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SB-521 CalWORKs: pregnancy or parenting. (2023-2024)

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Senate Bill No. 521

CHAPTER 615

An act to amend Sections 11320.3, 11320.31, 11331.5, and 11332.7 of, and to repeal and add Section 11333.7 of, the Welfare and Institutions Code, relating to CalWORKs.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 521, Smallwood-Cuevas. CalWORKs: pregnancy or parenting.

Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which, through a combination of federal, state, and county funds, each county provides cash assistance and other benefits to qualified low-income families. Under the CalWORKs program, as a condition of eligibility for aid, recipients are required to participate in certain welfare-to-work activities, except for specified individuals, including, among others, individuals under 16 years of age and recipients who are pregnant.

Existing law requires that a recipient be excused from participation for good cause if the county has determined that 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. Existing law requires the county human services agency to 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 3 months. Under existing law, conditions that may be considered good cause include, but are not limited to, lack of necessary supportive services, 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, arrangements for childcare have broken down or have been interrupted, or childcare is needed for a child who meets specified criteria.

Existing federal law, known as Title IX, prohibits a person, on the basis of sex, from being excluded from participation in, being denied the benefits of, or being subject to discrimination under, any education program or activity receiving federal financial assistance.

This bill would add denial of reasonable accommodations for pregnant or parenting students, in violation of Title IX, to the list of conditions that may be considered good cause for excuse from participation in welfare-to-work activities.

Existing law prohibits the application of sanctions for a failure or refusal to comply with CalWORKs program requirements for reasons related to employment, an offer of employment, an activity, or other training for employment. Under existing law, those reasons include, among others, that the employment-related circumstance involves conditions that are in violation of applicable health and safety standards or it discriminates on any of specified protected characteristics.

This bill would add to those reasons the circumstance of the recipient requiring pregnancy- or parenting-related accommodations covered under Title IX, or other specified laws, and not having received adequate accommodations.

The bill would make a change to a related provision under existing law concerning a stakeholder workgroup.

Under existing law, a parent or caretaker relative is not eligible for CalWORKs aid when the parent or caretaker has received aid for a cumulative total of 48 months. Existing law increases that time limit to 60 months on May 1, 2022, or upon a specified notification to the Legislature from the State Department of Social Services. Existing law provides that all months of aid received under the CalWORKs program apply toward those time limits, except when certain conditions apply, or as otherwise specified by law.

Existing law establishes the Cal-Learn Program, which requires certain CalWORKs recipients who are under 19 years of age and are pregnant or custodial parents to participate in the program until the participant earns a high school diploma or its equivalent. Existing law requires counties to arrange for the provision of education and supportive services that teenage parents need to successfully participate in the Cal-Learn Program. Existing law requires a county to exempt a teenage parent from the Cal-Learn Program if specified conditions occur, including, but not limited to, if the teenage parent is expelled from school, childcare is necessary and unavailable, or the teenage parent has a verified illness, injury, or incapacity, as specified.

Existing law generally excludes months when a CalWORKs recipient is eligible for, participating in, or exempt from the Cal-Learn Program from the limit on cumulative total months of CalWORKs aid. Existing law does not limit the amount of time a teenage parent may participate in the initial education components of the Cal-Learn Program in order to obtain a high school diploma or its equivalent. Existing law also authorizes a teen who begins participation in the program before 19 years of age to continue to receive intensive case management services after 19 years of age, until the individual earns a high school diploma or its equivalent.

This bill would revise references of “teenage parent” in some provisions of the Cal-Learn Program to refer instead to “teen.” The bill would require the county to exempt a teen from the program when the teen is in a situation or a crisis that is destabilizing their family, as specified. The bill would make all exemptions subject to annual redetermination. The bill would specifically exclude all months in which a teen participates in the initial education components of the Cal-Learn Program and months the individual continues to receive intensive case management services after 19 years of age from being counted toward their cumulative total months of CalWORKs aid.

Existing law requires a participant in the Cal-Learn Program who maintains satisfactory progress in school to receive a \$100 supplement to the amount of cash aid paid to the participant, as specified, as well as a \$500 supplement for a participant who successfully completes high school or a California high school equivalency examination. Under existing law, if a participant fails to demonstrate that they have made adequate progress in school, as prescribed, the participant is subject to a \$100 sanction from the amount of cash aid that the participant would otherwise be paid. Existing law requires the case manager of a participant who fails or refuses to comply with Cal-Learn Program requirements without good cause to inform the client of the consequences of nonparticipation and provide the participant with specified contact information for the local welfare rights organization or legal aid society for further assistance.

This bill would delete those sanctions and related case manager duties for noncompliance in the Cal-Learn Program. The bill would delete a provision requiring the supplement to be paid to the assistance unit of which the teen is a member under a specified timeline.

By increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing these provisions.

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. The Legislature finds and declares all of the following:

(a) The majority of low-income people live in a household that is working.

(b) A living wage is the best tool to address poverty, as supported by studies that have linked increased access to formal employment directly to poverty reduction.

(c) Access to higher education is crucial to reducing poverty, as studies demonstrate that increased education is linked to improved employment opportunities.

(d) Parenting students face barriers to education due to competing demands between school and caring for their families.

(e) Requiring students to choose between work or caregiving is unjustifiable and can be improved if the caregivers are provided with the financial support to stay in school while being able to provide for their child or children.

SEC. 2. Section 11320.3 of the Welfare and Institutions Code is amended to read:

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.).

SEC. 3. Section 11320.31 of the Welfare and Institutions Code, as amended by Section 3 of Chapter 588 of the Statutes of 2022, is amended to read:

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 230 or 230.1 of the Labor 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.

SEC. 4. Section 11320.31 of the Welfare and Institutions Code, as added by Section 4 of Chapter 588 of the Statutes of 2022, is amended to read:

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 230 or 230.1 of the Labor 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.

SEC. 5. Section 11331.5 of the Welfare and Institutions Code is amended to read:

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

(1) The teen shall participate in the program until earning a high school diploma or its equivalent.

(2) The teen shall participate in the program as a student attending school on a full-time basis, as normally defined by the school in which the participant enrolls.

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

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

(1) The teen is expelled from school and obtains verification that no other school in the district will permit the teen to attend, and the case manager cannot arrange for enrollment in an alternative school.

(2) The teen cannot receive payment for childcare or transportation expenses due to lack of program funding.

(3) Childcare is necessary and unavailable.

(4) Public or private transportation is necessary and unavailable.

(5) A foster care payment is made under this chapter on behalf of the teen.

(6) The teen has an illness, injury, or incapacity, as determined by a doctor's verification, that substantially deprives the teen of the ability to meet program requirements or to be successful in earning a high school diploma or its equivalent, and an alternative education program cannot be arranged.

(7) The teen is in a situation or a crisis that is destabilizing their family, including, but not limited to, any of the following:

(A) Homelessness or imminent risk of homelessness.

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

(C) Untreated or undertreated behavioral and mental health needs.

(D) The misuse of controlled substances or alcohol.

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

(1) A custodial parent or pregnant person under 19 years of age, who is required to participate pursuant to subdivision (a).

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

SEC. 6. Section 11332.7 of the Welfare and Institutions Code is amended to read:

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

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

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

SEC. 7. Section 11333.7 of the Welfare and Institutions Code is repealed.

SEC. 8. Section 11333.7 is added to the Welfare and Institutions Code, to read:

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

(b) A participant required to participate pursuant to Section 11333.5 who successfully completes high school or a California high school equivalency examination shall receive a five-hundred-dollar (\$500) supplement. An assistance unit shall not receive a one-hundred-dollar (\$100) supplement when a five-hundred-dollar (\$500) supplement for the same report card or progress report is paid. The five-hundred-dollar (\$500) supplement shall be paid to the teen in the month following submission of the record of completion, if received by the county no later than the 11th calendar day of the month, or in the second month following submission of the record of completion, if received by the county after the 11th calendar day of the month.

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

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

SEC. 9. No appropriation pursuant to Section 15200 of the Welfare and Institutions Code shall be made for purposes of this act.

SEC. 10. 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.