

## **RIGHTS, RESPONSIBILITIES AND OTHER IMPORTANT INFORMATION**

### **For the California Work Opportunity and Responsibility to Kids (CalWORKs) Program (Non-needy Caretaker Relative With Relative Foster Child)**

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These pages give you your rights and responsibilities and other important information. The county needs facts about you and your child to see if he/she is eligible for CalWORKs cash aid and how much you may be eligible for. If you need more information or have questions, ask your worker.

#### **YOUR RIGHTS**

1. To be treated equally without regard to race, color, national origin, religion, political affiliation, marital status, sex, disability, or age. You may file a complaint of discrimination if you feel you or your child has been discriminated against by first speaking with your county's designated civil rights representative or by writing to the

State Civil Rights Bureau  
744 P Street, MS 8-16-70  
P.O. Box 944243  
Sacramento, CA 94244-2430

or by calling toll free 1-866-741-6241 or for the hearing impaired TDD 1-800-688-4486.

2. To tell the county if the child has a disability and needs help applying for or continuing to get CalWORKs benefits and services.
3. To ask for help to complete the application or any other cash aid, CalFresh, or Medi-Cal form.
4. To ask for an interpreter and to have forms and notices translated if you don't speak or read English.
5. To be treated with courtesy, consideration and respect.
6. To be interviewed promptly by the county when you apply and to have the eligibility determined within 45 days.
7. To discuss the child's case with the county and to review the child's case yourself when you ask to do so.
8. To be told the rules for getting CalWORKs right away. If we think you might be eligible, you will get an interview within one day.
9. To continue getting CalWORKs without a break if you move from one county to another if the child stays eligible.
10. To ask to have your Electronic Benefits Transfer (EBT) card replaced if lost in the mail, damaged, or destroyed. The county will tell you if you are eligible.
11. To ask for extra money if the child's income drops or stops.
12. To ask for payments for clothing, housing or essential household items which are lost, damaged or otherwise unavailable due to sudden and unusual circumstances.
13. To ask for payments for ongoing special needs like a special diet, transportation for ongoing medical care, special laundry service, telephone for the hard of hearing, high utility bills, etc.
14. To be notified in writing when your application is approved, denied, or when the child's benefits change or stop.
15. To have the child's records kept confidential by the county and state, unless there is a felony arrest warrant issued for the child, or as otherwise provided by law.

16. To talk with someone from the county or file a formal complaint with the state if you don't agree with an action taken by the county. You may call toll-free at 1-800-952-5253 or for the hearing impaired, TDD 1-800-952-8349.
17. To ask for a State Hearing within 90 days of the county's action.
18. To ask for a State Hearing, you can write to your county or call the State toll-free telephone numbers listed in Item 16 above.
19. To be represented at a State Hearing by yourself, a household member, friend, attorney, or other person of your choice. NOTE: You may get free legal help at your local legal aid office or welfare rights group.
20. To have reasonable access to a location where you can withdraw CalWORKs benefits with minimal or no costs.
21. To get a brochure that will tell you how to use your EBT card and how to get CalWORKs benefits at minimal or no costs.
22. To get a list of surcharge-free ATMs and stores where you can get cash back at no cost when you make a purchase with your EBT card. You can get a list of these locations from your county worker or at [www.ebt.ca.gov](http://www.ebt.ca.gov).

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## YOUR RESPONSIBILITIES

### Citizenship/Immigration Status

To sign under penalty of perjury that the child applying for CalWORKs is a U.S. citizen, U.S. national, or has lawful immigration status. We will check the immigration status information with the U.S. Citizenship and Immigration Services (USCIS) to make sure the child is eligible.

### Fingerprint/Photo Imaging

Most adults applying for a child-only grant must be fingerprint/photo imaged. Non-needy caretaker relatives applying only for a relative foster child are not required to be fingerprint/photo imaged. If you apply at a later date for CalWORKs for yourself and/or other children in your family who are not relative foster children, you must be fingerprint/photo imaged.

### Social Security Number (SSN) Rules

The SSNs will be used in a computer match to check income and resources with records from tax, welfare, employment, the Social Security Administration and other agencies. Differences may be checked out with employers, banks or others. Making false statements or failing to report all facts or situations which affect eligibility and aid payments for CalWORKs may result in repayment of benefits and/or criminal or civil action.

You must give us the SSN for each applicant or recipient of CalWORKs. If you refuse to give us either a SSN or proof of application for a SSN, the child will not be able to get CalWORKs. You must give proof of application for a SSN within 30 days of application for CalWORKs and give the SSN to the county when you get it. (MPP Section 40-105.2)

### Verification(s)

To give proof to support the child's eligibility. If you can't get proof, we will help you get it. You may need to sign a release for third party information or sign a sworn statement. (MPP Sections 40-105.1; 40-157.212; 40-157.213)

### Cooperation

To cooperate with county, state and federal staff. A county worker can come to your home at an arranged time to check out your facts, including seeing each family member. The child may not get benefits or benefits may be stopped if you don't cooperate.

### Other Benefits

To apply for any benefits or income the child is eligible to get, such as: Unemployment (UIB) or Disability benefits, Veterans benefits, Social Security or Medicare, etc.

### Child/Spousal and Medical Support

To cooperate with the county and the Local Child Support Agency to:

- identify and locate any absent parent in your case;
- tell the county or the Local Child Support Agency anytime you get information about the absent parent, such as place of residence or work location;
- determine the paternity of any child in your case when needed;
- get medical support money from any absent parent and, get child support money;
- give the Local Child Support Agency any medical support money and, any child/spousal support money the child gets;
- tell the county about medical coverage or money for medical services paid by either parent.

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## YOUR REPORTING RESPONSIBILITIES

You must report certain information to the county. If you're not sure how to report, what to report, or what proof we need, ask your worker.

### Applicants

If any of the facts you told the county change during the processing of your application, you must report the new facts to the county within 5 days.

### Annual Reporting for Certain Child-Only Cases (AR/CO)

Most CalWORKs cases where only the children get cash aid will only have to report once each year except for a few mandatory changes that must be reported within 10 days of when they happen. These cases are called Annual Reporting/Child-Only (AR/CO) cases. The county will tell you if you have an AR/CO case.

AR/CO cases will only have to report changes at their Annual Redetermination (RD), with the following exceptions:

- Anytime the child's combined gross income, both earned and unearned is more than the Income Reporting Threshold (IRT) for the child. The county will tell you in writing what the child's IRT is.
- Anytime someone moves into or out of your home. This includes newborns and children who are placed in foster care.
- Anytime you and/or the child have an address change.
- Anytime the child becomes a fleeing felon or is found by a court to be in violation of probation or parole and it was not already reported.

### Voluntary Reporting Information for AR/CO Cases

You can also report some changes voluntarily. Reporting some changes may help the child's cash aid go up. If the information reported causes benefits to go up, the county will take action within 10 days after you provide verification.

Some examples of voluntary reporting that may cause the child's benefits to go up include:

- The child's income stops or drops.
- You believe that the child is eligible for a CalWORKs Special Needs payment, such as pregnancy special needs or a qualifying special diet.

### Immunizations

You must provide proof when requested by the county that children under the age of 6 have received age appropriate immunizations. (MPP Sections 40-105.4; 40-105.5)

### School Attendance

All children between the ages of six and 18 years of age who are getting CalWORKs must attend school.

If the child is between the ages of 16 and 18 years of age, is not attending school regularly, and does not have a good reason, the child's grant can be lowered until he or she starts attending or meets an exemption.

### Maximum Aid Payment (MAP)

There are two levels of Maximum Aid Payment (MAP). Most families getting CalWORKs get the lower MAP level. Families may get the higher MAP level if each parent or caretaker in the Assistance Unit (AU) is caring for an aided child(ren) who is not their child and the caretaker does not get CalWORKs.

**YOUR REPORTING RESPONSIBILITIES (CONTINUED)****Proof of Facts**

If you ask for CalWORKs within one year of the date it stopped, the county must look at the child's prior case file to see if it already has the proof needed to determine the child's eligibility when:

- you cannot get the proof, or
- there is a cost to you to get the proof, or
- processing the child's application would be delayed because it would take too long for you to get the proof.

If you ask for CalWORKs within one year of the date it stopped AND, if the county doesn't have the proof it needs, then you will have to provide proof.

If you have new changes since the child last got CalWORKs, the county will need new proof.

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## OTHER IMPORTANT INFORMATION

### Education and Work Rules

Your worker will tell you what CalWORKs rules the child needs to follow before and after the application is approved. The child may be required to be in education, work or training activities to keep getting CalWORKs. The county will tell you how many hours a week the child must take part in these activities or if the child is excused from these rules.

All children are required to attend school and complete high school or its equivalent. Pregnant and parenting teens under the age of 19 who have not completed high school are subject to Cal-Learn program requirements. Non-pregnant and non-parenting teens ages 16 and 17 may be subject to Welfare-to-Work program requirements if they do not regularly attend high school, or if they complete high school and do not enroll or plan to enroll in a postsecondary education program.

### Noncompliance for Not Meeting CalWORKs Rules

Any time the child does not meet CalWORKs rules and does not have a good reason, CalWORKs may be stopped until the child does what he/she should do.

### Income Disregards

The total amount of CalWORKs the child receives is based on the child's income. The law allows for some income to be disregarded when the total amount of CalWORKs the child will receive is calculated.

- If the child gets more than \$225 a month of Disability Income (DI), only the first \$225 is disregarded.
- If the child gets \$225 a month or less of DI, none of it will be counted as income and if the child also has Earned Income (EI), any remaining amount of the \$225 disregard, up to \$225, will not be counted as income.
- In addition, 50 percent of any other EI will be disregarded.
- The remainder is the child's net countable income and is the amount that will be used to figure the child's CalWORKs grant.

If the child is participating in the Independent Living Program (ILP), any income earned as part of the program is exempt.

### CalWORKs Child Care Program

In some cases, child care benefits may be available to a CalWORKs minor parent who needs child care to work or participate in county-approved welfare-to-work activities such as attending education or job training programs.

### California Department of Education (CDE) Child Care

Child care benefits are also available from CDE. Contact your local Resource and Referral Agency for more information.

## AR/CO CASES

### Budgeting Rules

AR/CO households will use prospective budgeting and will report on their annual redetermination (RD) form any income, expenses and property the child has and any changes they are sure will happen in the next 12 months. The information you provide will be used to figure the child's CalWORKs benefits for the next 12 months. There are some things that you will have to report within 10 days of when they happen. The mandatory reporting rules for AR cases are on page 4 of this form.

### Property Limit

There is a \$2,250 limit on the value of the property (e.g. bank accounts, stocks, etc.) that the child can own and be eligible to receive CalWORKs benefits. A child under age 18 can own a vehicle (for example a car, truck, van, motorcycle, etc.) to drive to work, school, job training or to look for work. The value of this vehicle does not count against the \$2,250 limit. This also applies during temporary periods of unemployment for the child who customarily drives to and from work. If it was given to the child as a gift, a donation, or a family member transferred it to the child, we also do not count it. You will be asked to give the county proof from the Department of Motor Vehicles that it was a gift, donation or transfer from a family member.

**OTHER IMPORTANT INFORMATION (CONTINUED)****Resources/EBT**

Any balance remaining in the EBT account at the end of the month will be considered an available resource and could make the child ineligible for CalWORKs if the total countable resources are more than the allowable resource limits.

**Cal-Learn**

Cal-Learn helps pregnant and/or parenting teens under the age of 19, who are getting CalWORKs and do not have a high school diploma or its equivalent to stay in or return to school. Teens in the Cal-Learn Program may get cash bonuses for making satisfactory progress in the education program they are attending, or for completing the education program they were attending. Cal-Learn teens may get help with supportive services, including child care, transportation, and any other services necessary for the teen parent to successfully participate in the Cal-Learn Program. Cash penalties may be subtracted from their CalWORKs payment if Cal-Learn teens do not submit their report cards as required, or do not make satisfactory progress.

**AVAILABLE SERVICES**

Women, Infants and Children (WIC) Supplemental Nutrition Program: The WIC Program is only for pregnant and breast feeding women, infants and children under age 5, who are at medical-nutritional risk. For more facts about WIC, call your local county health department or the phone number for "WIC" in the telephone book.

## PENALTY WARNINGS

### Disqualification Penalties

**Disqualification penalties start after a state hearing or court of law finds that the individual has committed an Intentional Program Violation (IPV). Also, anyone who is accused of committing an IPV may agree to be disqualified by signing an Administrative Disqualification Consent Agreement or a Disqualification Hearing Waiver. Anyone who signs one of these documents gives up any hearing rights and accepts responsibility to repay any CalWORKs overpayment.**

### Program Rules and Penalties

I understand I am committing an intentional program violation which may also be a crime, if I give false or wrong information, or if I do not give all the information on purpose to try to get CalWORKs benefits that I am not eligible to get, or to help someone else get benefits that they are not eligible for, or if I misuse my benefits (this is called trafficking). If I do this on purpose and get more than \$950 in benefits I was not eligible for, I can be charged with a felony.

**In addition, I understand I must pay back any benefits I get that I/my child was not eligible for or that I misused.**

#### Program Violations

**I understand I may have committed an intentional program violation and I may lose benefits if:**

- I give false information about who I am or where I live.
- I try to get dual benefits, for example, apply in two or more different counties or states at the same time.
- I submit false documents for children who are not eligible or who do not exist.
- The child violates conditions of probation or parole.
- The child flees after a felony conviction.

#### Penalties

**I may lose CalWORKs benefits:**

- For six months, one year, two years, four years, five years or forever
- And be fined by a court and/or sent to jail/prison for up to five years.

### APPLICANT/RECIPIENT CERTIFICATION

- I understand that one of the intended purposes for CalWORKs is to help meet the basic needs of the child, including housing, food, and clothing.
- I understand my rights and responsibilities and agree to comply with my responsibilities.
- I also understand the penalties for giving incomplete or wrong facts, or for failing to report facts or situations that may affect the child's eligibility or benefit level for CalWORKs.
- I certify I was given a copy of The Rights, Responsibilities, and Other Important Information (CW 2218).

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(APPLICANT/RECIPIENT'S INITIALS)

### ELIGIBILITY WORKER'S CERTIFICATION

I certify that the applicant/recipient appears to understand:

- his/her rights and responsibilities and
- the penalties for giving incomplete or wrong facts, or for failing to report facts or situations that may affect the child's eligibility or benefit level for CalWORKs.

I also certify that the applicant/recipient was given a copy of:

- The Rights, Responsibilities, and Other Important Information (CW 2218)

\_\_\_\_\_  
Signature of Caretaker Relative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Eligibility Worker's Signature

\_\_\_\_\_  
Eligibility Worker's Number

\_\_\_\_\_  
Date