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AB-1604 CalWORKs: welfare-to-work: education. (2017-2018)

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Assembly Bill No. 1604

CHAPTER 303

An act to amend Section 11320.1 of, and to add Section 11325.3 to, the Welfare and Institutions Code, relating to CalWORKs.

[Approved by Governor September 26, 2017. Filed with Secretary of State September 26, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1604, Nazarian. CalWORKs: welfare-to-work: education.

Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law requires a recipient of CalWORKs to participate in certain welfare-to-work activities as a condition of eligibility and requires the county to assign a CalWORKs recipient who lacks a high school diploma or its equivalent to participate in adult basic education, if the recipient has completed job search activities but did not find employment and the education is needed to become employed. Existing law also requires, in order for a recipient to engage in adult basic education in satisfaction of welfare-to-work requirements, the county to perform an assessment and develop a welfare-to-work plan that includes participation in the educational activity.

This bill would instead provide that after the county determines that a CalWORKs recipient has received specified services, but has not received his or her high school diploma or its equivalent, the recipient may participate in a high school equivalency program in order to complete a high school equivalency test recognized by the State Department of Education. The bill would prohibit a county from requiring the recipient to participate in an assessment before the recipient may engage in a high school equivalency program in satisfaction of welfare-to-work requirements under those circumstances. The bill would require a recipient who has not received his or her high school diploma or its equivalent to be offered a welfare-to-work plan to participate in a high school education program or high school equivalency program, as specified. If the recipient declines to participate in the specified educational activities, and chooses instead to participate in job club or job search activities, or other activities, the bill would require the recipient to make that election, in writing, on the welfare-to-work plan. By imposing additional administrative duties on counties, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11320.1 of the Welfare and Institutions Code is amended to read:

11320.1. 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:

(a) 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.

(b) (1) After orientation and appraisal, recipients shall participate in job search and job club pursuant to Section 11325.22, family stabilization pursuant to Section 11325.24, or substance abuse, mental health, or domestic violence services, unless the county determines that the recipient should first go to assessment pursuant to subdivision (c).

(2) A recipient who has not received his or her 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 paragraph, and to instead participate in job club or job search activities as described in Section 11325.22, or other activities, if eligible, such as mental health or substance abuse services, as described in paragraph (1), the recipient shall make that election, in writing, on the welfare-to-work plan.

(c) Assessment. If employment is not found during the period provided for pursuant to subdivision (b), or at any time the county determines that participation in job search for the period specified in subdivision (a) of Section 11325.22 is not likely to lead to employment or that, based on information gathered during the appraisal, further information is needed to make an effective determination regarding the recipient's next welfare-to-work activity, 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.

(d) 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.

SEC. 2. Section 11325.3 is added to the Welfare and Institutions Code, to read:

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.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.