act (Section 230.8 of the Labor Code) were violated.
- (20) The recipient states that the recipient's rights to lactation accommodations were violated under Section 1031, 1032, 1033, or 1034 of the Labor Code.

(21) The recipient states that the recipient's rights under any federal, state, or local labor or employment law were violated.

(22) The recipient requires pregnancy- or parenting-related accommodations covered under Title IX of the federal Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), or Section 66252, 66271.9, or 66281.7 of the Education Code, including, but not limited to, excused absences to attend child medical appointments, and has not received adequate accommodations.

(b) For purposes of subdivision (a), verification of the recipient's statement is not required. The recipient need not reference any specific law in stating that their rights were violated.

(c) Relief from a program sanction provided pursuant to this section shall last no longer than three months from the first date of the failure or refusal to comply with program requirements.

(d) If an applicant or recipient reports refusing any offer of employment, reducing hours, voluntarily quitting any employment, or being discharged from any employment, the county human services agency shall provide the applicant or recipient with information regarding workplace rights generally, including information about how to file complaints with the Division of Labor Standards Enforcement and the Civil Rights Department. The State Department of Social Services shall convene a stakeholder workgroup to develop instructions for county human services agencies on how to best inform applicants and recipients of their workplace rights and available remedies, and how to document an applicant's or recipient's statement of circumstances as required by this section. The stakeholder workgroup may be convened concurrently with an existing department stakeholder meeting. The stakeholder workgroup shall include, but is not limited to, representatives of organizations representing all of the following: County Welfare Directors Association of California, CalWORKs recipients, workers' rights advocates, CalWORKs advocates, social workers, and any relevant state, county, or city government agencies. A county human services agency shall follow the instructions developed by the stakeholder workgroup.

(e) County human services agencies shall not be required or expected to provide any legal advice to recipients. Any information or materials provided to a recipient regarding workplace rights, including those developed and provided pursuant to subdivision (d), is not intended to be legal advice.

(f) This section shall become inoperative on October 1, 2024, or when the State Department of Social Services notifies the Legislature that the Statewide Automated Welfare System (SAWS) can perform the necessary automation to implement Section 11320.31, as added by the act that added this subdivision, whichever is later, and, as of January 1 of the following year, is repealed.

(Amended (as amended by Stats. 2023, Ch. 615, Sec. 3) by Stats. 2024, Ch. 967, Sec. 8. (AB 2499) Effective January 1, 2025. Conditionally inoperative on or after October 1, 2024, by its own provisions. Repealed conditionally by its own provisions. See later operative version, as amended by Sec. 9 of Stats. 2024, Ch. 967.)

11320.31. (a) Sanctions shall not be applied for a failure or refusal to comply with program requirements for reasons related to employment, an offer of employment, an activity, or other training for employment, including, but not limited to, the following reasons:

(1) The employment, offer of employment, activity, or other training for employment discriminates on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code.

(2) The employment or offer of employment exceeds the daily or weekly hours of work customary to the occupation, the recipient provides documentation to the county human services agency that the anticipated hours would be so unpredictable for that specific recipient that they would not allow the recipient to anticipate compliance with program requirements related to the job, or the recipient provides documentation to the county human services agency that the scheduled hours exhibit a pattern of unpredictability for that specific recipient that does not allow the recipient to anticipate compliance with program requirements related to the job.

(3) The employment, offer of employment, activity, or other training for employment requires travel to and from the place of employment, activity, or other training and a recipient's home that exceeds a total of two hours in round trip time, exclusive of the time necessary to transport family members to a school or place providing care, or, if walking is the only available means of transportation, the round trip is more than two miles, exclusive of the mileage necessary to accompany family members to a school or a place providing care. A recipient who fails or refuses to comply with the program requirements based on this paragraph shall be required to participate in community service activities pursuant to Section 11322.9.

(4) The employment, offer of employment, activity, or other training for employment involves conditions that are in violation of applicable health and safety standards.

(5) The employment, offer of employment, or work activity does not provide for workers' compensation insurance.

(6) Accepting the employment or work activity would cause an interruption in an approved education or job training program in progress that would otherwise lead to employment and sufficient income to be self-supporting, excluding work experience or

community service employment as described in subdivisions (d) and (j) of Section 11322.6 and Section 11322.9 or other community work experience assignments, except that a recipient may be required to engage in welfare-to-work activities to the extent necessary to meet the hours of participation required by Section 11322.8.

(7) Accepting the employment, offer of employment, or work activity would cause the recipient to violate the terms of the recipient's union membership.

(8) The recipient states that the employment or offer of employment fails to comply with the Healthy Workplaces, Healthy Families Act of 2014 (Article 1.5 (commencing with Section 245) of Chapter 1 of Part 1 of Division 2 of the Labor Code).

(9) The recipient states that the recipient experienced sexual harassment or other abusive conduct at the workplace. For purposes of this section, "abusive conduct" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 12950.1 of the Government Code.

(10) The recipient states that the recipient's rights under the Wage Theft Prevention Act of 2011 were violated.

(11) The recipient states that the recipient's rights under the Domestic Worker Bill of Rights (Part 4.5 (commencing with Section 1450) of Division 2 of the Labor Code) were violated.

(12) The recipient states that the recipient's rights under the CROWN Act (Section 212.1 of the Education Code and subdivisions (w) and (x) of Section 12926 of the Government Code) were violated.

(13) The recipient states that the recipient's rights under the California Family Rights Act (Section 12945.2 of the Government Code) were violated.

(14) The recipient states that the recipient's rights under the Garment Worker Protection Act were violated (Sections 1174.1, 2670, 2671, 2673, 2673.1, 2673.2, and 2675.5 of the Labor Code) were violated.

(15) The recipient states that the recipient's rights under the Fair Chance Act (Section 12952 of the Government Code) or Section 432.7 of the Labor Code were violated.

(16) The recipient states that the recipient's rights under the Gender Nondiscrimination Act, as contained in Sections 12926, 12940, 12949, and 12955 of the Government Code, were violated.

(17) The recipient states that the recipient's rights under Section 432.6 of the Labor Code were violated.

(18) The recipient states that the recipient's rights under Section 12945.8 of the Government Code were violated.

(19) The recipient states that the recipient's rights under the Family-School Partnership Act (Section 230.8 of the Labor Code) were violated.

(20) The recipient states that the recipient's rights to lactation accommodations were violated under Section 1031, 1032, 1033, or 1034 of the Labor Code.

(21) The recipient states that the recipient's rights under any federal, state, or local labor or employment law were violated.

(22) The recipient requires pregnancy- or parenting-related accommodations covered under Title IX of the federal Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), or Section 66252, 66271.9, or 66281.7 of the Education Code, including, but not limited to, excused absences to attend child medical appointments, and has not received adequate accommodations.

(b) For purposes of subdivision (a), verification of the recipient's statement is not required. The recipient need not reference any specific law in stating that their rights were violated.

(c) Relief from a program sanction provided pursuant to this section shall last no longer than three months from the first date of the failure or refusal to comply with program requirements.

(d) (1) If an applicant or recipient reports refusing any offer of employment, reducing hours, voluntarily quitting any employment, or being discharged from any employment, the county human services agency shall provide the applicant or recipient with information regarding workplace rights generally, including information about how to file complaints with the Division of Labor Standards Enforcement and the Civil Rights Department. The State Department of Social Services shall convene a stakeholder workgroup to develop instructions for county human services agencies on how to best inform applicants and recipients of their workplace rights and available remedies, and how to document an applicant's or recipient's statement of circumstances as required by this section. The stakeholder workgroup may be convened concurrently with an existing department stakeholder meeting. The stakeholder workgroup shall include, but is not limited to, representatives of organizations representing all of the following: County Welfare Directors Association of California, CalWORKs recipients, workers' rights advocates, CalWORKs advocates, social workers, and any

relevant state, county, or city government agencies. A county human services agency shall follow the instructions developed by the stakeholder workgroup.

(2) The State Department of Social Services, along with the stakeholder workgroup, shall also develop instructions for county human services agencies on how best to issue an updated guidance to applicants and recipients of applicable rights under the California Family Rights Act (Section 12945.2 of the Government Code) and other new rights under federal, state, or local laws.

(e) County human services agencies shall not be required or expected to provide any legal advice to recipients. Any information or materials provided to a recipient regarding workplace rights, including those developed and provided pursuant to subdivision (d), is not intended to be legal advice.

(f) This section shall become operative on October 1, 2024, or when the State Department of Social Services notifies the Legislature that the Statewide Automated Welfare System (SAWS) can perform the necessary automation to implement this section, whichever is later.

(Amended (as amended by Stats. 2023, Ch. 615, Sec. 4) by Stats. 2024, Ch. 967, Sec. 9. (AB 2499) Effective January 1, 2025. Conditionally operative on or after October 1, 2024, by its own provisions.)

11320.32. (a) The department shall administer a voluntary Temporary Assistance Program (TAP) for current and future CalWORKs recipients who meet the exemption criteria for work participation activities set forth in Section 11320.3 and are not single parents who have a child under the age of one year. Temporary Assistance Program recipients shall be entitled to the same assistance payments and other benefits as recipients under the CalWORKs program. The purpose of this program is to provide cash assistance and other benefits to eligible families without any federal restrictions or requirements and without any adverse impact on recipients. The Temporary Assistance Program shall commence no later than October 1, 2016.

(b) CalWORKs recipients who meet the exemption criteria for work participation activities set forth in subdivision (b) of Section 11320.3, and are not single parents with a child under one year of age, shall have the option of receiving grant payments, child care, and transportation services from the Temporary Assistance Program. The department shall notify all CalWORKs recipients and applicants meeting the exemption criteria specified in subdivision (b) of Section 11320.3, except for single parents with a child under the age of one year, of their option to receive benefits under the Temporary Assistance Program. Absent written indication that these recipients or applicants choose not to receive assistance from the Temporary Assistance Program, the department shall enroll CalWORKs recipients and applicants into the program. However, exempt volunteers shall remain in the CalWORKs program unless they affirmatively indicate, in writing, their interest in enrolling in the Temporary Assistance Program. A Temporary Assistance Program recipient who no longer meets the exemption criteria set forth in Section 11320.3 shall be enrolled in the CalWORKs program.

(c) Funding for grant payments, child care, transportation, and eligibility determination activities for families receiving benefits under the Temporary Assistance Program shall be funded with General Fund resources that do not count toward the state's maintenance of effort requirements under clause (i) of subparagraph (B) of paragraph (7) of subdivision (a) of Section 609 of Title 42 of the United States Code, up to the caseload level equivalent to the amount of funding provided for this purpose in the annual Budget Act.

(d) It is the intent of the Legislature that recipients shall have and maintain access to the hardship exemption and the services necessary to begin and increase participation in welfare-to-work activities, regardless of their county of origin, and that the number of recipients exempt under subdivision (b) of Section 11320.3 not significantly increase due to factors other than changes in caseload characteristics. All relevant state law applicable to CalWORKs recipients shall also apply to families funded under this section. This section does not modify the criteria for exemption in Section 11320.3.

(e) To the extent that this section is inconsistent with federal regulations regarding implementation of the Deficit Reduction Act of 2005, the department may amend the funding structure for exempt families to ensure consistency with these regulations, not later than 30 days after providing written notification to the chair of the Joint Legislative Budget Committee and the chairs of the appropriate policy and fiscal committees of the Legislature.

(f) This section shall become inoperative on June 30, 2016.

(Amended by Stats. 2016, Ch. 25, Sec. 6. (AB 1603) Effective June 27, 2016. Inoperative June 30, 2016, by its own provisions.)

11321. (a) Notwithstanding any other law, sanctions shall not be applied for a grieving parent's failure or refusal to comply with program requirements during the month in which a child in the assistance unit died, or the following month.

(b) Upon receiving notification of the death of a child in an assistance unit, the county shall do both of the following:

(1) Assist a grieving parent in accessing services for which the parent may be eligible. These services may include, but are not limited to, nutrition supplement programs, housing assistance, and other cash aid programs.

(2) Provide information to the grieving parent about mental health services, including, but not limited to, information about, and a referral to, services provided by the county human services agency, if appropriate.

(c) For the purposes of this section, "grieving parent" means an aided adult who is required to participate in welfare-to-work activities and who experiences the death of a child in his or her assistance unit.

(Added by Stats. 2015, Ch. 514, Sec. 1. (AB 433) Effective January 1, 2016.)

11321.6. (a) A county plan may provide that the program provided for in this article shall apply to recipients of aid under Part 5 (commencing with Section 17000), except that no funds appropriated for purposes of this article shall be utilized for purposes of applying this article to these individuals.

(b) A county plan may also provide that the program provided for in this article shall apply to refugees receiving Refugee Cash Assistance.

(c) The county shall maintain separate accounting records of expenditures related to applicants for, and recipients of, aid under this chapter, and for the individuals to whom the program applies pursuant to subdivisions (a) and (b). If a county elects to apply the program provided for in this article to refugees receiving Refugee Cash Assistance or to refugee recipients of aid under Part 5 (commencing with Section 17000), costs of applying the program shall be funded from the county's federal social services and targeted assistance allocation as provided for under Chapter 5.5 (commencing with Section 13275).

(d) If, pursuant to subdivision (a), a county elects to apply the program provided for in this article to refugees or to recipients of aid under Part 5 (commencing with Section 17000), these individuals shall have the same rights, duties, and responsibilities that a participant has who is an applicant for, or a recipient of, aid under this chapter. Any participation by general assistance recipients shall not constitute any actual or implied responsibility for, or assumption of, costs of general assistance by the state.

(Added by Stats. 1990, Ch. 1568, Sec. 7. Effective September 30, 1990. Operative October 1, 1990, by Sec. 15 of Ch. 1568.)

11322.2. Counties shall continually monitor their program expenditures throughout the fiscal year. If a county determines that its anticipated expenditures will exceed the amount of that year's allocations as a result of an unexpected event, including caseload increases, court cases, or significant justifiable increases in component costs, the county shall immediately notify the department.

(Amended by Stats. 1997, Ch. 270, Sec. 75. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11322.4. It is the intent of the Legislature to fund welfare-to-work activities under this article so that all recipients of aid under this chapter for whom participation under this article is required can be served and, in addition, so that recipients voluntarily participating under this article can be served.

(Repealed and added by Stats. 1997, Ch. 270, Sec. 77. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11322.5. (a) It is the intent of the Legislature to do each of the following:

(1) Maximize the ability of CalWORKs recipients to benefit from the federal or state Earned Income Tax Credit (EITC), including retroactive EITC credits and the Advance EITC, take advantage of the earned-income disregard to increase their CalFresh benefits, and accumulate credit toward future social security income.

(2) Educate and empower all CalWORKs participants who receive the federal or state EITC to save or invest part or all of their credits in instruments such as individual development accounts, 401(k) plans, 403(b) plans, IRAs, 457 plans, Coverdell ESA plans, an account established pursuant to the California Secure Choice Retirement Savings Program (Title 21 (commencing with Section 100000), of the Government Code), restricted accounts pursuant to subdivision (a) of Section 11155.2, or 529 plans, and to take advantage of the federal Assets for Independence program and other matching funds, tools, and training available from public or private sources, in order to build their assets.

(b) It is the intent of the Legislature that counties encourage CalWORKs recipients to participate in activities that will maximize their receipt of the EITC. To this end, counties may do all of the following:

(1) Structure welfare-to-work activities pursuant to subdivisions (a) to (j), inclusive, of Section 11322.6 to give recipients the option of maximizing the portion of their CalWORKs benefits that meets the definition of "earned income" in Section 32(c)(2) of the Internal Revenue Code.

(2) Inform CalWORKs recipients of each of the following:

(A) That earned income, either previous or future, may make them eligible for the federal or state EITC, including retroactive EITC credits and the Advance EITC, increase their CalFresh benefits, and accumulate credit toward future social security income.

(B) That recipients, as part of their welfare-to-work plans, have the option of engaging in subsidized employment and grant-based on-the-job training, as specified in Section 11322.6, and that participating in these activities will increase their earned

income to the extent that they meet the requirements of federal law.

(C) That receipt of the federal or state EITC does not affect their CalWORKs grant and is additional tax-free income for them.

(D) That a CalWORKs recipient who receives the federal or state EITC may invest these funds in an individual development account, 401(k) plan, 403(b) plan, IRA, 457 plan, 529 college savings plan, Coverdell ESA, an account established pursuant to the California Secure Choice Retirement Savings Program, or restricted account, and that investments in these accounts will not make the recipient ineligible for CalWORKs benefits or reduce the recipient's CalWORKs benefits.

(3) At each regular eligibility redetermination, the county shall ask a recipient whether the recipient is eligible for and takes advantage of the EITC. If the recipient may be eligible and does not participate, the county shall give the recipient the federal or state EITC form and encourage and assist the recipient to take advantage of it.

(Amended by Stats. 2016, Ch. 190, Sec. 1. (AB 2877) Effective January 1, 2017.)

11322.6. The welfare-to-work plan developed by the county welfare department and the participant pursuant to this article shall provide for welfare-to-work activities. Welfare-to-work activities may include, but are not limited to, any of the following:

(a) Unsubsidized employment.

(b) Subsidized private sector employment.

(c) Subsidized public sector employment.

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

(e) On-the-job training.

(f) (1) Grant-based on-the-job training, which means public or private sector employment or on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings resulting from employment, or both, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant, so long as the total amount diverted does not exceed the family's maximum aid payment.

(2) A county shall not assign a participant to grant-based on-the-job training unless and until the participant has voluntarily agreed to participate in grant-based on-the-job training by executing a voluntary agreement form, which shall be developed by the department. The agreement shall include, but not be limited to, information on the following:

(A) How job termination or another event will not result in loss of the recipient's grant funds, pursuant to department regulations.

(B) (i) How to obtain the federal Earned Income Tax Credit (EITC), including the Advance EITC, and increased CalFresh benefits, which may become available due to increased earned income.

(ii) This subparagraph shall only become operative when and to the extent that the department determines that it reflects current federal law and Internal Revenue Service regulations.

(C) How these financial supports should increase the participant's current income and how increasing earned income should increase the recipient's future social security income.

(3) Grant-based on-the-job training shall include community service positions pursuant to Section 11322.9.

(4) Any portion of a wage from employment that is funded by the diversion of a recipient's cash grant, or the grant savings from employment pursuant to this subdivision, or both, shall not be exempt under Section 11451.5 from the calculation of the income of the family for purposes of subdivision (a) of Section 11450.

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

(h) Work study.

(i) Self-employment.

(j) Community service.

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

(l) Job skills training directly related to employment.

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

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

(o) Education directly related to employment.

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

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

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

Assignment to an educational activity identified in subdivisions (k), (m), (o), and (p) is limited to those situations in which the education is needed to become employed.

(s) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2025, Ch. 79, Sec. 10. (SB 119) Effective July 29, 2025. Conditionally inoperative on or after July 1, 2026, as prescribed by its own provisions. Conditionally repealed January 1 following the inoperative date. See later operative version added by Sec. 11 of Stats. 2025, Ch. 79.)

11322.6. (a) The welfare-to-work plan developed pursuant to this article shall provide for welfare-to-work activities. Welfare-to-work activities may include, but are not limited to, any of the following:

(1) Educational activities, which may include, but are not limited to, all of the following:

(A) Postsecondary education leading to a degree or certificate, which may be attended in person or online.

(B) Obtaining a high school diploma.

(C) Technical training and vocational education and training, including, but not limited to, college and community college education, adult education, regional occupational centers, and regional occupational programs.

(D) Career-specific education.

(E) Job skills training.

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

(2) Work activities, which may include, but are not limited to, those set forth in Section 261.30 of Title 45 of the Code of Federal Regulations, and any of the following:

(A) Unsubsidized employment.

(B) Subsidized private or public sector employment.

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

(D) On-the-job training.

(E) (i) Grant-based on-the-job training, which means public or private sector employment or on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings resulting from employment, or both, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant, so long as the total amount diverted does not exceed the family's maximum aid payment.

(ii) A county shall not assign a participant to grant-based on-the-job training unless and until the participant has voluntarily agreed to participate in grant-based on-the-job training by executing a voluntary agreement form, which shall be developed by the department. The agreement shall include, but not be limited to, information on the following:

(I) How job termination or another event will not result in loss of the recipient's grant funds, pursuant to department regulations.

(II) (ia) How to obtain the federal Earned Income Tax Credit (EITC), including the Advance EITC, and increased CalFresh benefits, which may become available due to increased earned income.

(ib) This subparagraph shall only become operative when and to the extent that the department determines that it reflects current federal law and Internal Revenue Service regulations.

(III) How these financial supports should increase the participant's current income and how increasing earned income should increase the recipient's future social security income.

(iii) Grant-based on-the-job training shall include community service positions pursuant to Section 11322.9.

(iv) Any portion of a wage from employment that is funded by the diversion of a recipient's cash grant, or the grant savings from employment pursuant to this subdivision, or both, shall not be exempt under Section 11451.5 from the calculation of the income of the family for purposes of subdivision (a) of Section 11450.

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

(3) Barrier removal services, when available, which may include, but not be limited to, all of the following:

(A) Mental health services, as described in Section 11325.7; substance abuse treatment services, as described in Section 11325.8; CalWORKs Home Visiting Program services, as described in Article 3.4 (commencing with Section 11330.6); and domestic violence services, as described in Article 7.5 (commencing with Section 11495).

(B) Financial literacy classes and coaching.

(C) Activities that develop and enhance workplace skills, including, but not limited to, career-specific training programs, English language learning, literacy and mathematics skill courses, or credential programs.

(D) Working with children's health and school professionals, parenting classes, education-related appointments for the participant or their dependents, child welfare or child welfare-related activities, and any other activities to help ensure child well-being and family unity.

(E) Activities that build foundations for employment, including, but not limited to, housing search efforts.

(F) Activities related to legal issues or housing stability, including, but not limited to, court appearances, housing searches and tenant rights and obligation classes, homeless support programs, and shelter participation requirements.

(b) The department shall have the discretion to identify additional plan activities that improve employment opportunities and family well-being.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by

means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

(Repealed (in Sec. 10) and added by Stats. 2025, Ch. 79, Sec. 11. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11322.61. (a) Except as provided in subdivisions (c) and (d) of Section 11327.5, if there is any interruption in receipt of income for an employee in a grant-based on-the-job training program, as provided for pursuant to subdivision (j) of Section 11322.6, that is caused by an employer's conduct, the county shall ensure that a recipient receives 100 percent of the maximum aid payment, not counting the unpaid wages, that the assistance unit is eligible to receive. The payment shall be made as a supplemental grant payment. The county shall act to recover from the employer any amount of the grant diverted to the employer that was not paid as wages to the recipient. The agreement between the county and the employer pertaining to grant-based on-the-job training shall state that the county will take action to collect from the employer the amount of the grant diverted to the employer that was not paid as wages to the recipient.

(b) Pursuant to subdivision (f) of Section 11322.6, counties using grant-based on-the-job training shall monitor employers participating in grant-based on-the-job training, and shall cancel the participation of employers who demonstrate, over time, any of the following:

- (1) An unwillingness to hire recipients who have participated in grant-based on-the-job training with that employer.
- (2) An inability to provide job skills that enable participants to obtain nonsubsidized employment with other employers.

(Amended by Stats. 2000, Ch. 933, Sec. 2. Effective January 1, 2001.)

11322.62. Employers, sponsors of training activities, and contractors shall not discriminate against participants on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code.

(Amended by Stats. 2004, Ch. 788, Sec. 34. Effective January 1, 2005.)

11322.64. (a) (1) The department, in consultation with the County Welfare Directors Association of California, shall develop an allocation methodology to distribute additional funding for expanded subsidized employment programs for CalWORKs recipients, or individuals described in Section 11320.15 who have exceeded the time limits specified in subdivision (a) of Section 11454.

(2) Funds allocated pursuant to this section may be utilized to cover all expenditures related to the operational costs of the expanded subsidized employment program, including the cost of overseeing the program, developing work sites, and providing training to participants, as well as wage and nonwage costs.

(3) The department, in consultation with the County Welfare Directors Association of California, shall determine the amount or proportion of funding allocated pursuant to this section that may be utilized for operational costs, consistent with the number of employment slots anticipated to be created and the funding provided.

(b) Funds allocated for expanded subsidized employment shall be in addition to, and independent of, the county allocations made pursuant to Section 15204.2.

(c) (1) A county that accepts additional funding for expanded subsidized employment in accordance with this section shall continue to expend no less than the aggregate amount of funding received by the county pursuant to Section 15204.2 that the county expended on subsidized employment in the 2012–13 fiscal year pursuant to Section 11322.63, as that section read on June 30, 2016.

(2) This subdivision shall not apply for any fiscal year in which the total CalWORKs caseload is projected by the department to increase by more than 5 percent of the total actual CalWORKs caseload in the 2012–13 fiscal year.

(d) (1) Each participating county shall submit to the department, at least once every two years, a plan or an amendment to an existing plan that specifies how the county intends to carry out all of the following:

(A) Utilize the funds allocated pursuant to this section.

(B) Prioritize subsidized employment placements that offer opportunities for participants to obtain skills and experiences in their fields of interest.

(2) If a county has no changes to an existing plan or amendment to report to the department pursuant to paragraph (1), the county shall submit a confirmation of no change to the department.

(3) Participating counties shall submit the plans described in paragraph (1) beginning January 1, 2025, or four months after the department issues guidance on how to implement this subdivision, whichever is later.

(e) (1) Participation in subsidized employment pursuant to this section shall be limited to a maximum of six months for each participant.

(2) Notwithstanding paragraph (1), a county may extend participation beyond the six-month limitation described in paragraph (1) for up to an additional three months at a time, to a maximum of no more than 12 total months. Extensions may be granted pursuant to this paragraph if the county determines that the additional time will increase the likelihood of either of the following:

(A) The participant obtaining unsubsidized employment with the participating employer.

(B) The participant obtaining specific skills and experiences relevant for unsubsidized employment in a particular field.

(f) A county may continue to provide subsidized employment funded under this section to individuals who become ineligible for CalWORKs benefits in accordance with Section 11323.25.

(g) A county may use existing funds provided under this section to provide employment services for noncustodial parents of children receiving benefits under the CalWORKs program.

(h) Upon application for CalWORKs assistance after a participant's subsidized employment ends, if an assistance unit is otherwise eligible within three calendar months of the date that subsidized employment ended, the income exemption requirements contained in Section 11451.5 and the work requirements contained in subdivision (c) of Section 11201 shall apply. If aid is restored after the expiration of that three-month period, the income exemption requirements contained in Section 11450.12 and the work requirements contained in subdivision (b) of Section 11201 shall apply.

(i) Beginning April 1, 2025, the department shall include all of the following information for the prior fiscal year regarding the implementation of this section in the CalWORKs Annual Summary to the extent the data is available and reportable:

(1) The number of CalWORKs participants who participated in subsidized employment for at least three months, by county, and a complete list of participating employers, by county.

(2) The number of CalWORKs participants described in paragraph (1) who obtained unsubsidized employment in the quarter following the end of the subsidy, by county, based on wage data and supplemental records available to the Employment Development Department.

(3) The average earnings of the CalWORKs participants described in paragraph (1) in the quarter prior to their participation in the program, to the extent the data is available. The data required by this paragraph shall be broken down by county and by industry sector. The industry sector data shall also be further broken down by county.

(4) The average earnings of the CalWORKs participants described in paragraph (1) in the quarter following the end of the subsidy, to the extent the data is available. The data required by this paragraph shall be broken down by county and by industry sector. The industry sector data shall also be further broken down by county.

(j) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made by the act that added this subdivision through all-county letters without taking regulatory action.

(Amended by Stats. 2024, Ch. 46, Sec. 13. (AB 161) Effective July 2, 2024.)

11322.65. (a) Unless otherwise specified in this chapter, assignment to any activity otherwise authorized under this article shall be limited in any county to the number or percentage of participants specified under Section 407 of the federal Social Security Act (42 U.S.C. Sec. 607) and subsequent amendments thereto, unless the recipient is concurrently participating in any activities that will count for the required number of hours of participation under federal law.

(b) Subdivision (a) shall not apply if the statewide percentage, as determined by the department, is less than the limits described in federal law.

(Amended by Stats. 1998, Ch. 902, Sec. 25. Effective January 1, 1999.)

11322.67. (a) If a pregnant woman is required to participate in work under this article, she may satisfy the work participation requirements by participating in a voluntary maternal, infant, and early childhood home visiting program or another voluntary home visiting program for low-income Californians that is approved by the United States Department of Health and Human Services. The

hours that the woman participates in the home visiting program shall be applied to the work participation hours required by Section 11322.8 for a period of no longer than 10 months.

(b) In accordance with Section 11329.2, this section shall be implemented only upon receipt of a waiver of compliance with Section 602 of Title 42 of the United States Code by the United States Department of Health and Human Services, for purposes of establishing more effective ways to meet the goals of CalWORKs, particularly helping parents successfully prepare for employment and supporting the health and well-being of children.

(Added by Stats. 2013, Ch. 563, Sec. 4. (SB 252) Effective January 1, 2014.)

11322.7. (a) Every county shall provide an adequate range of those activities described in Section 11322.6 to ensure each participant's access to needed activities and services to assist him or her in seeking employment, to provide education and training the participant needs to find self-supporting work, and to arrange for placement in paid or unpaid work settings that will enhance a participant's ability to obtain unsubsidized employment.

(b) No plan shall require job search and work experience of participants to the exclusion of a range of activities to be offered to recipients.

(Added by Stats. 1997, Ch. 270, Sec. 84. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11322.8. (a) An adult recipient required to participate in accordance with paragraph (1) of subdivision (a) of Section 11322.85, unless otherwise exempt, shall participate in welfare-to-work activities for the following number of hours per week during the month:

(1) An average of at least 30 hours per week, if the assistance unit includes either of the following, but does not include a child under six years of age:

(A) One adult.

(B) Two adults, one of whom is disabled, as defined in subparagraph (A) of paragraph (3) of subdivision (b) of Section 11320.3.

(2) An average of at least 20 hours per week, if the assistance unit includes a child under six years of age and either of the following:

(A) One adult.

(B) Two adults, one of whom is disabled, as defined in subparagraph (A) of paragraph (3) of subdivision (b) of Section 11320.3.

(3) An average of at least 20 hours per week, if the assistance unit consists only of a pregnant person.

(4) An average of at least 35 hours per week, if the adult recipient is an unemployed parent, as defined in Section 11201, except as provided in paragraphs (1) and (2). However, both parents in a two-parent assistance unit may contribute to the 35 hours.

(b) An adult recipient required to participate in accordance with paragraph (3) of subdivision (a) of Section 11322.85, unless otherwise exempt, shall participate in welfare-to-work activities for the following number of hours per week during the month:

(1) An average of at least 30 hours per week, subject to the special rules and limitations described in Section 607(c)(1)(A) of Title 42 of the United States Code as of January 1, 2013, if the assistance unit consists of only a pregnant person, or includes one of the following but does not include a child under six years of age:

(A) One adult.

(B) Two adults, one of whom is disabled, as defined in subparagraph (A) of paragraph (3) of subdivision (b) of Section 11320.3.

(2) An average of at least 20 hours per week, as described in Section 607(c)(2)(B) of Title 42 of the United States Code as of January 1, 2013, if the assistance unit includes only one adult and a child under six years of age.

(3) An average of at least 35 hours per week, if the adult recipient is an unemployed parent, as defined in Section 11201, except as provided in paragraph (1) and subject to the special rules and limitations described in Section 607(c)(1)(B) of Title 42 of the United States Code as of January 1, 2013.

(c) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement Section 11322.8, as added by the act that added this subdivision, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 46. (AB 79) Effective June 29, 2020. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11322.8. (a) An adult recipient required to participate in welfare-to-work activities, unless otherwise exempt, shall participate in welfare-to-work activities for the following number of hours per week during the month:

(1) An average of at least 30 hours per week, if the assistance unit includes either of the following, but does not include a child under six years of age:

(A) One adult.

(B) Two adults, one of whom is disabled, as defined in subparagraph (A) of paragraph (3) of subdivision (b) of Section 11320.3.

(2) An average of at least 20 hours per week, if the assistance unit includes a child under six years of age and either of the following:

(A) One adult.

(B) Two adults, one of whom is disabled, as defined in subparagraph (A) of paragraph (3) of subdivision (b) of Section 11320.3.

(3) An average of at least 20 hours per week, if the assistance unit consists only of a pregnant person.

(4) An average of at least 35 hours per week, if the adult recipient is an unemployed parent, as defined in Section 11201, except as provided in paragraphs (1) and (2). However, both parents in a two-parent assistance unit may contribute to the 35 hours.

(b) This section shall become operative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

(Added by Stats. 2020, Ch. 11, Sec. 47. (AB 79) Effective June 29, 2020. Operative on or after May 1, 2022, as prescribed by its own provisions.)

11322.81. (a) Notwithstanding any other law, if an adult recipient reports and the county verifies, or the county otherwise discovers, that the recipient is meeting the federally required minimum average number of hours per week of welfare-to-work participation as set forth in Section 607 of Title 42 of the United States Code, that recipient shall be deemed to be in compliance with Section 11322.8, unless the recipient provides written or, if available, electronic notice to the county that the recipient wishes to have sanctions imposed pursuant to this article.

(b) Necessary supportive services shall be provided to recipients described in this section in accordance with Sections 11323.2 and 11323.4.

(c) This section shall become operative on July 1, 2019.

(Added by Stats. 2018, Ch. 740, Sec. 1. (SB 1446) Effective January 1, 2019. Section operative July 1, 2019, by its own provisions.)

11322.82. (a) For the purpose of calculating the number of hours a recipient is participating in welfare-to-work activities pursuant to Section 11322.8, the number of hours for self-employment activities shall be based solely on the number of hours the recipient is engaged in self-employment activities, as authorized pursuant to subdivision (i) of Section 11322.6.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services shall implement and administer, interpret, or make specific this section by means of all-county letters or similar written instructions from the department. These all-county letters or similar instructions shall have the same force and effect as regulations. The department shall issue an all-county letter no later than October 1, 2022.

(Added by Stats. 2021, Ch. 582, Sec. 1. (AB 461) Effective January 1, 2022.)

11322.83. (a) A recipient who is making satisfactory progress in a career pathway program established in accordance with the federal Workforce Innovation and Opportunity Act (Public Law 113-128) shall be deemed to be in compliance with the hourly participation requirements described in subdivision (a) of Section 11322.8.

(b) Subdivision (a) applies only if a local workforce development board established under Section 3122 of Title 29 of the United States Code provides its approval that the career pathway program meets the requirements of Section 3102(7) of Title 29 of the United States Code and the county verifies that the recipient is making satisfactory progress in that program.

(Added by Stats. 2016, Ch. 25, Sec. 10. (AB 1603) Effective June 27, 2016.)

11322.84. (a) Notwithstanding any other law, a person who satisfies the criteria in subdivision (b) shall be entitled to receive the standard payment for books and college supplies pursuant to Section 11323.21, subject to all of the following:

(1) The participant shall not be required to complete job club, as provided in Section 11325.22.

(2) The participant shall not be required to participate in orientation and appraisal, as provided in subdivision (a) of Section 11320.1, more than once. A county may require another orientation and appraisal for participants who have had a break of more than one year in receiving aid or supportive services pursuant to this chapter.

(3) An assessment, as provided in Section 11325.4, shall be conducted only for the purpose of identifying any barriers, such as domestic violence, substance abuse, mental health, learning disability, or other barriers that the participant may have. This barrier assessment may be conducted only through a telephone or other electronic interview, unless the participant requests an in-person assessment in writing. In no event may that individual be disallowed to attend a publicly funded or nonprofit postsecondary education institution if otherwise eligible under this section due to any barrier.

(4) The participant shall not be required to participate in welfare-to-work activities pursuant to this article to satisfy instructional hours during semester or quarter breaks.

(b) (1) This section applies to both of the following:

(A) A recipient attending a publicly funded or nonprofit postsecondary educational institution full time and making satisfactory progress at that institution.

(B) A recipient attending a publicly funded or nonprofit postsecondary educational institution part time and who is meeting the hourly participation rates required by Section 11322.8, based on the number of instructional hours or academic units and the hours of study time required for those instructional hours or academic units. For purposes of calculating whether a recipient is meeting the hourly participation requirement, the number of hours for study time shall be three hours of study time for each instructional hour or academic unit. If a recipient's instructional hours or academic units, in addition to the three hours of study time per unit, do not meet the total number of hours required by Section 11322.8, the county shall assist the recipient in meeting the required hours of participation by allowing the recipient to submit a proposal for meeting those hours based on the full array of options available to the recipient, which the county shall apply to satisfy the hourly participation requirement.

(2) A recipient described in this subdivision shall not be subject to Section 11322.85.

(c) A recipient who is attending a publicly funded or nonprofit postsecondary educational institution shall provide verification that they are making satisfactory progress at the beginning of each term when that information is available from the institution the recipient attends.

(d) For purposes of this section, the definitions of "full time," "part time," and "making satisfactory progress" shall be determined according to the rules and regulations of the publicly funded or nonprofit postsecondary educational institution that the individual attends.

(e) (1) An individual who meets the requirements of this section and wishes to receive supportive services shall be required to sign a welfare-to-work plan.

(2) The plan shall be mailed to the recipient for completion and shall be returned by mail or by electronic means, if the county has the capacity to make the plan electronically available. If the county requires the plan to be returned by mail, the county shall include a postage-prepaid envelope for that purpose. The recipient may request, in writing, to meet with a county employee to receive assistance with completing the plan.

(f) For purposes of this section, an "instructional hour" shall mean class time of 50 minutes.

(Amended by Stats. 2022, Ch. 447, Sec. 1. (SB 768) Effective January 1, 2023.)

11322.85. (a) Unless otherwise exempt, an applicant or recipient shall participate in welfare-to-work activities.

(1) For 24 cumulative months during a recipient's lifetime, these activities may include the activities listed in Section 11322.6 that are consistent with the assessment performed in accordance with Section 11325.4 and that are included in the individual's welfare-to-work plan, as described in Section 11325.21, to meet the hours required in Section 11322.8. These 24 months need not be consecutive.

(2) Any month in which the recipient meets the requirements of Section 11322.8, through participation in an activity or activities described in paragraph (3), shall not count as a month of activities for purposes of the 24-month time limit described in paragraph (1).

(3) After a total of 24 months of participation in welfare-to-work activities pursuant to paragraph (1), an aided adult shall participate in one or more of the following welfare-to-work activities, in accordance with Section 607(c) and (d) of Title 42 of the United States Code as of the operative date of this section, that are consistent with the assessment performed in accordance with Section 11325.4, and included in the individual's welfare-to-work plan, described in Section 11325.21:

(A) Unsubsidized employment.

(B) Subsidized private sector employment.

(C) Subsidized public sector employment.

(D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.

(E) On-the-job training.

(F) Job search and job readiness assistance.

(G) Community service programs.

(H) Vocational educational training (not to exceed 12 months with respect to any individual).

(I) Job skills training directly related to employment.

(J) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.

(K) Satisfactory attendance at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

(L) The provision of childcare services to an individual who is participating in a community service program.

(b) Any month in which any of the following conditions exists shall not be counted as one of the 24 months of participation allowed under paragraph (1) of subdivision (a):

(1) The recipient is participating in job search in accordance with Section 11325.22, assessment pursuant to Section 11325.4, is in the process of appraisal as described in Section 11325.2, or is participating in the development of a welfare-to-work plan as described in Section 11325.21.

(2) The recipient is no longer receiving aid, pursuant to Sections 11327.4 and 11327.5.

(3) The recipient has been excused from participation for good cause, pursuant to Section 11320.3.

(4) The recipient is exempt from participation pursuant to subdivision (b) of Section 11320.3.

(5) The recipient is only required to participate in accordance with subdivision (d) of Section 11320.3.

(6) The recipient is participating in family stabilization pursuant to Section 11325.24, and the recipient would meet the criteria for good cause pursuant to Section 11320.3. This paragraph may apply to a recipient for no more than six cumulative months.

(c) County welfare departments shall provide each recipient who is subject to the requirements of paragraph (3) of subdivision (a) written notice describing the 24-month time limitation described in that paragraph and the process by which recipients may claim exemptions from, and extensions to, those requirements.

(d) The notice described in subdivision (c) shall be provided at the time the individual applies for aid, during the recipient's annual redetermination, and at least once after the individual has participated for a total of 18 months, and prior to the end of the 21st month, that count toward the 24-month time limit.

(e) The notice described in this section shall include, but shall not be limited to, all of the following:

(1) The number of remaining months the adult recipient may be eligible to receive aid.

(2) The requirements that the recipient must meet in accordance with paragraph (3) of subdivision (a) and the action that the county will take if the adult recipient does not meet those requirements.

(3) The manner in which the recipient may dispute the number of months counted toward the 24-month time limit.

(4) The opportunity for the recipient to modify their welfare-to-work plan to meet the requirements of paragraph (3) of subdivision (a).

(5) The opportunity for an exemption to, or extension of, the 24-month time limitation.

(f) For an individual subject to the requirements of paragraph (3) of subdivision (a), who is not exempt or granted an extension, and who does not meet those requirements, the provisions of Sections 11327.4, 11327.5, 11327.9, and 11328.2 shall apply to the extent consistent with the requirements of this section. For purposes of this section, the procedures referenced in this subdivision shall not be described as sanctions.

(g) (1) The department, in consultation with stakeholders, shall convene a workgroup to determine further details of the noticing and engagement requirements for the 24-month time limit, and shall instruct counties via an all-county letter, followed by regulations, no later than 18 months after the effective date of the act that added this section.

(2) The workgroup described in paragraph (1) may also make recommendations to refine or differentiate the procedures and due process requirements applicable to individuals as described in subdivision (f).

(h) (1) Notwithstanding paragraph (3) of subdivision (a) or any other law, an assistance unit that contains an eligible adult who has received assistance under this chapter, or from any state pursuant to the Temporary Assistance for Needy Families program (Part A (commencing with Section 401) of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.)) prior to January 1, 2013, may continue in a welfare-to-work plan that meets the requirements of Section 11322.6 for a cumulative period of 24 months commencing January 1, 2013, unless or until the eligible adult exceeds the 48-month time limitation described in Section 11454.

(2) All months of assistance described in paragraph (1) prior to January 1, 2013, shall not be applied to the 24-month limitation described in paragraph (1) of subdivision (a).

(i) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes associated with the repeal of this section, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 48. (AB 79) Effective June 29, 2020. Section operative January 1, 2014, by its own provisions. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11322.86. (a) (1) Each county may provide an extension of time during which a recipient may participate in activities described in paragraph (1) of subdivision (a) of Section 11322.85 for recipients who are unlikely to meet the requirements of paragraph (3) of subdivision (a) of Section 11322.85 upon the expiration of the 24-month time limitation described in Section 11322.85.

(2) A county may grant extensions pursuant to paragraph (1) for a 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 under this chapter for at least 24 months, in accordance with paragraph (1) of subdivision (a) of Section 11322.85, but not more than 48 months, in accordance with Section 11454.

(b) Counties are required to report information regarding the number and percentage of these extensions they have granted to the state.

(c) After consultation with stakeholders, the department shall issue an all-county letter by November 1, 2013, to define the process for implementing the extensions described in this section and the methodology for calculating the 20 percent limitation in paragraph (2) of subdivision (a).

(d) It is the intent of the Legislature that the state shall work with counties and other stakeholders to ensure that the extension process pursuant to subdivision (a) is implemented with minimal disruption to the impending completion of the welfare-to-work plans for recipients.

(e) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes associated with the repeal of this section, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 49. (AB 79) Effective June 29, 2020. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11322.87. (a) A recipient subject to the 24-month time limitation described in Section 11322.85 may request an extension in accordance with Section 11322.86 and may present evidence to the county that they meet any of the following circumstances:

(1) The recipient is likely to obtain employment within six months.

(2) The recipient has encountered unique labor market barriers temporarily preventing employment, and therefore needs additional time to obtain employment.

(3) The recipient has achieved satisfactory progress in an educational or treatment program, including adult basic education, vocational education, or a self-initiated program that has a known graduation, transfer, or completion date that would meaningfully

increase the likelihood of the recipient's employment. For purposes of this paragraph, a high school education or its equivalent is presumed to meaningfully increase the likelihood of employment.

(4) The recipient needs an additional period of time to complete a welfare-to-work activity specified in the recipient's welfare-to-work case plan due to a diagnosed learning or other disability, so as to meaningfully increase the likelihood of the recipient's employment.

(5) The recipient has submitted an application to receive SSI disability benefits, and a hearing date has been established.

(6) The recipient obtained the recipient's high school diploma or its equivalent while participating in activities described in paragraph (1) of subdivision (a) of Section 11322.85, and an additional period of time to complete an educational program or other activity described in paragraph (1) of subdivision (a) of Section 11322.85 in which the recipient is currently participating would meaningfully increase the likelihood of the recipient's employment.

(7) Other circumstances as determined by the department.

(b) (1) Except for an extension requested in accordance with paragraph (5) of subdivision (a), and subject to the limitation described in paragraph (2) of subdivision (a) of Section 11322.86, a county shall grant an extension to a recipient who presents evidence in accordance with subdivision (a) unless the county determines that the evidence presented does not support the existence of the circumstances described in subdivision (a).

(2) An extension requested in accordance with paragraph (5) of subdivision (a) shall be granted if evidence that a hearing date has been established is provided to the county.

(3) At any hearing disputing a county's denial of an extension in accordance with paragraph (1), the county shall have the burden of proof to establish that an extension was not justified unless the county demonstrates that the denial was due to the unavailability of an extension in accordance with the 20-percent limitation described in paragraph (2) of subdivision (a) of Section 11322.86.

(c) If, as a result of information already available to a county, including the recipient's welfare-to-work plan and verifications of participation, the county identifies that a recipient meets a circumstance described in subdivision (a), and subject to the limitation described in paragraph (2) of subdivision (a) of Section 11322.86, a county may grant an extension of the 24-month time limitation described in paragraph (1) of subdivision (a) of Section 11322.85 to the recipient.

(d) An extension granted in accordance with subdivision (b) or (c) shall be granted for an initial period of up to six months and shall be reevaluated by the county at least every six months.

(e) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes associated with the repeal of this section, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 50. (AB 79) Effective June 29, 2020. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11322.9. (a) Community service activities shall meet all of the following criteria:

(1) Be performed in the public and private nonprofit sector.

(2) Provide participants with job skills that can lead to unsubsidized employment.

(3) Comply with the antidisplacement provisions contained in Section 11324.6.

(b) Participants in community service activities shall do all of the following:

(1) Participate in a community service activity for the number of hours required by Section 11322.8, unless fewer hours of community service participation are required by federal law.

(2) Participate in other work activities for the number of hours equal to the difference between the hours of participation in community service and the number of hours of participation required under Section 11322.8.

(c) The county plan pursuant to Section 10531 shall include a component, developed by the county in collaboration with local private sector employers, local education agencies, county welfare departments, organized labor, recipients of aid under this chapter, and government and community-based organizations providing job training and economic development, in order to identify all of the following:

(1) Unmet community needs that could be met through community service activities.

(2) The target population to be served.

(3) Entities responsible for project development, fiscal administration, and case management services.

(4) The terms of community service activities, that, to the extent feasible, shall be temporary and transitional, and not permanent.

(5) Supportive efforts, including job search, education, and training, which shall be provided to participants in community service activities.

(6) If the county intends to include grant-based on-the-job training in its community service plan, the process by which the county will comply with the voluntary consent form requirement established in subdivision (f) of Section 11322.6, including a list of the languages in which the consent form will be available.

(d) Aid under this chapter for any participant who fails to comply with the requirements of this section without good cause shall be reduced in accordance with Section 11327.5.

(Amended by Stats. 2004, Ch. 229, Sec. 22. Effective August 16, 2004. Operative December 1, 2004, by Sec. 65 of Ch. 229. Note: See Sec. 64.6 of Ch. 229 regarding implementation.)

11323.1. The Legislature finds and declares all of the following:

(a) The California Work Opportunity and Responsibility to Kids (CalWORKs) program serves the poorest families with children in the state by providing a basic needs cash grant and support services needed for family stabilization, employment, or job training. Childcare is a critical support service for CalWORKs families.

(b) Children in poverty are most in need of quality, stable early care and education to achieve their full potential. Research demonstrates the benefits of providing early care and education to ameliorate the effects of poverty and address inequities before achievement gaps widen.

(c) Families that are initially afforded the opportunity to participate in CalWORKs childcare are more likely to avoid sanction, and to be able to promptly participate in the necessary activities and progress toward economic stability, knowing that their children are in a safe, nurturing environment.

(d) While families may have access to other forms of childcare, in 2017, less than 30 percent of parents or other adult caretakers who were participating in the CalWORKs Welfare-to-Work Program and were responsible for the care of an eligible child were receiving Stage 1 childcare services.

(e) All Childcare and Development Services Act programs, except for CalWORKs childcare, have adopted 24-month continuous eligibility rules pursuant to subdivision (h) of Section 10271. Aligning CalWORKs childcare eligibility periods with all other childcare and development programs will benefit families, childcare providers, and the state and local agencies that administer the various childcare programs.

(Amended by Stats. 2024, Ch. 356, Sec. 2. (AB 1808) Effective January 1, 2025.)

11323.2. (a) Necessary supportive services shall be offered and available to every participant to enable them to participate in a program activity or to accept or maintain employment. Necessary supportive services shall also be offered and available to every individual who is not required to participate, but chooses to participate voluntarily, to allow them to participate in a program activity or to accept or maintain employment. A participant who is required to participate and who does not receive necessary supportive services shall have good cause for not participating under subdivision (f) of Section 11320.3. Supportive services shall be listed in the welfare-to-work plan or other agreement entered into between the county and participant pursuant to this article, supportive services shall include all of the following:

(1) Childcare.

(A) Paid childcare shall be available to every participant with a dependent child in the household who needs paid childcare if the child is 12 years of age or under, or requires childcare or supervision due to a physical, mental, or developmental disability or other similar condition as verified by the county human services agency, or who is under court supervision. A county human services agency may verify the need for childcare or supervision for a child over 12 years of age from an individualized education plan or a statement from a qualified professional that the child is a child with exceptional needs, as defined in Section 10213.5. A sanctioned participant shall have access to childcare pursuant to this section if the participant has indicated an intent to engage in a program activity or employment, but has not yet participated.

(B) First-stage childcare, as described in Chapter 21 (commencing with Section 10370) of Part 1.8, shall be full time, unless the participant determines that part-time care better meets the family's needs. Upon establishing initial or ongoing eligibility for first-stage childcare services under this chapter, a family shall be considered to meet all eligibility and need requirements and be authorized for not less than 24 months, or until the participant is transferred to the second stage of childcare. This shall

apply to every participant who indicates a need for childcare in order to engage in a program activity or employment. A participant may, at any time, indicate a new or increased need for childcare and the information shall be used, as applicable, to authorize childcare in accordance with this subparagraph or increase the family's services.

(C) Necessary childcare services shall be available to every former recipient for up to two years, pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8. Beginning January 1, 2021, or the date that automation changes occur, as required for implementation, in the Statewide Automated Welfare System, whichever date is later, in the 18th month following the date of last receipt of aid, the county shall send a notice, via mail to the last known address, text message, or email, to a former recipient who is not currently receiving second- or third-stage childcare informing them that their eligibility for stage-two childcare will expire by the end of the 24th month following their last receipt of aid, and how to obtain stage-two childcare services. The department shall issue an all-county letter or similar directive by November 1, 2019, to implement this subparagraph, until regulations are adopted.

(D) A child in foster care receiving benefits under Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), or a child who would become a dependent child except for the receipt of federal Supplemental Security Income benefits pursuant to Title XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.), or a child who is not a member of the assistance unit but for whom the recipient is responsible for providing support, shall be deemed to be a dependent child for the purposes of this paragraph.

(E) The provision of care and payment rates under this paragraph shall be governed by Chapter 21 (commencing with Section 10370) of Part 1.8. Parent fees shall be governed by Sections 10271 and 10291.

(F) For purposes of subparagraphs (A) and (B), a participant includes an individual who is not required to participate, and expresses an intent to participate voluntarily, or a sanctioned participant who indicates an intent to engage in any program activity, as defined in subdivision (c), or employment. After securing childcare services, to document their commitment to participate, a participant shall sign a welfare-to-work plan or a curing plan, whichever is appropriate, or other agreement that may be developed and approved for use on a statewide basis by the department.

(2) Diaper costs.

(A) On and after April 1, 2018, a participant who is participating in a welfare-to-work plan shall be eligible for thirty dollars (\$30) per month to assist with diaper costs for each child who is under 36 months of age.

(B) The department shall adopt regulations by January 1, 2020, to implement this paragraph. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department shall implement this paragraph through all-county letters until regulations are adopted.

(3) Transportation costs, which shall be governed by regional market rates as determined in accordance with regulations established by the department.

(4) Ancillary expenses, which shall include the cost of books, tools, clothing specifically required for the job, fees, and other necessary costs.

(5) Personal counseling. A participant who has personal or family problems that would affect the outcome of the welfare-to-work plan entered into pursuant to this article shall, to the extent available, receive necessary counseling and related supportive services, to help the participant and the participant's family adjust to the participant's job or training assignment.

(b) If provided in a county plan, the county may continue to provide case management and supportive services under this section to former participants who become employed. The county may provide these services for up to the first 12 months of employment to the extent they are not available from other sources and are needed for the individual to retain the employment.

(c) For the purposes of paragraph (1) of subdivision (a), "program activity" includes, but is not limited to, any welfare-to-work activity, orientation, appraisal, assessment, job search, job club, domestic violence services, court appearances, housing searches and classes, homeless support programs, shelter participation requirements, eviction proceedings, mental health services, including therapy or personal counseling, home visiting, drug and substance abuse services, parenting classes, and medical or education-related appointments for the participant or their dependents.

(Amended by Stats. 2024, Ch. 356, Sec. 3. (AB 1808) Effective January 1, 2025. Conditionally superseded on or after July 1, 2026; See amendment by Stats. 2025, Ch. 79.)

11323.2. (a) Necessary supportive services shall be offered and available to every participant to enable them to participate in a program activity or to accept or maintain employment. Necessary supportive services shall also be offered and available to every individual who is not required to participate, but chooses to participate voluntarily, to allow them to participate in a program activity or

to accept or maintain employment. A participant who is required to participate and who does not receive necessary supportive services shall have good cause for not participating under subdivision (f) of Section 11320.3. Supportive services shall be listed in the welfare-to-work plan or other agreement entered into between the county and participant pursuant to this article, supportive services shall include all of the following:

(1) Childcare.

(A) Paid childcare shall be available to every participant with a dependent child in the household who needs paid childcare if the child is 12 years of age or under, or requires childcare or supervision due to a physical, mental, or developmental disability or other similar condition as verified by the county human services agency, or who is under court supervision. A county human services agency may verify the need for childcare or supervision for a child over 12 years of age from an individualized education plan or a statement from a qualified professional that the child is a child with exceptional needs, as defined in Section 10213.5. A sanctioned participant shall have access to childcare pursuant to this section if the participant has indicated an intent to engage in a program activity or employment, but has not yet participated.

(B) First-stage childcare, as described in Chapter 21 (commencing with Section 10370) of Part 1.8, shall be full time, unless the participant determines that part-time care better meets the family's needs. Upon establishing initial or ongoing eligibility for first-stage childcare services under this chapter, a family shall be considered to meet all eligibility and need requirements and be authorized for not less than 24 months, or until the participant is transferred to the second stage of childcare. This shall apply to every participant who indicates a need for childcare in order to engage in a program activity or employment. A participant may, at any time, indicate a new or increased need for childcare and the information shall be used, as applicable, to authorize childcare in accordance with this subparagraph or increase the family's services.

(C) Necessary childcare services shall be available to every former recipient for up to two years, pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8. Beginning January 1, 2021, or the date that automation changes occur, as required for implementation, in the Statewide Automated Welfare System, whichever date is later, in the 18th month following the date of last receipt of aid, the county shall send a notice, via mail to the last known address, text message, or email, to a former recipient who is not currently receiving second- or third-stage childcare informing them that their eligibility for stage-two childcare will expire by the end of the 24th month following their last receipt of aid, and how to obtain stage-two childcare services. The department shall issue an all-county letter or similar directive by November 1, 2019, to implement this subparagraph, until regulations are adopted.

(D) A child in foster care receiving benefits under Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), or a child who would become a dependent child except for the receipt of federal Supplemental Security Income benefits pursuant to Title XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.), or a child who is not a member of the assistance unit but for whom the recipient is responsible for providing support, shall be deemed to be a dependent child for the purposes of this paragraph.

(E) The provision of care and payment rates under this paragraph shall be governed by Chapter 21 (commencing with Section 10370) of Part 1.8. Parent fees shall be governed by Sections 10271 and 10291.

(F) For purposes of subparagraphs (A) and (B), a participant includes an individual who is not required to participate, and expresses an intent to participate voluntarily, or a sanctioned participant who indicates an intent to engage in any program activity, as defined in subdivision (c), or employment. After securing childcare services, to document their commitment to participate, a participant shall sign a welfare-to-work plan or a curing plan, whichever is appropriate, or other agreement that may be developed and approved for use on a statewide basis by the department.

(2) Diaper costs.

(A) On and after April 1, 2018, a participant who is participating in a welfare-to-work plan shall be eligible for thirty dollars (\$30) per month to assist with diaper costs for each child who is under 36 months of age.

(B) The department shall adopt regulations by January 1, 2020, to implement this paragraph. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department shall implement this paragraph through all-county letters until regulations are adopted.

(3) Transportation costs.

(A) Transportation services may include, but not be limited to, bus passes, mileage reimbursement, van pools, car repairs, car ownership programs, rideshare, parking, and tolls. Counties shall inform participants of the various transportation services available in the county and have the participant identify which transportation services they need in order to participate in welfare-to-work activities.

(B) When the county approves transportation costs for use of a private vehicle, the participant shall receive an advance payment for mileage, which shall be based on a mileage rate used in the county and in the county plan or a regional market rate that is updated annually. In addition, counties may opt to provide separate payments for specific necessary costs related to use of a private vehicle, including, but not limited to, gas, oil, insurance, license and registration fees, normal wear and tear, and maintenance, parking, tolls, car repairs, and other costs directly related to transportation and the activity.

(C) Transportation costs include payment for transporting a participant's children when necessary for the participant to participate in their welfare-to-work assignment or activity.

(D) All payments for transportation shall be advanced to participants. At the time the welfare-to-work plan is developed and the participant's activities are assigned, the county shall also determine what transportation services the participant needs, and shall issue the transportation payment based on the activities contained in the plan, prior to requiring the participant to participate in the activity.

(4) Ancillary expenses, which shall include the cost of books, tools, clothing specifically required for the job, fees, and other necessary costs.

(5) Personal counseling. A participant who has personal or family problems that would affect the outcome of the welfare-to-work plan entered into pursuant to this article shall, to the extent available, receive necessary counseling and related supportive services, to help the participant and the participant's family adjust to the participant's job or training assignment.

(b) If provided in a county plan, the county may continue to provide case management and supportive services under this section to former participants who become employed. The county may provide these services for up to the first 12 months of employment to the extent they are not available from other sources and are needed for the individual to retain the employment.

(c) For the purposes of paragraph (1) of subdivision (a), "program activity" includes, but is not limited to, any welfare-to-work activity, orientation, appraisal, assessment, job search, job club, domestic violence services, court appearances, housing searches and classes, homeless support programs, shelter participation requirements, eviction proceedings, mental health services, including therapy or personal counseling, home visiting, drug and substance abuse services, parenting classes, and medical or education-related appointments for the participant or their dependents.

(d) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made to this section by the act that added this subdivision by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(e) The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement Section 11320.1.

(Amended by Stats. 2025, Ch. 79, Sec. 12. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11323.21. (a) (1) A CalWORKs eligible individual who provides the county with evidence that the individual is participating in an educational activity full time at a publicly funded or nonprofit postsecondary educational institution in accordance with Section 11322.84 shall receive a payment of five hundred dollars (\$500) for each semester or three hundred fifty dollars (\$350) for each quarter, and a CalWORKs eligible individual who provides the county with evidence that the individual is participating in an educational activity part time at a publicly funded or nonprofit postsecondary educational institution, in accordance with Section 11322.84, shall receive a payment of two hundred fifty dollars (\$250) for each semester or one hundred seventy-five dollars (\$175) for each quarter, for the purpose of paying costs associated with attending the publicly funded or nonprofit postsecondary educational institution 10 days before the beginning of the academic semester or quarter.

(2) A summer session shall be deemed to be a quarter for purposes of this section.

(b) For the purposes of this section, the amounts set forth in subdivision (a) shall be considered a standard payment for books and college supplies.

(c) A recipient may request reimbursement for the actual costs for the purpose of paying costs associated with attending the publicly funded or nonprofit postsecondary educational institution pursuant to Section 11323.2 if the recipient provides verification of expenses that exceed the applicable amount set forth in subdivision (a) for books and college supplies that are required for the classes in which the individual is enrolled. The county shall issue payment within 20 days of the recipient's request.

(d) A county may elect to satisfy the requirements of subdivision (a) in the form of a book voucher or other means of payment to a store or stores that carry the books required for the recipient. The county may only exercise this option if the county makes all

required books available to the recipient at least 10 days before the start of the semester, summer session, or quarter to ensure that the participant has the required books on the first day of class.

(e) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations.

(2) The department shall adopt emergency regulations no later than January 1, 2023. The department may readopt any emergency regulation authorized by this section that is the same as, or substantially equivalent to, an emergency regulation previously adopted under this section.

(3) The initial adoption of emergency regulations pursuant to this section and one readoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare. Initial emergency regulations and the one readoption of emergency regulations authorized by this section shall be exempt from review by the Office of Administrative Law. The initial emergency regulations and the one readoption of emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State and each shall remain in effect for no more than 180 days, by which time final regulations shall be adopted.

(Amended by Stats. 2022, Ch. 447, Sec. 2. (SB 768) Effective January 1, 2023.)

11323.25. (a) In addition to its authority under subdivision (b) of Section 11323.2, if provided in a county plan, the county may continue to provide welfare-to-work services to former participants who became ineligible for CalWORKs benefits because they became employed under Section 11322.64. The county may provide these services for up to the first 12 months of employment, to the extent they are not available from other sources and are needed for the individual to retain the subsidized employment.

(b) This section shall become operative on July 1, 2016.

(Repealed (in Sec. 11) and added by Stats. 2016, Ch. 25, Sec. 12. (AB 1603) Effective June 27, 2016. Section operative July 1, 2016, by its own provisions.)

11323.3. (a) An applicant for, or a recipient of, CalWORKs benefits shall be informed of the availability of childcare services upon enrollment in the CalWORKs program, and at later times when a participant expresses to the county a need for childcare. The county shall verify if childcare is needed to participate in a program activity, as defined in subdivision (c) of Section 11323.2, and, if needed, that childcare services are authorized and that the participant has secured appropriate childcare prior to requiring a participant to participate in any mandatory activity. Verification that childcare has been secured may be established by the participant, the childcare contractor, or the childcare provider.

(b) An applicant for, or a recipient of, CalWORKs benefits shall be provided written notice, both at the time of application and when they sign an original or amended welfare-to-work plan, of the availability of paid childcare as provided in Section 11323.2. The notice shall inform applicants and recipients of all of the following:

(1) Paid childcare is available to allow them to be employed or participate in welfare-to-work activities or program activities, as defined in Section 11323.2.

(2) The name and contact information for the local childcare resource and referral program.

(3) Assistance in finding and choosing a childcare provider is available.

(4) A recipient is required to inform the county welfare department of the recipient's need for paid childcare as soon as that need arises.

(5) The recipient is required to request a childcare subsidy from the county within 30 days from the first day childcare services are received from each different provider, to be fully reimbursed for childcare services.

(c) Commencing January 1, 2021, or the date that the Statewide Automated Welfare System can perform the necessary automation to implement this subdivision, whichever date is later, the written notice described in subdivision (b) shall additionally be provided to the recipient at the time of orientation, when they are assigned to a program activity, when they report new or increased participation in a program activity, and when they report new earned income or employment.

(d) The written notice described in subdivision (b) shall be provided in compliance with the Dymally-Alatorre Bilingual Services Act (Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code).

(e) An applicant for, or recipient of, CalWORKs benefits shall be asked to sign a copy of the written notice acknowledging that they have been informed of and received the notice. The signed notice shall be retained in the client's file and a signed original or copy

shall be given to the client.

(f) No payment shall be made for childcare services provided pursuant to Section 8351 of the Education Code more than 30 days prior to the recipient's initial request for payment for the childcare service from that provider, when the recipient received the written notice described in subdivisions (b) and (d).

(g) The department shall work with counties and other stakeholders to do both of the following:

(1) Modify applicable CalWORKs notices and forms about childcare to include the information described in subdivision (b).

(2) Make the modified notices and forms available at times in addition to those specified in subdivision (b), such as at the time of orientation, when and where possible and appropriate.

(h) (1) The department shall develop regulations to implement this section.

(2) Notwithstanding paragraph (1) and the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement the amendments made to this section by the act that added this paragraph by all-county letter or similar directive until regulations are adopted.

(Amended (as amended by Stats. 2019, Ch. 27, Sec. 49) by Stats. 2019, Ch. 414, Sec. 4. (AB 121) Effective October 2, 2019.)

11323.4. (a) Payments for supportive services, as described in Section 11323.2, shall be advanced to the participant, whenever necessary, and when desired by the participant, so that the participant need not use the participant's funds to pay for these services. Payments for childcare services shall be made in accordance with Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code.

(b) The county welfare department shall take all reasonable steps necessary to promptly correct any overpayment or underpayment of supportive services payments to a recipient or a service provider, including, but not limited to, all cases involving fraud and abuse, consistent with procedures developed by the department.

(c) Notwithstanding any other provision of this article, any participant in on-the-job training who becomes ineligible for aid under this chapter due to earned income or hours worked, shall remain a participant in the program under this article for the duration of the on-the-job training assignment and shall be eligible for supportive services for the duration of the on-the-job training, provided this duration does not exceed the time limits otherwise applicable to the recipient.

(d) Notwithstanding any other provision of this article, any participant in on-the-job training, grant-based on-the-job training, supported work, or transitional employment who remains eligible for aid pursuant to this chapter, shall be eligible for transportation and ancillary expenses pursuant to paragraphs (3) and (4) of subdivision (a) of Section 11323.2.

(e) (1) Participants shall be encouraged to apply for financial aid, including educational grants, scholarships, and awards.

(2) To the extent permitted by federal law, the county shall coordinate with financial aid offices to establish procedures whereby the educational expenses of participants are met through available financial aid and the supportive services described in Section 11323.2. These procedures shall not result in duplication of payments, and shall require determinations to be made on an individual basis to ensure that using financial aid will not prevent the person's participation in their welfare-to-work plan.

(f) (1) Notwithstanding Section 10850, for purposes of childcare supportive services, county welfare departments shall share information necessary for the administration of the childcare programs and the CalWORKs program.

(2) By January 1, 2021, or the date that automation changes occur, as required for implementation of this section, in the Statewide Automated Welfare System, whichever date is later, a county welfare department shall provide limited, read-only, online access through individual county-level Statewide Automated Welfare System (SAWS) databases to local contractors providing CalWORKs childcare services. Access provided pursuant to this paragraph shall include a single summary page that contains current individual family data needed to enroll a family in CalWORKs childcare services or to transfer a family between stages. This data shall include, but not be limited to, all of the following items, if applicable:

(A) All of the information required in subdivision (a) of Section 18409 of Title 5 of the California Code of Regulations, or any successor regulation thereto.

(B) If the family is no longer receiving CalWORKs cash aid, the date that a parent or adult caretaker last received CalWORKs cash aid.

(3) Paragraph (2) does not supersede any agreement between a county and a CalWORKs childcare contractor that was in effect on January 1, 2020, and provides for online access via the legacy Statewide Automated Welfare System to the data described in that paragraph.

(4) Beginning January 1, 2021, or the date that automation changes occur, as required for implementation of this section, in the Statewide Automated Welfare System, whichever date is later, a county welfare department shall provide to stage-two contractors on a monthly basis a report of all families for which the parent's cash aid has been discontinued, the parent has not received aid for at least one month, and the parent has children in the home who are eligible for childcare services. The report shall include the parent's most up-to-date contact information. The report shall be jointly designed with representatives from the department, the County Welfare Directors Association of California, and Parent Voices, in consultation with county welfare departments and SAWS.

(5) A county welfare department may provide training on security protocols and confidentiality of individual family data to a contractor who is given access to data pursuant to this subdivision.

(6) This subdivision is not intended to limit the information shared for the administration of childcare in addition to the data described in paragraph (2).

(7) After consultation with stakeholders, the department shall issue an all-county letter or similar directive by November 1, 2019, to implement paragraphs (2) to (6), inclusive, until regulations are adopted.

(Amended by Stats. 2019, Ch. 414, Sec. 6. (AB 121) Effective October 2, 2019.)

11323.6. The department shall be responsible for supervising the provision of child care by counties during stage one as described in Sections 8350, 8351, and 8352 of the Education Code. Counties may contract with public and private child care entities or providers for this purpose.

(Repealed and added by Stats. 1997, Ch. 270, Sec. 93. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11323.8. Counties shall manage the participant's transition from stage one to stage two child care pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code. If the county is operating stage two child care, the county shall manage the participant's transition from stage two to stage three pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code.

(Repealed and added by Stats. 1997, Ch. 270, Sec. 95. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11323.9. Each county welfare department shall provide to the State Department of Social Services, on a monthly basis, data regarding child care usage and demand in stage one of child care services, as described in Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, through which a recipient of aid under this chapter, or any successor program, will pass. The specific information needed for these reports may be specified by the Department of Social Services or through provisions of the annual Budget Act.

(Added by Stats. 2001, Ch. 750, Sec. 21. Effective January 1, 2002.)

11324. (a) If the county welfare department or a contractor pays for child care services which are exempt from licensure, all of the following information about the caregiver shall be on file with the county welfare department or the contractor and shall be made available to the participant:

(1) The name and address of the care provider.

(2) The address where care is to be provided.

(3) The hours care is to be provided and the charge for this care.

(4) The names, addresses, and telephone numbers of two character references.

(5) A copy of a valid California driver's license or other identification to establish that the caregiver is at least 18 years old.

(6) A statement from the caregiver as to his or her health education, experience or other qualification, criminal record, and names and ages of other persons in the home or providing care.

(b) The county welfare department or the contractor shall use existing child care licensing or CalWORKs program procedures in meeting the requirements of subdivision (a).

(c) To the extent permitted by federal law, the county welfare department shall deny payment, or cause the contractor to deny payment, for child care services which are exempt from licensure if either of the following apply:

(1) The provider has been convicted of a violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code.

(2) The provider has been convicted of child abuse.

(d) If the child care provider selected by the participant is denied payment, the participant may have good cause for not participating as specified in paragraph (3) of subdivision (f) of Section 11320.3.

(Amended by Stats. 1997, Ch. 270, Sec. 96. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11324.4. (a) The employer or sponsor of an employment or training program position described in Section 11322.6 or 11322.9 or any positions created under any county pilot project shall assist and encourage qualified participants to compete for job openings occurring within the sponsor's organization for which they qualify.

(b) Workers assigned to public agencies shall be allowed to participate in classified service examinations equivalent to the positions they occupy, as well as all open and promotional examinations for which experience in the position or other relevant experience is qualifying under merit system rules. To the extent permitted under federal or state law, local ordinance, or applicable collective bargaining agreements, time worked in the positions shall apply toward seniority in the merit public agency positions.

(Amended by Stats. 1997, Ch. 270, Sec. 98. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11324.5. The county shall ensure that the labor union is notified of the use of participants assigned to an employment or training program position described in Section 11322.6 or 11322.9 or any positions created under any county pilot project, in any location or work activity controlled by an employer and covered by a collective bargaining agreement between the employer and a union. For nonunionized employees, procedures shall provide for notification to employees of the use of participants under this article and the availability of the grievance process. Display of a poster shall satisfy this requirement.

(Amended by Stats. 1997, Ch. 270, Sec. 99. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11324.6. Any employment or training program position described in subdivisions (a) to (l), inclusive, of Section 11322.6 or Section 11322.9 or under any county pilot project, shall not be created as a result of, or shall not result in, any of the following:

(a) Displacement or partial displacement of current employees, including, but not limited to, a reduction in hours of nonovertime and overtime work, wages, or employment benefits.

(b) The filling of positions which would otherwise be promotional opportunities for current employees, except when positions are to be filled through an open process in which recipients are provided equal opportunity to compete.

(c) The filling of a position, prior to compliance with applicable personnel procedures or provisions of collective bargaining agreements.

(d) The filling of established unfilled public agency positions, unless the positions are unfunded in a public agency budget.

(e) The filling of a position created by termination, layoff, or reduction in workforce, caused by the employer's intent to fill the position with a subsidized position pursuant to this article.

(f) A strike, lockout, or other bona fide labor dispute, or violation of any existing collective bargaining agreement between employees and employers.

(g) The filling of a work assignment customarily performed by a worker in a job classification within a recognized collective bargaining unit in that specific worksite, or the filling of a work assignment in any bargaining unit in which funded positions are vacant or in which regular employees are on layoff.

(h) The termination of a contract for services, prior to its expiration date, that results in the displacement or partial displacement of workers performing contracted services, caused by the employer's intent to fill the position with a subsidized position pursuant to this article.

(i) The filling of a work assignment that results in not rehiring a seasonal employee who has a history of regular seasonal employment with an employer. The provisions of this subdivision shall apply only to the construction industry.

(j) The denial to a participant or employee of protections afforded other workers on the worksite by state and federal laws governing workplace health, safety, and representation.

(k) Subdivisions (b), (d), and (g) shall not apply to unsubsidized employment placements.

(Amended by Stats. 2002, Ch. 1142, Sec. 2. Effective January 1, 2003.)

11324.7. (a) The department shall provide a grievance process for regular employees and their representatives who wish to file a complaint that an assignment to community service, work experience, on-the-job training, or any activity funded by grant-based on-the-job training violates any of the displacement provisions contained in Section 11324.6, as applicable, respecting any employment or training position created pursuant to this article.

(b) (1) The grievance process established pursuant to subdivision (a) shall consist of an informal procedure followed by a hearing if the informal procedure fails to resolve the complaint to the satisfaction of the complainant.

(2) The grievance and any available appeal process shall be conducted in accordance with rules and notification requirements adopted and promulgated in federal law.

(3) The department shall issue instructions and requirements for the grievance process.

(c) The department shall administer the employee grievance process either directly or through the county welfare departments, or may enter into agreements with another state agency to administer all or any part of the grievance process.

(d) Notwithstanding subdivisions (b) and (c), the department shall require the use of any existing grievance procedure that is part of a collective bargaining agreement between the employer and the labor union representing the regular employee, in lieu of the process established by this section.

(e) Remedies for complaining regular employees in the process established by this section shall include, where appropriate, reinstatement, retroactive pay, and retroactive benefits.

(Amended by Stats. 1998, Ch. 902, Sec. 30. Effective January 1, 1999.)

11324.8. (a) At the time an individual applies for aid under this chapter, or at the time a recipient's eligibility for aid is determined, the county shall do all of the following:

(1) Provide the individual, in writing and orally as necessary, with at least the following program information:

(A) A general description of the education, employment, and training opportunities and the supportive services available, including transitional benefits.

(B) A description of the exemptions from required participation provided under this article and the consequences of a refusal to participate in program components, if not exempt.

(C) A description of the responsibility of the participant to cooperate in establishing paternity and enforcing child support obligations, and to assist individuals in establishing paternity and obtaining child support as a condition of eligibility.

(2) Determine whether the individual is required to participate in the program provided under this article.

(b) At the time an individual is required to participate pursuant to this article, he or she shall receive a written preliminary determination that he or she is a member of a targeted group, for purposes of any applicable and operative federal Targeted Jobs Tax Credit and California Jobs Tax Credit.

(c) Persons not required to participate may volunteer to participate.

(d) An applicant for, or a recipient of, aid who is dissatisfied with the provisions of the welfare-to-work plan may seek redress through the independent assessment process, as described in subdivision (c) of Section 11325.4 or the state hearing or county grievance process, as described in Section 11327.8.

(Amended by Stats. 1998, Ch. 902, Sec. 31. Effective January 1, 1999.)

11325.1. When child care services are provided by a program funded under Section 8481 of the Education Code to a recipient under this article or any other job training program for recipients under this chapter, and the job training program utilizes vouchers for child care services issued by the county or a contracting agency, reimbursement for those child care services shall be made at a market rate established by the State Department of Education pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code.

(Amended by Stats. 1998, Ch. 902, Sec. 32. Effective January 1, 1999.)

11325.15. (a) (1) The Legislature hereby finds and declares that the Online CalWORKs Appraisal Tool (OCAT) is an essential part of CalWORKs welfare-to-work case management and should function as a shared service in the Statewide Automated Welfare System (SAWS), which is the system of record for the CalWORKs program, as expeditiously as possible.

(2) The State Department of Social Services shall expedite any necessary steps to obtain any necessary licenses to allow the OCAT to function as a shared service in the SAWS environment.

(b) OCAT shall become a shared service in the SAWS environment, consistent with the state's shared services strategy. The functionality of OCAT in the SAWS environment shall include, but not be limited to, the exchange of data to prevent the need for duplicate data entry, to alert users to potential data conflicts, and to transmit OCAT recommendations to SAWS, where the recommendations may be used to streamline the case management of welfare-to-work activities and to produce reports.

(c) The implementation of this section shall not reduce access by the department nor counties to OCAT data and recommendations, as that access existed as of June 30, 2017.

(d) (1) Notwithstanding any other law, contracts necessary to obtain licenses for OCAT shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(2) Notwithstanding any other law, contracts necessary to obtain licenses for OCAT shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

(Added by Stats. 2017, Ch. 24, Sec. 20. (SB 89) Effective June 27, 2017. Conditionally superseded on or after July 1, 2026; See amendment by Stats. 2025, Ch. 79.)

11325.15. (a) (1) The Legislature hereby finds and declares that the Online CalWORKs Appraisal Tool (OCAT) is an essential part of CalWORKs welfare-to-work case management and should function as a shared service in the Statewide Automated Welfare System (SAWS), which is the system of record for the CalWORKs program, as expeditiously as possible.

(2) The State Department of Social Services shall expedite any necessary steps to obtain any necessary licenses to allow the OCAT to function as a shared service in the SAWS environment.

(b) OCAT shall become a shared service in the SAWS environment, consistent with the state's shared services strategy. The functionality of OCAT in the SAWS environment shall include, but not be limited to, the exchange of data to prevent the need for duplicate data entry, to alert users to potential data conflicts, and to transmit OCAT recommendations to SAWS, where the recommendations may be used to streamline the case management of welfare-to-work activities and to produce reports.

(c) The implementation of this section shall not reduce access by the department nor counties to OCAT data and recommendations, as that access existed as of June 30, 2017.

(d) (1) Notwithstanding any other law, contracts necessary to obtain licenses for OCAT and the alternate appraisal tool developed by the department pursuant to subdivision (e) shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(2) Notwithstanding any other law, contracts necessary to obtain licenses for OCAT and the alternate appraisal tool developed by the department pursuant to subdivision (e) shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

(e) Consistent with Section 11325.2, the department shall develop an updated streamlined appraisal tool to replace OCAT. This tool shall be designed to improve efficiency while maintaining the ability to assess participant strengths and barriers. The department shall convene a stakeholder workgroup, which may be convened concurrently with an existing department stakeholder meeting, to inform the development and use of this tool. The stakeholder workgroup shall include, but not be limited to, representatives of organizations representing the County Welfare Directors Association of California, CalWORKs recipients, social workers, advocacy groups, and any relevant state, county, or city government agencies. The department shall ensure that, in replacing OCAT, the lines of inquiry necessary to support participants are retained in the appraisal tool, including, but not limited to, domestic violence, learning disabilities, and pregnant or parenting teenagers.

(f) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made to this section by the act that added this subdivision by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(g) The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes made to this section by the act that added this subdivision.

(Amended by Stats. 2025, Ch. 79, Sec. 13. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11325.2. (a) At the time a recipient enters the welfare-to-work program, the county shall conduct an appraisal, pursuant to regulations adopted by the department, during which the recipient is informed of the requirement to participate in allowable welfare-to-work activities and of the provision of supportive services, pursuant to Section 11323.2. The appraisal shall gather and provide information about the recipient in the following areas:

(1) Employment history, interests, and skills.

(2) Educational history and learning disabilities.

(3) Housing status and stability.

(4) Language barriers.

(5) Physical and behavioral health, including, but not limited to, mental health and substance abuse issues.

(6) Child physical and behavioral health and well-being.

(7) Criminal background that may present a barrier to employment or housing stability.

(8) Domestic violence.

(9) Need for supportive services described in Section 11323.2.

(10) Other information that may affect an individual's ability to participate in work activities.

(11) The recipient's determination of their skills, prior work experience, and employability. The recipient may indicate that they would like assistance with this determination. The recipient may request assistance with completing any portion of the appraisal.

(b) (1) The county shall utilize a standardized appraisal tool in order to assess strengths for and barriers to work activities. This tool shall be developed or selected by the department, in consultation with stakeholders, and shall be customized as needed for statewide use.

(2) (A) Upon completion of the development of the updated streamlined appraisal tool developed pursuant to Section 11325.15, the county shall utilize the updated streamlined appraisal tool.

(B) This paragraph shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this paragraph.

(3) Concurrent with the development of the standardized appraisal tool, mandatory training shall be developed for administration of the tool and shall, in addition, include skill-building components, including, at a minimum, rapport building and interviewing techniques.

(c) (1) If the results of the appraisal indicate that the individual may face barriers that impair their ability to participate in work activities, the county shall refer the recipient for an evaluation and services as described in Section 11325.25, 11325.5, or 11325.8, or may refer the recipient to family stabilization pursuant to Section 11325.24.

(2) If information obtained from the appraisal indicates that the individual qualifies for an exemption from welfare-to-work requirements, the county shall apply the exemption, pursuant to subdivision (b) of Section 11320.3.

(d) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(Amended by Stats. 2025, Ch. 79, Sec. 14. (SB 119) Effective July 29, 2025.)

11325.21. (a) Any individual who is required to participate in welfare-to-work activities pursuant to this article shall enter into a written welfare-to-work plan with the county welfare department after assessment, as required by subdivision (c) of Section 11320.1, but no more than 90 days after the date that a recipient's eligibility for aid is determined or the date the recipient is required to participate in welfare-to-work activities pursuant to Section 11320.3. The recipient and the county may enter into a welfare-to-work plan as late as 90 days after the completion of the job search activity, as defined in subdivision (b) of Section 11320.1, if the job search activity is initiated within 30 days after the recipient's eligibility for aid is determined. The plan shall include the activities and services that will move the individual into employment.

(b) The county shall allow the participant three working days after completion of the plan or subsequent amendments to the plan in which to evaluate and request changes to the terms of the plan.

(c) The plan shall be written in clear and understandable language, and have a simple and easy-to-read format.

(d) The plan shall contain at least all of the following general information:

(1) A general description of the program provided for in this article, including available program components and supportive services.

(2) A general description of the rights, duties, and responsibilities of program participants, including a list of the exemptions from the required participation under this article, the consequences of a refusal to participate in program components, and criteria for successful completion of the program.

(3) A description of the grace period required in paragraph (5) of subdivision (b) of Section 11325.22.

(e) (1) The plan shall specify, and shall be amended to reflect changes in, the participant's welfare-to-work activity, a description of services to be provided in accordance with Sections 11322.6, 11322.8, and 11322.85, as needed, and specific requirements for successful completion of assigned activities, including required hours of participation.

(2) The plan shall also include a general description of supportive services pursuant to Section 11323.2 that are to be provided as necessary for the participant to complete assigned program activities.

(f) Any assignment to a program component shall be reflected in the plan or an amendment to the plan. The participant shall maintain satisfactory progress toward employment through the methods set forth in the plan, and the county shall provide the services pursuant to Section 11323.2.

(g) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(h) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement Section 11325.21, as added by the act that added this subdivision, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 52. (AB 79) Effective June 29, 2020. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11325.21. (a) Any individual who is required to participate in welfare-to-work activities pursuant to this article shall enter into a written welfare-to-work plan with the county welfare department after assessment, as required by subdivision (c) of Section 11320.1, but no more than 90 days after the date that a recipient's eligibility for aid is determined or the date the recipient is required to participate in welfare-to-work activities pursuant to Section 11320.3. The recipient and the county may enter into a welfare-to-work plan as late as 90 days after the completion of the job search activity, as defined in subdivision (b) of Section 11320.1, if the job search activity is initiated within 30 days after the recipient's eligibility for aid is determined. The plan shall include the activities and services that will move the individual into employment.

(b) The county shall allow the participant three working days after completion of the plan or subsequent amendments to the plan in which to evaluate and request changes to the terms of the plan.

(c) The plan shall be written in clear and understandable language, and have a simple and easy-to-read format.

(d) The plan shall contain at least all of the following general information:

(1) A general description of the program provided for in this article, including available program components and supportive services.

(2) A general description of the rights, duties, and responsibilities of program participants, including a list of the exemptions from the required participation under this article, the consequences of a refusal to participate in program components, and criteria for successful completion of the program.

(3) A description of the grace period required in paragraph (5) of subdivision (b) of Section 11325.22.

(e) (1) The plan shall specify, and shall be amended to reflect changes in, the participant's welfare-to-work activity, a description of services to be provided in accordance with Sections 11322.6 and 11322.8, as needed, and specific requirements for successful completion of assigned activities, including required hours of participation.

(2) The plan shall also include a general description of supportive services pursuant to Section 11323.2 that are to be provided as necessary for the participant to complete assigned program activities.

(f) Any assignment to a program component shall be reflected in the plan or an amendment to the plan. The participant shall maintain satisfactory progress toward employment through the methods set forth in the plan, and the county shall provide the services pursuant to Section 11323.2.

(g) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(h) This section shall become operative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

(Added by Stats. 2020, Ch. 11, Sec. 53. (AB 79) Effective June 29, 2020. Operative on or after May 1, 2022, as prescribed by its own provisions.)

11325.22. (a) (1) Following the appraisal required by Section 11325.2, all participants except those described in paragraph (4) of this subdivision or those who are participating in other activities or assessment pursuant to Section 11320.1, shall be assigned to

participate for a period of up to four consecutive weeks in job search activities. These activities may include the use of job clubs to identify the participant's qualifications. The county shall consider the skills and interests of the participants in developing a job search strategy. The period of job search activities may be shortened if the participant and the county agree that further activities would not be beneficial. Job search activities may be shortened for a recipient if the county determines that the recipient will not benefit because they may suffer from an emotional or mental disability that will limit or preclude the recipient's participation under this article.

(2) Nothing in this section shall require participation in job search activities, the schedule for which interferes with unsubsidized employment or participation pursuant to Section 11325.23.

(3) Job search activities may be required in excess of the limits specified in paragraph (1) on the basis of a review by the county of the recipient's performance during job search to determine whether extending the job search period would result in unsubsidized employment.

(4) A person subject to Article 3.5 (commencing with Section 11331) or subdivision (d) of Section 11320.3 shall not be required, but may be permitted, to participate in job search activities as their first program assignment following appraisal upon earning a high school diploma or its equivalent, if they have not already taken the option to complete these activities as the first program assignment following appraisal.

(b) (1) Upon the completion of job search activities, or a determination that those activities are not required, the participant shall be assigned to one or more of the activities described in Section 11322.6 as needed to attain employment.

(2) (A) The assignment to one or more of the program activities as required in paragraph (1) of this subdivision shall be based on the welfare-to-work plan developed pursuant to an assessment as described in Section 11325.4. The plan shall be based, at a minimum, on consideration of the individual's existing education level, employment experience and relevant employment skills, available program resources, and local labor market opportunities.

(B) An assessment pursuant to Section 11325.4 shall be performed upon completion of job search activities or at such time as it is determined that job search will not be beneficial.

(C) Notwithstanding subparagraphs (A) and (B), an assessment shall not be required to develop a welfare-to-work plan for a person who is participating in an approved self-initiated program pursuant to Section 11325.23 unless the county determines that an assessment is necessary to meet the hours specified in Section 11325.23.

(3) A participant who lacks basic literacy or mathematics skills, a high school diploma or general educational development certificate, or English language skills, shall be assigned to participate in adult basic education as described in subdivision (k) of Section 11322.6, as appropriate and necessary for removal of the individual's barriers to employment.

(4) Participation in activities assigned pursuant to this section may be sequential or concurrent. The county may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the participant's welfare-to-work plan, and the activities can be concurrently scheduled.

(5) The participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. The county shall grant the participant's request for reassignment if another assignment is available that is consistent with the participant's welfare-to-work plan and the county determines the other assignment will readily lead to employment. This grace period shall be available only once to each participant.

(c) Any assignment or change in assignment to a program activity pursuant to this section shall be included in the welfare-to-work plan, or an amendment to the plan, as required in Section 11325.21.

(d) A participant who has not obtained unsubsidized employment upon completion of the activities in a welfare-to-work plan developed pursuant to the job search activities required by subdivision (a) and an assessment required by subdivision (b) shall be referred to reappraisal as described in Section 11326.

(e) The criteria for successful completion of an assigned education or training activity shall include regular attendance, satisfactory progress, and completion of the assignment. A person who fails or refuses to comply with program requirements for participation in the activities assigned pursuant to this section shall be subject to Sections 11327.4 and 11327.5.

(f) Except as provided in paragraph (4) of subdivision (a), this section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(g) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2025, Ch. 79, Sec. 15. (SB 119) Effective July 29, 2025. Conditionally inoperative on or after July 1, 2026, as prescribed by its own provisions. Conditionally repealed January 1 following the inoperative date. See later operative version added by Sec. 16 of Stats. 2025, Ch. 79.)

11325.22. (a) Participation in activities assigned pursuant to this section may be sequential or concurrent. The county may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the participant's welfare-to-work plan, and the activities can be concurrently scheduled.

(b) The participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. The county shall grant the participant's request for reassignment if another assignment is available that is consistent with the participant's welfare-to-work plan and the county determines the other assignment will readily lead to employment. This grace period shall be available only once to each participant.

(c) Any assignment or change in assignment to a program activity pursuant to this section shall be included in the welfare-to-work plan, or an amendment to the plan, as required in Section 11325.21.

(d) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(e) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

(Repealed (in Sec. 15) and added by Stats. 2025, Ch. 79, Sec. 16. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11325.23. (a) (1) Except as provided in paragraph (2), any student who does not meet the requirements of Section 11322.84 at the time the student is required to participate under this article pursuant to Section 11320.3, and who is enrolled in any undergraduate degree or certificate program that leads to employment may continue in that program if the student is making satisfactory progress in that program, the county determines that continuing in the program is likely to lead to self-supporting employment for that recipient, and the welfare-to-work plan reflects that determination.

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

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

(B) For students not in a program on the list prepared under subparagraph (A), the county shall determine if the program leads to employment. The recipient shall be allowed to continue in the program if the recipient demonstrates to the county that the program will lead to self-supporting employment for that recipient and the documentation is included in the welfare-to-work plan.

(C) If participation in educational or vocational training, as determined by the number of hours required for classroom, laboratory, study time provided for by an educational or training institution, or internship activities, is not at least 30 hours, or if subparagraph (B) of paragraph (1) of subdivision (a) of Section 11322.8 applies, 20 hours, the county shall require concurrent participation in work activities pursuant to subdivisions (a) to (j), inclusive, of Section 11322.6 and Section 11325.22.

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

(c) Any person whose previously approved self-initiated education or training program is interrupted for reasons that meet the good cause criteria specified in subdivision (f) of Section 11320.3 may resume participation in the same program if the participant maintained good standing in the program while participating and the self-initiated program continues to meet the approval criteria.

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

(e) Any student who, at the time the student is required to participate under this article pursuant to Section 11320.3, has been enrolled and is making satisfactory progress in a degree or certificate program, but does not meet the criteria set forth in subdivision (a), shall have until the beginning of the next educational semester or quarter break to continue the student's educational program if

the student continues to make satisfactory progress. At the time the educational break occurs, the individual is required to participate pursuant to Section 11320.1. A recipient not expected to complete the program by the next break may continue the student's education, provided the student transfers at the end of the current quarter or semester to a program that qualifies under that subdivision, the county determines that participation is likely to lead to self-supporting employment of the recipient, and the welfare-to-work plan reflects that determination.

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

(g) This section shall not apply to a CalWORKs eligible individual who is participating in an educational activity full time or part time at a publicly funded or nonprofit postsecondary educational institution in accordance with Section 11322.84 and receiving payments pursuant to Section 11323.21.

(Amended by Stats. 2022, Ch. 447, Sec. 3. (SB 768) Effective January 1, 2023.)

11325.24. (a) If, in the course of appraisal pursuant to Section 11325.2 or at any point during an individual's participation in welfare-to-work activities in accordance with paragraph (1) of subdivision (a) of Section 11322.85, it is determined that a recipient meets the criteria described in subdivision (b), the recipient is eligible to participate in family stabilization.

(b) (1) A recipient is eligible to participate in family stabilization if the county determines that the recipient's family is experiencing an identified situation or crisis that is destabilizing the family and would interfere with participation in welfare-to-work activities and services.

(2) A situation or a crisis that is destabilizing the family in accordance with paragraph (1) may include, but shall not be limited to:

(A) Homelessness or imminent risk of homelessness.

(B) A lack of safety due to domestic violence.

(C) Untreated or undertreated behavioral needs, including mental health or substance abuse-related needs.

(c) Family stabilization shall include intensive case management and services designed to support the family in overcoming the situation or crisis, which may include, but are not limited to, welfare-to-work activities.

(d) Funds allocated for family stabilization in accordance with this section shall be in addition to, and independent of, the county allocations made pursuant to Section 15204.2.

(e) Funds allocated for family stabilization in accordance with this section, or the county allocations made pursuant to Section 15204.2, may be used to provide housing and other needed services to a family during any month that a family is participating in family stabilization.

(f) Each county shall submit to the department a plan, as defined by the department, regarding how it intends to implement the provisions of this section and shall report information to the department, including, but not limited to, the number of recipients served pursuant to this section, information regarding the services provided, outcomes for the families served, and any lack of availability of services. The department shall provide an update regarding this information to the Legislature during the 2014–15 budget process.

(g) It is the intent of the Legislature that family stabilization be a voluntary component intended to provide needed services and constructive interventions for parents and to assist in barrier removal for families facing very difficult needs. Participants in family stabilization are encouraged to participate, but the Legislature does not intend that parents be sanctioned as part of their experience in this program component. The Legislature further intends that recipients refusing or unable to follow their family stabilization plans without good cause be returned to the traditional welfare-to-work program.

(h) This section shall become inoperative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement Section 11325.24, as added by the act that added this subdivision, whichever date is later, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2020, Ch. 11, Sec. 54. (AB 79) Effective June 29, 2020. Inoperative on or after May 1, 2022, as prescribed by its own provisions. Repealed as of January 1 following inoperative date.)

11325.24. (a) If, in the course of appraisal pursuant to Section 11325.2 or at any point during an individual's participation in welfare-to-work activities, it is determined that a recipient meets the criteria described in subdivision (b), the recipient is eligible to participate in family stabilization.

(b) (1) A recipient is eligible to participate in family stabilization if the county determines that the recipient's family is experiencing an identified situation or crisis that is destabilizing the family and would interfere with participation in welfare-to-work activities and services.

(2) A situation or a crisis that is destabilizing the family in accordance with paragraph (1) may include, but shall not be limited to:

(A) Homelessness or imminent risk of homelessness.

(B) A lack of safety due to domestic violence.

(C) Untreated or undertreated behavioral needs, including mental health or substance abuse-related needs.

(c) Family stabilization shall include intensive case management and services designed to support the family in overcoming the situation or crisis, which may include, but are not limited to, welfare-to-work activities.

(d) Funds allocated for family stabilization in accordance with this section shall be in addition to, and independent of, the county allocations made pursuant to Section 15204.2.

(e) Funds allocated for family stabilization in accordance with this section, or the county allocations made pursuant to Section 15204.2, may be used to provide housing and other needed services to a family during any month that a family is participating in family stabilization.

(f) Each county shall submit to the department a plan, as defined by the department, regarding how it intends to implement the provisions of this section and shall report information to the department, including, but not limited to, the number of recipients served pursuant to this section, information regarding the services provided, outcomes for the families served, and any lack of availability of services. The department shall provide an update regarding this information to the Legislature during the 2014–15 budget process.

(g) It is the intent of the Legislature that family stabilization be a voluntary component intended to provide needed services and constructive interventions for parents and to assist in barrier removal for families facing very difficult needs. Participants in family stabilization are encouraged to participate, but the Legislature does not intend that parents be sanctioned as part of their experience in this program component. The Legislature further intends that recipients refusing or unable to follow their family stabilization plans without good cause be returned to the traditional welfare-to-work program.

(h) This section shall become operative on May 1, 2022, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

(Added by Stats. 2020, Ch. 11, Sec. 55. (AB 79) Effective June 29, 2020. Operative on or after May 1, 2022, as prescribed by its own provisions.)

11325.25. (a) A participant with a suspected learning or medical problem, as indicated by information received during appraisal or assessment or by lack of satisfactory progress in an assigned program component, shall be referred to an evaluation to determine whether the individual is unable to successfully complete or benefit from a current or proposed program assignment. As part of the evaluation, the county may require the individual to undergo the appropriate examinations to obtain information regarding the individual's learning and physical abilities.

(b) Based upon the results of the evaluation required by subdivision (a), the county may refer the individual to any of the following components as appropriate:

(1) Referral to any of the activities in Section 11322.6, including referral to the person's previous activity.

(2) Existing special programs that meet specific needs of the individual.

(3) Job search services, if the county determines the individual has the skills needed to find a job in the local labor market.

(4) Assessment as described in Section 11325.4, or reappraisal as described in Section 11326.

(5) Rehabilitation assessment and subsequent training.

(c) The participant shall be involved in the decisions made during the progress evaluation and shall have appeal rights consistent with those accorded to all program participants.

(Amended by Stats. 1997, Ch. 270, Sec. 110. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11325.3. (a) After a recipient has received services described in paragraph (1) of subdivision (b) of Section 11320.1 for which the county deemed the recipient eligible, other than job club or job search activities, if it is determined that the recipient has not received his or her high school diploma or its equivalent, the recipient shall be eligible to participate in a high school equivalency program in order to complete the High School Equivalency Test, General Education Development Test, Test Assessing Secondary Completion, or any other high school equivalency test recognized by the State Department of Education.

(b) This section does not require a recipient to participate in a high school equivalency program. A recipient may choose to engage in a job club or a job search pursuant to paragraph (1) of subdivision (b) of Section 11320.1, if he or she declines to participate in a high school equivalency program, in writing, as described in paragraph (2) of subdivision (b) of Section 11320.1.

(c) Recipients eligible pursuant to this section shall not be required to participate in an assessment pursuant to Section 11325.4 prior to, or as a condition of, participation in a high school equivalency program.

(Added by Stats. 2017, Ch. 303, Sec. 2. (AB 1604) Effective January 1, 2018.)

11325.4. (a) Upon referral to assessment, a participant shall work with the county welfare department to develop and agree on a welfare-to-work plan on the basis of an assessment of the individual's skills and needs. The assessment shall include at least all of the following:

- (1) The participant's work history and an inventory of their employment skills, knowledge, and abilities.
- (2) The participant's educational history and present educational competency level.
- (3) The participant's need for supportive services in order to obtain the greatest benefit from the employment and training services offered under this article.
- (4) An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.
- (5) Local labor market information.
- (6) Physical limitations or mental conditions that limit the participant's ability for employment or participation in welfare-to-work activities.

(b) The county may contract with outside parties, including local educational agencies and service delivery areas, to provide the assessment.

(c) (1) Notwithstanding the procedures set forth in Chapter 7 (commencing with Section 10950) of Part 2, if the participant and assessor are unable to reach agreement on the welfare-to-work plan, the matter shall be referred by the county for an independent assessment by an impartial third party. The results of this assessment, which shall be binding upon the county and the participant, shall be used to develop the appropriate plan for the participant.

(2) No third party assessment under this subdivision shall be made by a party having any financial or other interest in the result of the assessment. The party making the assessment shall be selected by the county according to an unbiased procedure.

(d) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(e) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

(Amended by Stats. 2025, Ch. 79, Sec. 17. (SB 119) Effective July 29, 2025. Conditionally inoperative on or after July 1, 2026, as prescribed by its own provisions. Conditionally repealed January 1 following the inoperative date. See later operative version added by Sec. 18 of Stats. 2025, Ch. 79.)

11325.4. (a) An assessment shall be available upon completion of orientation and appraisal pursuant to Section 11320.1. An assessment evaluates the participants' strengths and skills to assist them in choosing the activities they wish to include in their welfare-to-work plan. At the participant's option, this assessment may incorporate the Online CalWORKs Appraisal Tool, and shall include at least all of the following:

- (1) The participant's work history and an inventory of their employment skills, knowledge, and abilities.
- (2) The participant's educational history and present educational competency level.
- (3) The participant's need for supportive and barrier removal services in order to obtain the greatest benefit from the employment and training services offered under this article.
- (4) An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.
- (5) Local labor market information.
- (6) Physical limitations or mental conditions that limit the participant's ability for employment or participation in welfare-to-work activities.

(b) Counties may contract with outside parties, including local educational agencies and service delivery areas to perform all or part of the assessment.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

(Repealed (in Sec. 17) and added by Stats. 2025, Ch. 79, Sec. 18. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11325.5. (a) If, pursuant to the appraisal conducted pursuant to Section 11325.2 or assessment conducted pursuant to Section 11325.4, there is a concern that a mental disability exists that will impair the ability of a recipient to obtain employment, he or she shall be referred to the county mental health department.

(b) Subject to appropriations in the Budget Act, the county mental health department shall evaluate the recipient and determine any treatment needs. The evaluation shall include the extent to which the individual is capable of employment at the present time and under what working and treatment conditions the individual is capable of employment. The evaluation shall include prior diagnoses, assessments, or evaluations that the recipient provides.

(c) Each county human services agency shall develop individual welfare to work plans for recipients with mental or emotional disorders based on the evaluation conducted by the mental health department. The plan for the recipient shall include appropriate employment accommodations or restrictions, supportive services, and treatment requirements. Any prior diagnosis, evaluation, or assessment provided by the recipient shall be considered in the development of his or her individual welfare-to-work plan.

(d) This section shall become operative on July 1, 2018.

(Repealed (in Sec. 22) and added by Stats. 2017, Ch. 24, Sec. 23. (SB 89) Effective June 27, 2017. Section operative July 1, 2018, by its own provisions.)

11325.7. (a) It is the intent of the Legislature in enacting this section to create a funding stream and program that assists certain recipients of aid under this chapter to receive necessary mental health services, including case management and treatment, thereby enabling them to make the transition from welfare to work. This funding stream shall be used specifically to serve recipients in need of mental health services, and shall be accounted for and expended by each county in a manner that ensures that recipients in need of mental health services are receiving appropriate services.

(b) The county plan required by Section 10531 shall include a plan for the development of mental health employment assistance services, developed jointly by the county human services agency and the county department of mental health. The plan shall have as its goal the treatment of mental or emotional disabilities that may limit or impair the ability of a recipient to make the transition from welfare to work, or that may limit or impair the ability to retain employment over a long-term period. The plan shall be developed in a manner consistent with both the county's welfare-to-work program and the county's consolidated mental health Medi-Cal services plan. The county may use community-based providers, as necessary, that have experience in addressing the needs of the CalWORKs population. The county, whenever possible, shall ensure that the services provided qualify for federal reimbursement of the nonstate share of Medi-Cal costs.

(c) Subject to specific expenditure authority, mental health services available under this section shall include all of the following elements:

(1) Assessment for the purpose of identifying the level of the participant's mental health needs and the appropriate level of treatment and rehabilitation for the participant.

(2) Case management, as appropriate, as determined by the county.

(3) Treatment and rehabilitation services, that shall include counseling, as necessary to overcome mental health barriers to employment and mental health barriers to retaining employment, in coordination with an individual's welfare-to-work plan.

(4) In cases in which a secondary diagnosis of substance abuse is made in a person referred for mental or emotional disorders, the welfare-to-work plan shall also address the substance abuse treatment needs of the participant.

(5) A process by which the county can identify those with severe mental disabilities that may qualify them for aid under Chapter 3 (commencing with Section 12000).

(d) Any funds appropriated by the Legislature to cover the nonfederal costs of the mental health employment assistance services required by this section shall be allocated consistent with the formula used to distribute each county's CalWORKs program allocation. Each county shall report annually to the state the number of CalWORKs program recipients who received mental health services and the extent to which the allocation is sufficient to meet the need for these services as determined by the county. The State Department of Health Care Services shall develop a uniform methodology for ensuring that this allocation supplements, and does not supplant, current expenditure levels for mental health services for this population.

(e) This section shall become operative on July 1, 2018, unless a later enacted statute, that is enacted on or before July 1, 2018, deletes or extends that date.

(Repealed (in Sec. 25) and added by Stats. 2017, Ch. 24, Sec. 26. (SB 89) Effective June 27, 2017. Section operative July 1, 2018, by its own provisions.)

11325.8. (a) The county plan required by Section 10531 shall include a plan for the provision of substance abuse treatment services. The plan shall describe how the county human services agency and the county alcohol and drug program will collaborate to ensure an effective system is available to provide alcohol and drug services to recipients whose substance abuse creates a barrier to employment. The plan shall be developed in a manner that is consistent with the county's welfare-to-work program. Substance abuse treatment services shall include evaluation, substance abuse treatment, employment counseling, provision of community service jobs, or other appropriate services.

(b) It is the intent of the Legislature that substance abuse treatment services for participants shall be provided by the county alcohol and drug program, or by a nonprofit agency under contract with the county alcohol and drug program. If the county human services agency determines that the county alcohol and drug program is unable to provide the needed services, the county department may contract directly with a nonprofit state-licensed narcotic treatment program, residential facility, or certified nonresidential substance abuse program to obtain substance abuse services for a participant.

(c) (1) A participant who is in a job search component of the county's welfare-to-work program may be directed at any time to an assessment by the job search manager if the county believes that the participant's substance abuse may limit or preclude his or her satisfactory completion of the job search component.

(2) During the assessment, if the case manager believes that substance abuse will impair the ability of the participant to obtain and retain employment, the case manager shall refer the participant to the county alcohol and drug program for an evaluation and determination of any treatment necessary for the participant's transition from welfare to work. If the county alcohol and drug program is unable to provide the necessary services, the county may refer the participant to a state-licensed or certified nonprofit agency under contract with the county to perform these services.

(3) If a participant is determined to have a substance abuse problem, based on an evaluation by the county alcohol and drug program or a nonprofit state-licensed narcotic treatment program, residential facility, or certified nonresidential substance abuse program, the case manager shall develop the participant's welfare-to-work plan based on the results of that evaluation. In that case, the participant's welfare-to-work plan may include appropriate treatment requirements, including assignment to a substance abuse program.

(4) A recipient of aid under this chapter shall be offered two opportunities to receive substance abuse treatment under subdivision (g) of Section 11322.6, except that the county may offer the recipient additional treatment opportunities.

(5) When a participant's welfare-to-work plan includes assignment to a treatment program, a case manager may determine that the participant is out of compliance with that plan if, at any time, in consultation with the substance abuse treatment provider, the county determines that the participant has failed or refused to participate in a treatment program without good cause. The assigned treatment program shall be reasonably accessible within the county of residence or a nearby county.

(6) When a case manager determines that a participant in a treatment program as specified in his or her welfare-to-work plan is out of compliance with a program requirement other than participation in a required treatment program, the determination of whether the participant has good cause to be out of compliance shall include consideration of whether the participant's substance abuse problem caused or substantially contributed to the failure to comply with the program requirements. In this determination, the county shall consult the substance abuse treatment provider as appropriate.

(d) A recipient may not participate in a substance abuse treatment program for longer than six months without concurrently participating in a work activity, to be determined by the county and the recipient, in consultation with the treatment provider. However, if the recipient is in a state-licensed residential facility or a certified nonresidential substance abuse program that requires him or her to stay at the program site for a minimum of three hours per day, three days per week, or otherwise not to participate in nonprogram activities, the requirements of the treatment program shall fulfill the recipient's work activity requirement.

(e) Any funds appropriated by the Legislature for allocation to each county to eliminate barriers to employment due to participants' substance abuse problems shall be allocated consistent with the formula used to distribute each county's CalWORKs program allocation and shall be used to supplement, and not supplant, substance abuse treatment funds otherwise available to recipients. It is the intent of the Legislature that these funds be used to develop, expand, or develop and expand programs appropriate for CalWORKs program recipients. It is further the intent of the Legislature that, to the extent possible, these funds be used to maximize federal financial participation through Title XIX of the federal Social Security Act (42 U.S.C. Sec. 1396 et seq.).

(f) Each county shall report annually to the state the number of CalWORKs program recipients who receive substance abuse treatment and the extent to which the allocation is sufficient to meet the need for substance abuse services as determined by the county.

(g) This section shall become operative on July 1, 2018.

(Repealed (in Sec. 28) and added by Stats. 2017, Ch. 24, Sec. 29. (SB 89) Effective June 27, 2017. Section operative July 1, 2018, by its own provisions.)

11325.9. (a) The department shall develop three-year pilot projects in Alameda County, San Bernardino County, and Ventura County, at the option of each county, to create an integrated and coordinated case management system for delivery of services to CalWORKs families who face multiple barriers to employment. This pilot program shall permit the exchange of information and records between members of a multidisciplinary services team for the purpose of coordinating services relevant to the prevention, identification, and treatment of the family's barriers to employment. Information shared between members of the multidisciplinary services team shall be maintained in a manner to ensure maximum protection of the family's privacy. Information shall not be shared between the team or otherwise disclosed, except as otherwise authorized by law, once an individual and his or her family no longer receive CalWORKs benefits or services.

(b) For purposes of this section and Sections 11325.91 to 11325.96, inclusive:

(1) "Multidisciplinary service team" or "team" means a team of two or more persons trained and qualified to provide one or more of the services listed in paragraph (2) who are assigned the responsibility, within an integrated welfare system, for identifying the educational, health, and social service needs of a member of an assistance unit, and for developing a plan to address those needs. Team members may include any of the following:

(A) Representatives of public employment services agencies under contract with the CalWORKs program.

(B) Psychiatrists, psychologists, or other trained counseling personnel involved in mental health treatment.

(C) Providers of substance abuse treatment.

(D) Medical personnel with sufficient training to provide health services.

(E) Any public or private school teacher, administrative officer, supervisor of child welfare and attendance, or certificated public personnel employee.

(F) Representatives of a domestic violence shelter.

(G) Probation officers.

(H) Social workers with experience or training in child abuse or abuse of elder or dependent adults.

(I) Representatives from public housing agencies.

(J) Other team members may be added if necessary and if approved by the client if the team member agrees to abide by the confidentiality requirements in Section 11325.93.

(2) "Integrated welfare system" means programs established by the state or by the pilot project county governments to provide two or more of the following services to households in which recipients of benefits under this chapter reside:

(A) Child welfare services.

(B) Employment services.

(C) Health care services.

(D) Mental health services.

(E) Substance abuse prevention and treatment.

(F) Child abuse prevention, identification, and treatment.

(G) Elder or dependent adult abuse prevention, identification, and treatment.

(H) Public housing services.

(I) Domestic violence counseling services.

(J) Juvenile probation services. However, representatives of juvenile probation may provide information to other team members, but may not receive information, records, or copies of records, from other team members.

(K) Educational services for children and adults.

(L) Nutrition services.

(M) Child care and development services.

(N) Learning disability evaluation.

(3) "Targeted population" means long-term welfare-dependent families with multiple barriers to employment, including, but not limited to, substance abuse, mental illness, child abuse and neglect, and domestic violence.

(Added by Stats. 1999, Ch. 919, Sec. 2. Effective January 1, 2000.)

11325.91. Notwithstanding any other provision of law, for purposes of Section 10850, a team engaged in any activity permitted pursuant to Section 11325.93 shall be deemed to be engaged in the administration of public social services.

(Added by Stats. 1999, Ch. 919, Sec. 3. Effective January 1, 2000.)

11325.93. (a) Team members may disclose to one another information about, and view records on, members of an assistance unit to the extent permitted by this section, for CalWORKs clients in the targeted population. In the operation of the pilot projects authorized by Section 11325.9, information disclosed or records viewed by team members shall be limited to relevant information or records necessary to formulate an integrated services plan or to deliver services to children and families. All information or documents, or copies of documents, to be disclosed by team members shall be necessary to the prevention, identification, and treatment of a parent's or guardian's barriers to employment.

(b) If team members require records held by other team members, copies may be provided subject to the limitations of subdivision (c). Requests for copies shall be limited to the records necessary to formulate an integrated services plan, or to deliver services to children and their families.

(c) (1) Team members who receive information or records pertaining to a member of an assistance unit shall be allowed to establish and maintain a common computer data base for the purpose of planning and delivering services. The data base may contain demographic data and data on the level of individual involvement with an assistance unit member. The data base shall be for the use and disclosure only within the program, except by properly authorized consent of the CalWORKs recipient. A memorandum of understanding shall be established that specifies what types of information may be shared and for what purposes.

(2) Juvenile probation services shall be involved in the integrated welfare system for the limited purpose of providing information that directly affects the parent's or guardian's ability to participate in employment training or employment.

(3) Part 2.6 (commencing with Section 56) of Division 1 of the Civil Code, shall apply to the programs or services providing integrated services. Programs or services that seek access to an individual's medical information, including mental health and drug treatment records, shall be required to obtain informed authorization from the individual or from the custodial parent or guardian if the individual is a minor, unless a minor is authorized to give consent. Medical information shall not be disclosed to any individual who is not authorized to have that information pursuant to the authorization. Medical information shall not be disclosed for any purpose not authorized by the authorization. A client shall have access to his or her medical information and the right to correct any inaccurate information.

(4) The pilot program may authorize use of information contained in the data base for bona fide evaluation and research purposes, unless otherwise prohibited by law. No information disclosed under this paragraph shall permit identification of the CalWORKs recipient or his or her family members.

(5) The release of copies of records protected by evidentiary privileges, as defined in Chapter 4 (commencing with Section 930) of Division 8 of the Evidence Code, may take place only after the team has received a form permitting release of records on the assistance unit member, which is signed by the member or the member's custodial parent or guardian if the member is a minor. This paragraph shall not be construed to waive any right of privilege contained in the Evidence Code, except in compliance with Section 912 of that code.

(d) The sharing of information permitted under subdivisions (a), (b), and (c) shall be governed by memoranda of understanding among the agencies represented on the team. These memoranda shall specify the types of information that may be shared without a signed release form, in accordance with subdivision (c), and the process to be used to ensure that current confidentiality requirements, as described in subdivision (e), are met.

(e) Every team member shall be under the same privacy and confidentiality obligations and subject to the same confidentiality penalties as the person disclosing or providing the information or records. The information or records obtained shall be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights.

(f) This section shall not be construed to restrict guarantees of confidentiality provided under federal law.

(g) Nothing in this section shall be construed to affect the authority of a health care provider to disclose medical information pursuant to paragraph (1) of subdivision (c) of Section 56.10 of the Civil Code.

(h) Information and records communicated or provided to the pilot programs by all providers, programs, and agencies, as well as information and records created by the program in the course of serving CalWORKs recipients and their families, shall be deemed private and confidential, and shall be protected from discovery and disclosure by all applicable statutory and common-law protections. Civil and criminal penalties shall apply to the inappropriate disclosure of information held by the pilot programs. This section shall not affect the authority of a health care provider to disclose medical information pursuant to paragraph (1) of subdivision (c) of Section 56.10 of the Civil Code.

(Added by Stats. 1999, Ch. 919, Sec. 4. Effective January 1, 2000.)

11325.95. The department shall prepare a report, for submission to the Legislature on or before April 1, 2002, on the outcomes of the pilot program established pursuant to Sections 11325.9 to 11325.93, inclusive, improving coordinated case management, assisting hard-to-serve CalWORKs families in alleviating multiple barriers to employment, and integrating service delivery within the multidisciplinary services team structure. The department shall also include in the report an analysis of the impact that record and information sharing has on CalWORKs recipients and their families, whether this information sharing pilot program results in increased employment rates of hard-to-serve parents, and whether there are any adverse consequences to recipients resulting from information sharing among agencies.

(Added by Stats. 1999, Ch. 919, Sec. 5. Effective January 1, 2000.)

11327. Any county which fails to provide services according to its plan approved pursuant to this article shall receive sanctions in accordance with Section 10605. A recipient or a group of recipients may request the director to invoke Section 10605.

(Amended by Stats. 1995, Ch. 306, Sec. 30. Effective August 3, 1995.)

11327.4. (a) (1) Whenever an individual has failed or refused to comply with program requirements without good cause in a program component to which they are assigned and refuses to agree to or fails, without good cause, to comply with a compliance plan agreed to between the county and the participant, the individual shall be subject to sanctions specified in Section 11327.5.

(2) For the purposes of this article, the phrase "failed or refused to comply with program requirements" shall be limited to: failing or refusing to sign a welfare-to-work plan, participate or provide required proof of satisfactory progress in any assigned program activity, pursuant to this article, including self-initiated programs described in Section 11325.23 or accept employment; terminating employment; or reducing earnings.

(b) (1) Upon determination that an individual has failed or refused to comply with program requirements, the county shall issue a notice of action effective no earlier than 30 calendar days from the date of issuance informing the individual that a sanction will be imposed if the individual fails to either attend an appointment scheduled by the county to be held within 20 calendar days of the notice, or contact the county by phone, within 20 calendar days of the notice, and fails to do either of the following:

(A) Provide information to the county that they had good cause for the refusal or failure that has led the county to make a finding of good cause for nonparticipation.

(B) Agree to a compliance plan to correct the failure or refusal to comply.

(2) The county shall schedule a time during which each individual who has failed or refused to comply with program requirements has an opportunity to demonstrate that they had good cause for that refusal or failure. The county shall schedule an appointment

within 20 calendar days of the notice of action. The individual shall be allowed to reschedule the cause determination appointment at least once within the 20-calendar-day period.

(3) The written notice of action sent by the county shall do all of the following:

- (A) Inform the individual of the specific act or acts that have caused the individual to be out of compliance with participation requirements.
- (B) Inform the individual of their right to assert good cause for their refusal or failure.
- (C) Inform the individual of the date and time of the scheduled appointment.
- (D) Provide a general definition of good cause and examples of reasons that constitute good cause for not participating in the program.
- (E) Inform the individual of the right to contact the county welfare department by telephone to establish good cause over the telephone in lieu of attending the appointment scheduled by the county.
- (F) Inform the individual of the right to reschedule the appointment once within the 20-calendar-day period.
- (G) Inform the individual that if good cause is not found, a compliance plan will be developed and the individual will be expected to agree to the plan or face a sanction.
- (H) Inform the individual of the name, telephone number, and address of state and local legal aid and welfare rights organizations that may assist the individual with the good cause and compliance plan process.
- (I) Describe the transportation and child care services that a person is entitled to, as needed in order to attend the appointment.

(c) If the individual fails to attend the appointment, the county shall attempt to contact the individual by telephone at the time of or after the appointment in order to establish a finding of good cause or no good cause, and, if a finding of no good cause is made, develop a compliance plan to correct the instance of nonparticipation.

(d) If the individual fails to attend the meeting and the county is not able to contact the individual in accordance with subdivision (c), and the individual fails to contact the county within the 20-calendar-day period, a sanction shall be imposed in accordance with Section 11327.5.

(e) If the individual attends the appointment or contacts the county by phone within the 20-calendar-day period and is either found by the county to have had good cause for their refusal or failure, or agrees to a compliance plan to correct the failure or refusal, the county shall rescind the notice of action issued pursuant to subdivision (b). If the individual agrees to a compliance plan at the appointment, the individual shall be provided a copy of the plan. If the individual agrees to a compliance plan over the telephone, a copy of the plan shall be mailed to the client.

(f) If the individual is found by the county to have had good cause for their refusal or failure, an instance of noncompliance shall not be considered to have occurred.

(g) If the individual is found by the county not to have had good cause, but agrees to a compliance plan and then fulfills the terms of the compliance plan, an instance of noncompliance shall not be considered to have occurred.

(h) If the individual enters into a written compliance plan, but does not fulfill the terms of the plan, and the county determines, based on available information, that the individual did not have good cause for failure to meet the terms of the plan, the county shall send a notice of action to impose a sanction. The procedures specified in subdivision (b) shall not be applicable to a sanction imposed under this subdivision.

(Amended by Stats. 2025, Ch. 79, Sec. 21. (SB 119) Effective July 29, 2025.)

11327.41. (a) Notwithstanding any other law, a person shall not be subject to the sanctions specified in Section 11327.5 unless the county verifies that the person had childcare available at the time they were supposed to participate in a specified welfare-to-work activity.

(b) Prior to imposing sanctions pursuant to Section 11327.5, the county shall confirm that it provided the participant a request form and the reimbursement rules for childcare supportive services and that, if eligible for childcare supportive services, the participant had secured childcare.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

(Added by Stats. 2025, Ch. 79, Sec. 22. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11327.5. (a) Sanctions shall be imposed in accordance with subdivision (b) or (c), as appropriate, if an individual has failed or refused to comply with program requirements without good cause and conciliation efforts, as described in Section 11327.4, have failed.

(b) The sanctions provided for in subdivisions (c) and (d) shall not apply to an individual who is exempt from the requirements of this article but is voluntarily participating in the program. If that individual engages in conduct that would bring about the actions provided for in subdivisions (c) and (d), except for his or her status as a voluntary program participant, the individual shall not be given priority so long as other individuals are actively seeking to participate.

(c) Financial sanctions for failing or refusing to comply with program requirements without good cause shall cause a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a period of time specified in subdivision (d).

(1) For families that qualify for aid due to unemployment of the family's primary wage earner, the sanctioned parent shall be removed from the assistance unit. Unless the spouse or the family's second parent meets the provisions of subparagraph (A) of paragraph (2), if the sanctioned parent's spouse or the family's second parent is not participating in the program, both the sanctioned parent and the spouse or second parent shall be removed from the assistance unit. The county shall notify the spouse of the noncomplying participant or second parent in writing at the commencement of conciliation of his or her own opportunity to participate and the impact on sanctions of that participation.

(2) (A) Except as provided in subparagraph (B), exemption criteria specified in Section 11320.3, conciliation specified in Section 11327.4, and good cause criteria specified in Section 11320.31 and subdivision (f) of Section 11320.3 shall apply to the sanctioned parent's spouse or the family's second parent.

(B) Exemption criteria specified in paragraphs (5) and (6) of subdivision (b) of Section 11320.3 do not apply to a spouse or second parent who is participating to avoid the sanction of the noncomplying parent.

(C) If the sanctioned parent's spouse or the family's second parent chooses to participate to avoid the noncomplying parent's sanction, subsequently fails or refuses to participate without good cause, and does not conciliate, he or she shall be removed from the assistance unit for a period of time specified in subdivision (d).

(D) If the sanctioned parent's spouse or the family's second parent is under his or her own sanction at the time of the first parent's sanction, the spouse or second parent shall not be provided the opportunity to avoid the first parent's sanction until the spouse or second parent's sanction is completed.

(3) For families that qualify due to the absence or incapacity of a parent, only the noncomplying parent shall be removed from the assistance unit.

(4) If the noncomplying individual is the only dependent child in the family, his or her needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(5) If the noncomplying individual is one of several dependent children in the family, his or her needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(d) An instance of noncompliance without good cause shall result in a financial sanction. This sanction shall terminate at any point if the noncomplying participant performs the activity or activities he or she previously refused to perform.

(e) Sanctions shall become effective on the first day of the first payment-month that the sanctioned individual's needs are removed from aid under this chapter.

(f) In the event this section conflicts with federal law, the department shall adopt regulations to conform to federal law.

(Amended (as amended by Stats. 2009, 4th Ex., Ch. 8, Sec. 2) by Stats. 2011, Ch. 8, Sec. 15. (SB 72) Effective March 24, 2011. Conditionally superseded on or after July 1, 2026; See amendment by Stats. 2025, Ch. 79.)

11327.5. (a) Sanctions shall be imposed in accordance with subdivision (b) or (c), as appropriate, if an individual has failed or refused to comply with program requirements without good cause and conciliation efforts, as described in Section 11327.4, have failed.

(b) (1) The sanctions provided for in subdivisions (c) and (d) shall not apply to an individual who is exempt from the requirements of this article but is voluntarily participating in the program. If that individual engages in conduct that would bring about the actions provided for in subdivisions (c) and (d), except for their status as a voluntary program participant, the individual shall not be given priority so long as other individuals are actively seeking to participate.

(2) Within the first 90 days after an individual is determined eligible for aid, the sanctions provided for in subdivisions (c) and (d) shall not apply.

(c) Financial sanctions for failing or refusing to comply with program requirements without good cause shall cause a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a period of time specified in subdivision (d).

(1) For families that qualify for aid due to unemployment of the family's primary wage earner, the sanctioned parent shall be removed from the assistance unit. Unless the spouse or the family's second parent meets the provisions of subparagraph (A) of paragraph (2), if the sanctioned parent's spouse or the family's second parent is not participating in the program, both the sanctioned parent and the spouse or second parent shall be removed from the assistance unit. The county shall notify the spouse of the noncomplying participant or second parent in writing at the commencement of conciliation of their own opportunity to participate and the impact on sanctions of that participation.

(2) (A) Except as provided in subparagraph (B), exemption criteria specified in Section 11320.3, conciliation specified in Section 11327.4, and good cause criteria specified in Section 11320.31 and subdivision (f) of Section 11320.3 shall apply to the sanctioned parent's spouse or the family's second parent.

(B) Exemption criteria specified in paragraphs (5) and (6) of subdivision (b) of Section 11320.3 do not apply to a spouse or second parent who is participating to avoid the sanction of the noncomplying parent.

(C) If the sanctioned parent's spouse or the family's second parent chooses to participate to avoid the noncomplying parent's sanction, subsequently fails or refuses to participate without good cause, and does not conciliate, they shall be removed from the assistance unit for a period of time specified in subdivision (d).

(D) If the sanctioned parent's spouse or the family's second parent is under their own sanction at the time of the first parent's sanction, the spouse or second parent shall not be provided the opportunity to avoid the first parent's sanction until the spouse or second parent's sanction is completed.

(3) For families that qualify due to the absence or incapacity of a parent, only the noncomplying parent shall be removed from the assistance unit.

(4) If the noncomplying individual is the only dependent child in the family, their needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(5) If the noncomplying individual is one of several dependent children in the family, their needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(d) (1) An instance of noncompliance without good cause shall result in a financial sanction. This sanction shall terminate at any point if the noncomplying participant indicates to the county verbally or in writing that they want to cure their sanction and that they want to begin participating in welfare-to-work activities, or at any point the county verifies or otherwise discovers that, based on the most recent documentation available, the individual is or has been meeting the federally required minimum average number of hours per week of welfare-to-work participation as set forth in Section 607 of Title 42 of the United States Code. If the participant wants to change their assigned activities, the county and the participant shall agree verbally or in writing to a new or amended welfare-to-work plan.

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer the changes made to this subdivision by the act that added this paragraph, through all-county letters or similar instruction that shall have the same force and effect as regulations until regulations are adopted.

(e) Sanctions shall become effective on the first day of the first payment-month that the sanctioned individual's needs are removed from aid under this chapter.

(f) In the event this section conflicts with federal law, the department shall adopt regulations to conform to federal law.

(g) The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes made to this section by the act that added this subdivision.

(Amended by Stats. 2025, Ch. 79, Sec. 23. (SB 119) Effective July 29, 2025. Conditionally operative on or after July 1, 2026, as prescribed by its own provisions.)

11327.6. Notwithstanding any other provision of law, any person who is not required, but who volunteers, to participate in the program established by this article and fails to appear for a scheduled appointment prior to entering into the welfare-to-work plan shall be deemed to not be subject to the requirements of this article and the conciliation efforts and sanction requirements established under Sections 11327.4 and 11327.5 shall not apply.

(Amended by Stats. 1997, Ch. 270, Sec. 120. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11327.8. (a) Except as specified in this section, whenever a participant believes that any program requirement or assignment in this program is in violation of his or her welfare-to-work plan or is inconsistent with this article, the participant may request a state hearing pursuant to Chapter 7 (commencing with Section 10950) of Part 2 or utilize a formal grievance procedure to be established by the county board of supervisors and specified in each county plan.

(b) If the participant is not satisfied with the outcome of the grievance procedure, he or she may appeal the decision in accordance with the procedures set forth in Chapter 7 (commencing with Section 10950) of Part 2. Participants shall be subject to sanctions pending the outcome of the formal grievance procedure or any subsequent appeal, only if they fail to participate during the period the grievance procedure is being processed. However, a participant shall not utilize the grievance procedure to appeal the results of an assessment made pursuant to Section 11325.4.

(c) If a participant is not satisfied with the decision of a hearing conducted pursuant to Section 10950 concerning on-the-job working conditions or workers' compensation coverage, the participant may file a further appeal with the appropriate state regulating agency.

(Amended by Stats. 1998, Ch. 902, Sec. 38. Effective January 1, 1999.)

11327.9. In determining whether good cause exists for a refusal or failure to comply with program requirements, the county shall take into consideration whether the participant has a mental disability that caused or substantially contributed to the refusal or failure to comply with program requirements. This determination shall be made, where appropriate, in consultation with the county mental health department.

(Added by Stats. 1997, Ch. 270, Sec. 122. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11328.2. A participant under this article shall have all due process rights granted pursuant to Chapter 7 (commencing with Section 10950) of Part 2.

(Added by Stats. 1990, Ch. 1568, Sec. 7. Effective September 30, 1990. Operative October 1, 1990, by Sec. 15 of Ch. 1568.)

11328.8. (a) The department, under the direction of the Health and Welfare Agency, the Chancellor's office of the California Community Colleges, and the State Department of Education shall each develop and implement regulations whereby any payment for education and training services from funds appropriated for the purposes of this article and delivered pursuant to Section 11322.6 by an entity contracting with a county shall be made in accordance with a competitively selected fixed unit price performance-based contract. Under these contracts, full payment shall not be considered earned until either of the following has occurred:

(1) The participant has successfully completed the education program.

(2) The participant has successfully completed the job training program and has been retained in unsubsidized employment for at least 180 days.

(b) Up to 70 percent of the fixed unit price for job training may be paid upon placement. At least 30 percent of the fixed unit price for job training shall be withheld for the followup during the 180-day retention period. Progress payments shall be made from this portion upon evidence of job retention at 30, 90, and 180 days. A pro rata share of the 70 percent payment shall be paid to the training provider if the participant fails to complete the training.

(c) The department may exempt county contracts for CalWORKs educational services from subdivisions (a) and (b) in instances where counties are unable to obtain educational services due to the absence of an available adult education program or the small number of CalWORKs referrals. The department, in conjunction with the State Department of Education, shall develop criteria for granting the exemptions from subdivisions (a) and (b). The departments shall also consider using funds set aside for CalWORKs educational services in the State Department of Education's annual budget allocation or funds allocated to the State Department of Education for CalWORKs costs in the annual Budget Act, to pay for the costs of education contracts permitted by this subdivision.

(Amended by Stats. 1998, Ch. 902, Sec. 39. Effective January 1, 1999.)

11329. (a) The department shall evaluate the program and shall collect data on program cost, caseload movement, and program outcomes, including data on all of the following:

(1) The numbers of voluntary and mandatory participants in each program component.

- (2) The amount of time that each participant remains in each component and the types of services, including supportive services, each participant receives.
- (3) The number of recipients in each component that move to each of the other components.
- (4) The number of participants sanctioned as well as the amount and duration of the sanction, the reason for the sanction, and the amount of time the participant was in the program prior to the sanction.
- (5) The number of participants who go off aid, and to the extent possible, the reason they have gone off aid.
- (6) The number of applicants who reapplied for and received aid after having gone off aid during the time they were participating in the program.
- (7) The starting salary of employed participants.
- (8) Participants' job retention rates.
- (9) The appropriateness of the categorization of participants.
- (10) The appropriateness of assessments and employment plans.
- (11) The appropriateness of preemployment preparation assignments, including a periodic review of the appropriateness of these assignments.
- (12) The effectiveness of training components based upon the number of individuals placed in employment.
- (13) The timeliness of preemployment preparation assignment reviews.
- (14) The appropriateness of sanctions applied under this article.

(b) The department may use standard statistical sampling methods to conduct the evaluation. The department shall maintain this data for the state and for each county. The department may contract with a qualified organization for the evaluation required by this section. The department shall submit a plan for implementing this evaluation to the Joint Legislative Budget Committee. To the extent possible, the data collection system for this evaluation shall be designed to collect data in the least expensive and least time-consuming manner possible.

(Amended by Stats. 2001, Ch. 745, Sec. 243. Effective October 12, 2001.)

11329.2. (a) The department shall seek any federal funds available for implementation of this article, including, but not limited to, funds available under Title IV of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.).

(b) (1) The department shall seek any waiver from the Secretary of the United States Department of Health and Human Services which is necessary to implement this article.

(2) Any provision of this article that may only be implemented pursuant to a waiver from the United States Department of Health and Human Services shall only be operative during the period for which the waiver is granted, as stated in a declaration that shall be executed by the director when the waiver is obtained.

(Amended by Stats. 1997, Ch. 270, Sec. 127. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)

11329.4. (a) No funds appropriated for purposes of this article shall be used to fund education or training services in any county plan if these services could reasonably be provided by local educational agencies from Section A or Section B of the State School Fund which are not otherwise committed.

(b) No local educational agency shall be authorized to receive funds appropriated for purposes of this article unless it has demonstrated that it has fully committed all the funds from Section A or Section B of the State School Fund available to it, as certified by the district to the Chancellor of the California Community Colleges, or the Superintendent of Public Instruction.

(c) The Chancellor of the California Community Colleges and the Superintendent of Public Instruction, as appropriate, shall certify this information to the Director of Finance.

(Added by Stats. 1990, Ch. 1568, Sec. 7. Effective September 30, 1990. Operative October 1, 1990, by Sec. 15 of Ch. 1568.)

11329.5. With respect to paragraph (7) of subdivision (b) of Section 11320.3 and Section 11325.71, the Legislature finds and declares all of the following, but only for the operative period of these added provisions:

(a) Due to the significant General Fund revenue decline for the 2009–10 fiscal year, funding has been reduced for the CalWORKs program.

(b) Due to the federal funding available under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (ARRA) for CalWORKs grants, reductions in 2009–10 are being achieved in the county single allocation.

(c) Reduced funding, including a three-hundred-seventy-five-million-dollar (\$375,000,000) reduction to the county single allocation in the 2009–10 and 2010–11 Budget Acts, and increased caseload for CalWORKs will result in insufficient resources to provide the full range of welfare-to-work services in the 2009–10 and 2010–11 fiscal years.

(d) Reduced funding, including a three hundred seventy-six million eight hundred fifty thousand dollar (\$376,850,000) reduction to the county single allocation in the 2011–12 Budget Act, will result in insufficient resources to provide the full range of welfare-to-work services in the 2011–12 fiscal year.

(e) Reduced funding, including a reduction to the county single allocation, for the period between July 1, 2012, until January 1, 2015, will result in insufficient resources to provide the full range of welfare-to-work services during that time period.

(f) It is the intent of the Legislature that the limited resources for CalWORKs services be effectively utilized, as established in paragraph (7) of subdivision (b) of Section 11320.3.

(g) It is the further intent of the Legislature to provide additional flexibility to address funding constraints, as established in Section 11325.71, in addition to the existing flexibility provided under subdivision (f) of Section 11320.3.

(h) It is the further intent of the Legislature to minimize disruption of welfare-to-work services for individuals already participating, and prioritize exemptions and good cause for applicants.

(i) Funding and caseload factors will result in circumstances beyond the control of the counties in the 2009–10, 2010–11, and 2011–12 fiscal years, and relief should be provided for federal penalties that may result.

(Amended by Stats. 2012, Ch. 47, Sec. 21. (SB 1041) Effective June 27, 2012.)